

CAMPBELL LAW FIRM, P.A.  
CLIENT INFORMATION SHEET

Please provide us with the following information to help us serve you better (please print).

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ DOB: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Mailing Address (If different from above):

\_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Employer: \_\_\_\_\_

Work Address: \_\_\_\_\_

Spouse's Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Employer: \_\_\_\_\_

Work Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Mobile Phone: \_\_\_\_\_ Work Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

Children's Names and Ages: \_\_\_\_\_

\_\_\_\_\_

How did you choose our firm?

Referral (if yes, who may we thank for your referral?) \_\_\_\_\_

Television  Internet  Yellow Pages  Radio  Other \_\_\_\_\_

THANK YOU!

# PERSONAL FINANCIAL WORKSHEETS

## Types of Debt

**Secured Creditors** are creditors that have a lien on your real or personal property. Examples:

- Mortgage Loan
- Vehicle Loan
- Furniture Loans (Rhodes, Haverty's, Rooms to Go, etc.)

**Unsecured Creditors** are creditors that do not have a lien on any of your property. Examples:

- Credit Cards
- Medical Bills
- Personal/Signature Loans
- Student Loans

**Priority Creditors** are a special type of unsecured debt. Examples:

- Federal Taxes
- State Taxes
- Family Court Obligations

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## Liabilities (debts you owe)

Type of debt:  Secured  Unsecured  Priority / If secured list collateral \_\_\_\_\_ Value \$ \_\_\_\_\_

Creditor Name: \_\_\_\_\_

Amount Owed: \$ \_\_\_\_\_ Monthly Payment: \$ \_\_\_\_\_

Amount Disputed \$ \_\_\_\_\_ # Payments Behind: \_\_\_\_\_

Responsible Party:  Self (if single)  Husband  Wife  Joint (husband and wife)

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**LIABILITIES (debts you owe)**

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## Current Monthly Income

1. **Monthly take home pay** (what is your monthly pay after taxes): \$ \_\_\_\_\_

2. **Spouse's monthly take home pay:** \$ \_\_\_\_\_

3. **Alimony, maintenance or support payment:** \$ \_\_\_\_\_

If so, who do you receive these payments for?

_____	_____	_____
Name	Age	Relationship

_____	_____	_____
Name	Age	Relationship

_____	_____	_____
Name	Age	Relationship

4. **Pension, Social Security or Retirement Income:** \$ \_\_\_\_\_

5. **Other Monthly Income** (please specify): \$ \_\_\_\_\_

\_\_\_\_\_

**TOTAL (lines 1 - 5):** \$ \_\_\_\_\_

6. If the Debtor is a sole proprietorship, please provide the average gross monthly income from the operation of the business: \$ \_\_\_\_\_

**CURRENT MONTHLY EXPENSES**

	<b>Estimated</b>	<b>Actual Week 1</b>	<b>Actual Week 2</b>	<b>Actual Week 3</b>	<b>Actual Week 4</b>	<b>TOTAL MONTHLY INCOME</b>
Regular Income						
Misc. Income						
<b>EXPENSES</b>						
Rent/Mortgage						
Property Taxes						
Home Insurance						
Electricity						
Phone						
Water						
Cable						
Garbage						
Food						
Health Insurance						
Medical Bills						
Dental Bills						
Education						
Auto Repairs						
Auto Gas						
Auto Insurance						
Auto Payment						
Clubs						
Recreation						
Church						
Clothing						
Laundry						
Gifts						
Christmas						
Stock						
Retirement						
Pet Care						
Misc. Expenses						
Vacation						
<b>TOTALS</b>						

## **CHAPTER 7 BANKRUPTCY**

United States Bankruptcy laws are designed to provide relief to individuals and businesses that are experiencing extreme financial difficulties.

Chapter 7 refers to straight or liquidation bankruptcy. Under Chapter 7 a debtor (or husband and wife debtors) files a petition for relief, which automatically entitles the debtor to a court order protecting the debtor from the people of businesses to whom he owes money, who are called "creditors." With the petition the debtor must list all property and all debts. Once the petition has been filed a trustee is appointed by the Bankruptcy Court to supervise the Bankruptcy, and the individual who is filing can no longer control his property until the case is closed or the property is released by the Court. A court appointed trustee has the right to ask any questions about the debtor's property and debts. The trustee can sell, mortgage, rent or dispose of the debtor's property. The debtor may be able to keep some of his property.

The debtor must come to a meeting where the trustee and creditors can ask questions of the debtor. Most bankruptcy cases can be finished within 3 months or so, but some can last for years if the debtor has a great deal of property.

At the end of a case, the debtor will ordinarily receive a discharge order. This order formally discharges or erases many debts, except certain types of debt such as alimony, support, recent taxes, student loans or debts obtained by fraud and some others. If a debt is discharged, the debtor will not be required to pay it, although it can be repaid voluntarily. A discharge does not ordinarily affect mortgages on real estate or car loans and some other liens. Often court judgments and certain other liens can be erased.

Filing for Bankruptcy relief does damage credit ratings; it can be reported by credit bureaus for 10 years. Although credit may be difficult to obtain after Bankruptcy, there is no law prohibiting a person who files Bankruptcy from getting credit.

While individuals can represent themselves, it can be complicated. There are exceptions to much of what is set forth here. Anyone considering Bankruptcy is urged to consult a lawyer.

This paper was prepared to give you some general information on the law. It is not intended as legal advice about any particular problem. If you have any questions about the law, you should consult a lawyer.

## **CHAPTER 13 BANKRUPTCY**

U.S. Bankruptcy laws are designed to provide relief to individuals and businesses that are experiencing extreme financial difficulties.

Chapter 13 is commonly referred to as the wage earner plan. If a debtor (or husband and wife debtors) has any sort of income, from any source, he can file a petition for relief under Chapter 13 and repay his creditors, in part or in full, through a court-appointed trustee. The debtor must file a plan for repaying all or a part of his debt to creditors within 2 weeks of filing Bankruptcy. The creditors can accept or reject the plan, but the final decision as to approval of the plan is up to the Judge under the Bankruptcy laws.

Within a month of filing Bankruptcy, the debtor must make monthly payments to his court-appointed trustee. Once a plan of repayment is approved by the Judge, the trustee pays this money to the creditors in accordance with the repayment plan. These payments to the trustee normally continue for 3 to 5 years. A Chapter 13 filing may allow the debtor to stop foreclosure by bringing all past due payments and penalties current by making payments into the Chapter 13 Plan. Most mortgage payments must then continue to the mortgage company or bank.

If the debtor follows the repayment plan by making all payments called for by the Plan, the debtor receives a discharge order wherein the bankruptcy Judge formally forgives or "discharges" the debtor on all debts that can be discharged, except certain types of debt such as: alimony, support, recent taxes, student loans or debts obtained by fraud and some others. A discharge does not ordinarily affect mortgages, car loans, or most other liens.

Filing for bankruptcy relief does damage credit ratings; it can be reported by credit bureaus for 10 years. Some creditors are more likely to give credit to those individuals who file under Chapter 13 rather than Chapter 7. While individuals can represent themselves, Bankruptcy can be complicated. There are exceptions to much of what is set forth here. Anyone considering bankruptcy is urged to consult and employ a lawyer.

## **BASIC INFORMATION ON CHAPTER 11**

There are some U.S. Statutes that are designed to provide relief to individuals or to businesses that are experiencing financial or economic difficulties. These laws and other related to them are referred to as the U.S. Bankruptcy Code. This particular segment concerns one Chapter of the U.S. Bankruptcy Code that is most often used by businesses or individuals who are sole proprietorships, Chapter 11.

Chapter 11 is often referred to as the reorganization Chapter. There can be two types of Chapter 11 cases: one in which the business or individual seeks to reorganize and to propose a Plan of repayment or reorganization; and second, wherein the business or individual's assets are liquidated in an orderly fashion.

A Chapter 11 case begins when the debtor (also referred to as the "Debtor-In-Possession") files a petition for relief under Chapter 11 of the U.S. Bankruptcy Code. At the point of filing the petition as "Automatic Stay" goes into effect that serves as a Court Order protecting the debtor from their creditors and other legal proceedings. There are some exceptions to the Automatic Stay coverage. This Automatic Stay may be lifted or modified by Order of the Court after parties have had a chance to be heard by the bankruptcy judge. The Automatic Stay also automatically expires once the case has been dismissed or conclude in a satisfactory fashion.

Shortly after the filing of the petition, within 15 days, the Debtor-In-Possession must file a statement of affairs describing in a general sense the business history and transactions of the company, a schedule of all assets, a schedule of all liabilities, a list of executory contracts (such as leases, contracts that are yet to be performed and other such contracts), and a list of equity holders. Other statements and schedules may be required. Unless the Court orders otherwise, the Debtor-In-Possession must also file a monthly financial report with the Court showing all receipts and disbursements that have occurred in the prior month. The petition, statements, schedules and monthly reports are all public records available for viewing by the public during normal hours of operation, unless otherwise restricted due to a large demand. Within 20 to 60 days after the petition is filed, a First Meeting of Creditors will be held. An employee of the Office of the U.S. Trustee presides, the Debtor-In-Possession appears and answers questions that creditors may have. The debtor must also pay quarterly fees to the United States Trustee based upon the amount of the monthly disbursement.

Under Chapter 11, a business can operate as normal without the day to day supervision of the Court. If the company seeks to do something that is outside the normal course of business, such as sell off a major asset or enter into an extraordinary contract, then they must provide notice that they seek to perform such a function to all of their creditors or to other groups that the Court may direct, and if someone objects, or if the Court deems it necessary, then a hearing will be held on the proposed sale of property or proposed extraordinary function which the company seeks to perform.

In Chapter 11 there is no trustee appointed unless the Court feels that one is necessary and orders that one be appointed; the appointment is made by the office of the U.S. Trustee.

During the first 120 days from the date that the case is filed, the debtor enjoys an exclusive period in which the Debtor-In-Possession may file a Plan or reorganization. After the 120 days, unless the Court orders otherwise, any creditor or party in interest may file its Plan of reorganization. The Debtor-In-Possession may still file a plan of reorganization after the 120 day period.

The Plan of reorganization must be accompanied by a Court approved Disclosure Statement.

The Disclosure Statement must provide enough information so that a disinterested investor can make an informed decision as to whether to approve or disapprove the plan of reorganization. Generally speaking, a hearing would be held on the Disclosure Statement, and if this Disclosure Statement is approved, then the Disclosure Statement and the Plan are sent to all creditors along with a ballot. The creditors have a certain period of time in which to vote for or against the Plan of reorganization.

Once all of the ballots have been cast, then a confirmation hearing to decide the issue of whether or not the plan should be approved is held. Under certain circumstances the Court may confirm or approve a plan of reorganization that may not have been completely approved by the creditors or even approved by a majority of the creditors. It will be up to the judge to decide what is equitable and in the best interest of all parties.

There are a variety of motions or adversary actions that may be brought within the context of Chapter 11. An unsecured creditors' committee is usually organized by the Office of the U.S. Trustee, drawn from the list of the 20 largest unsecured creditors. The committee ordinarily has 3 and 7 members. With the leave of the Court, the creditors committee may be able to hire an attorney or other professionals at the expense of the Debtor-In-Possession. There is no limitation on how long a Chapter 11 case may remain open.

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This handout was prepared by the Clerk of Court's Office and is designed for use by laymen. There are exceptions to most of these statements and if you have any questions, you are urged to consult with competent bankruptcy counsel.