

**Law Office of Jeffrey B. Kelly, P.C.  
Bankruptcy Questionnaire**

**DEBTOR INFO:**

How did you first hear about my office? \_\_\_\_\_ Office Location \_\_\_\_\_

Debtor's Full Legal Name: \_\_\_\_\_

SS# \_\_\_\_\_ DOB: \_\_\_\_\_

Spouse's Full Legal Name: \_\_\_\_\_

SS# \_\_\_\_\_ DOB: \_\_\_\_\_

Other Names Ever Used: \_\_\_\_\_ Email: \_\_\_\_\_

Tel#: \_\_\_\_\_ Cell#: \_\_\_\_\_ Emergency Contact (name & number): \_\_\_\_\_

Debtor's Home Address: \_\_\_\_\_ Debtor's Mailing Address: \_\_\_\_\_

City	State	Zip	County	City	State	Zip	County
------	-------	-----	--------	------	-------	-----	--------

**BANKRUPTCY HISTORY:**

Have you ever filed bankruptcy before? Location where BR filed \_\_\_\_\_ Date filed \_\_\_\_\_

Case no: \_\_\_\_\_ Chapter: \_\_\_\_\_

**For Chapter 7**

-Have you received a Chapter 7 discharge in a case filed within the last 8 years? \_\_\_\_\_

*(If so, debtor is not eligible for a Chapter 7 but might be able to file a Chapter 13)*

-Have you received a Chapter 7 discharge within the last 4 years in a case filed within the last 4 years? \_\_\_\_\_

*(If so, can't get a discharge in a 13 but can file a 100% plus contract interest on all debts)*

Have you received a Chapter 13 discharge in a plan that is less than 70 percent? -----If so, not eligible for chapter 7 for six years from the date of filing.

**For Chapter 13**

-Have you received a Chapter 13 discharge in a case filed within the last 2 years? \_\_\_\_\_

*(If so, can't get a discharge in a 13 but can file a 100% plus contract interest on all debt)*

-Have you had any Chapter 13 cases dismissed within the last year \_\_\_\_\_ If so, When? \_\_\_\_\_

What was the reason for dismissal \_\_\_\_\_ *(We may not be able to reimpose the stay)*

**STATEMENT OF FINANCIAL AFFAIRS**

1. Income from employment or operation of business

	Debtor	Spouse
Current year to		
Last Year		
Two years ago		

2. Income other than from employment or operations of business (specify source, husband or wife if married debtor, beginning and ending dates of fiscal year if there are any) \_\_\_\_\_

3. a. Have you paid any single creditor a lump sum of more than six hundred dollars within the last 90 days? If so, who? \_\_\_\_\_

b. Have you paid back any personal loans given by friends or family within the past year?

4. a. Do you have any pending lawsuits? \_\_\_\_\_ Case # \_\_\_\_\_ What was the nature of the proceeding? \_\_\_\_\_ Court \_\_\_\_\_  
Creditor \_\_\_\_\_ Status or Disposition \_\_\_\_\_

b. Are you currently being garnished? \_\_\_\_\_ Creditor: \_\_\_\_\_  
Address of creditor \_\_\_\_\_ Seizure dates \_\_\_\_\_  
Description and value of property \_\_\_\_\_

5. a. Has any creditor repossessed any of your vehicles within the last year?

Name of Creditor	Year, make, and model of vehicle	Value	Date of Repo
------------------	----------------------------------	-------	--------------

b. Do you own any houses or land that are currently in foreclosure or have been foreclosed in the past six months?  
(Note to staff: All foreclosure cases must be put in a red folder and written on board)

Name of Creditor and Law Firm	Address	Value and Description of Property	Date of Foreclosure
-------------------------------	---------	-----------------------------------	---------------------

7. Have you given away any gifts worth more than \$200 in the past year? \_\_\_\_\_ If so, to whom? \_\_\_\_\_  
What is their relationship to you? \_\_\_\_\_ When was the gift given? \_\_\_\_\_ Please describe the gift and its exact cost \_\_\_\_\_

8. Have you incurred any losses from fire, theft, other casualty or gambling within the past year? Please give a description and value of property \_\_\_\_\_

Description of circumstances \_\_\_\_\_  
Was the loss covered in whole or in part by insurance? \_\_\_\_\_ Date occurred \_\_\_\_\_

9. Payments related to debt counseling or bankruptcy: **RECIPIENT: LAW OFFICE OF JEFFREY B. KELLY. VALUE AND DESCRIPTION: TO FILE CHAPTER \_\_\_\_\_ ( \_\_\_\_\_ FILING FEE, 49 FIRST CREDIT COUNSELING FEE, 0 / 19 / 38 SECOND CREDIT COUNSELING FEE, 20 TAX TRANSCRIPTS, \_\_\_\_\_ ATTORNEY'S FEES)** [Note to staff: do not include second credit counseling fee if it is a Chapter 13. If there is more than one person filing a Chapter 7, the second CC fee will be 38 dollars rather than 19.]

10. Have you sold or signed away any property in the last 2 years? \_\_\_\_\_ If so, list a description of the property \_\_\_\_\_ Estimated value \_\_\_\_\_  
Relationship of the buyer to you \_\_\_\_\_ Sales Price \_\_\_\_\_

11. If you have closed any bank accounts within the past year, please fill out the information:

Name of Bank	Type of Account	Closing Balance	Last 4 digits of account	Date
--------------	-----------------	-----------------	--------------------------	------

12. Have you had a safe deposit box in the past year? \_\_\_\_\_ If so, where is it located? (need address and institution) \_\_\_\_\_ If anyone else has access to this box, please list their name and address \_\_\_\_\_ Description of the contents \_\_\_\_\_  
Date of Transfer or surrender \_\_\_\_\_

14. Do you currently possess any property that does not belong to you? (Example: Are you driving someone else's car?)

Owner	Address of Owner	Description and Value of Property	Location of Property
-------	------------------	-----------------------------------	----------------------

15. Have you lived at any other addresses within the last three years? (List dates of occupancy and addresses)

**STAFF USE:** If the client has lived in another state over the past three years, which state has s/he spent the most time in? \_\_\_\_\_

Be sure to change this state in the Voluntary Petition under the "Filing Information" tab BEFORE exempting property on Schedules A and B.

**ADDITIONAL QUESTIONS:**

1. Have you received any cash advances in the amount of \$750 or more within the last 70 days? \_\_\_\_\_

2. Have you incurred any new type of debt within the last six months, including but not limited to, balance transfers on credit cards, regular charges, cash advances or loans? \_\_\_\_\_ If so, please list creditor names and amounts: \_\_\_\_\_

3. Do you have any child support obligations? \_\_\_\_\_ If so, are you current on your payments? \_\_\_\_\_ Who do you make the payments to? (list the name, address, and phone number) \_\_\_\_\_

4. Please list your current marital status \_\_\_\_\_. Have you ever been divorced? \_\_\_\_\_ If so, does the divorce decree order you to pay any specific debts? \_\_\_\_\_ Do you know if your ex spouse has ever filed for bankruptcy? \_\_\_\_\_ If so, who was his/her attorney? \_\_\_\_\_ (check for conflict)

5. Have you filed all of your tax returns within the last four years? \_\_\_\_\_

6. Have you purchased any vehicles within the last 2.5 years?

Date of purchase \_\_\_\_\_

year/make/model \_\_\_\_\_

7. Do you have any leases or rent to own contracts like a Rent-A-Center or a car lease?

---

Name of Creditor	Address	City, State, Zip	Collateral
------------------	---------	------------------	------------

---

**REAL PROPERTY: (Schedule A)**

BANKRUPTCY LAWS REQUIRE THAT YOU LIST ALL OF YOUR ASSETS IN YOUR PETITION, FAILURE TO LIST ASSETS CAN RESULT IN THE DISMISSAL OF YOUR CASE AND CRIMINAL PROSECUTION

Do you own any land, houses, or mobile homes? \_\_\_\_\_

If so, please give a brief description \_\_\_\_\_

How much is the property worth? \_\_\_\_\_ How much is owed? \_\_\_\_\_ What is the name of the mortgage company \_\_\_\_\_ Is there a cosigner? \_\_\_\_\_ If so, please list the full legal name and mailing address of the cosigner. \_\_\_\_\_

---

---

---

**PERSONAL PROPERTY: (Schedule B)**

1. Please list all vehicles that are in your name or that you have cosigned for:

year/make/model	Monthly Payment	Worth	Debt	Creditor	Name and address of co-signer
-----------------	-----------------	-------	------	----------	-------------------------------

year/make/model	Monthly Payment	Worth	Debt	Creditor	Name and address of co-signer
-----------------	-----------------	-------	------	----------	-------------------------------

year/make/model	Monthly Payment	Worth	Debt	Creditor	Name and address of co-signer
-----------------	-----------------	-------	------	----------	-------------------------------

2. Please list all bank accounts, credit union accounts 401k plans, retirement funds, security deposits, etc. by name of bank or company holding account and ownership of account by husband (H) or wife (w) or jointly held by both (J).

	H/W/J?	Balance	Location		H/W/J?	Balance	Location
Cash				401K			
Checking				IRA			
Other Checking				Other Retirement			
Savings				Other			
Income Tax Refund Due				Other			
Stocks				Other			
Certificate of Deposit				Safety Deposit Box			

3. HOUSEHOLD GOODS: Please estimate the value of the following assets using a Yard Sale Value:

<u>Bedroom</u>	<u>Living Room</u>	<u>Dining Room</u>	<u>Kitchen</u>	<u>Lawnmower</u>	<u>TV/VCR/DVD</u>	<u>Stereo</u>	<u>Washer/Dryer</u>
<u>Yard Equip.</u>	<u>Computer Equip.</u>	<u>Clothing</u>	<u>Jewelry</u>	<u>Photo Equip.</u>	<u>Guns</u>	<u>Boats</u>	<u>Four-wheelers</u>
<u>Fishing Equip.</u>	<u>Golf Equip.</u>	<u>Campers</u>	<u>Other</u>	<u>Other</u>	<u>Other</u>		

4. Have you received or do you expect to receive a tax refund this year? \_\_\_\_\_ When? \_\_\_\_\_ How Much? \_\_\_\_\_

**EMPLOYMENT INFORMATION:**

Debtor's Job Title: \_\_\_\_\_ Spouse's Job Title: \_\_\_\_\_

Employer's Name: \_\_\_\_\_ Employer's Name: \_\_\_\_\_

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

City	State	Zip	City	State	Zip
Employer's Phone #: _____			Employers Phone #: _____		

How have you been employed with them? \_\_\_\_\_ Your Spouse? \_\_\_\_\_

2. Please list the age and nature of relationship of all your dependents: \_\_\_\_\_

3. How often do you get paid? (Circle one): *Weekly, bi-weekly, monthly.* Your Spouse? *Weekly, bi-weekly, monthly*

What is your average net income for each pay period? \_\_\_\_\_ Your Spouse? \_\_\_\_\_

	DEBTOR	SPOUSE
MONTHLY GROSS		
TAXES		
INSURANCE		
401K CONT.		
401K LOAN		
CHILD SUPPORT		
OTHER DEDUCTION		
MONTHLY AVERAGE		

4. Do you have any other source of income? \_\_\_\_\_ If so, please list all. Examples include: Self employment, part-time income, rental income, retirement, social security, disability, worker's compensation, veteran's benefits, food stamps, welfare, child support, interest and dividends, and, alimony, or any other.

---



---



---



---

**CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S) (Schedule J)**

List monthly living expenses:

\_\_\_\_\_ Rent/Mortgage (circle one). Does mortgage include taxes and home insurance? Yes / No

\_\_\_\_\_ Second Mortgage

\_\_\_\_\_ Lot Rent

\_\_\_\_\_ Recreation

\_\_\_\_\_ Alimony and Support paid to others

\_\_\_\_\_ Electricity

\_\_\_\_\_ Charitable Contributions

\_\_\_\_\_ Expenses from business, profession, farm

\_\_\_\_\_ Water

\_\_\_\_\_ Homeowners or Renters Insurance

**OTHER EXPENSES:**

\_\_\_\_\_ Telephone

\_\_\_\_\_ Life Insurance

\_\_\_\_\_ Hair Care

**OTHER UTILITIES:**

\_\_\_\_\_ Health Insurance

\_\_\_\_\_ Daycare for children

\_\_\_\_\_ Cell Phone

\_\_\_\_\_ Auto Insurance

\_\_\_\_\_ Other (Please Specify)

\_\_\_\_\_ Gas (For House)

\_\_\_\_\_ Other Insurance

\_\_\_\_\_ Cable

\_\_\_\_\_ Internet

**OTHER TAXES (NOT DEDUCTED FROM PAYCHECK OR IN HOME MORTGAGE PAYMENTS)**

\_\_\_\_\_ Other

\_\_\_\_\_ Self Employment Taxes

\_\_\_\_\_ Home Maintenance

\_\_\_\_\_ Property taxes

\_\_\_\_\_ Food

\_\_\_\_\_ Other

\_\_\_\_\_ Clothing

**INSTALLMENT PAYMENTS FOR CHAPTER 7 CLIENTS ONLY AND/OR PAYMENTS FOR NONFILING SPOUSE:** (note to staff: payments for nonfiling spouse are for Ch 7 OR 13. For these, be sure to specify when payment ends)

\_\_\_\_\_ Laundry

Creditor \_\_\_\_\_ Payment \_\_\_\_\_

\_\_\_\_\_ Medical

Creditor \_\_\_\_\_ Payment \_\_\_\_\_

\_\_\_\_\_ Gas (for car)

Creditor \_\_\_\_\_ Payment \_\_\_\_\_

## CLIENT LIEN NOTICE

I certify that the following creditors have filed liens or court judgments against me:

- 1.
- 2.
- 3.
- 4.
- 5.

I acknowledge that I must provide copies of such judgments or liens to the Law Office of Jeffrey B. Kelly within thirty (30) days of this date.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Client \_\_\_\_\_

I certify that to my knowledge no liens or judgments have been filed in any Court of the County of my residence or of the County where any of my real estate is located to the best of my knowledge.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Client \_\_\_\_\_

---

## STATEMENT OF GROSS INCOME

	Husband	Wife
One month ago		
Two months ago		
Three months ago		
Four months ago		
Five months ago		
Six months ago		

I swear under penalty of perjury that the above listed information is a true, correct, and complete statement of my gross income over the last six months from the date of this document.

Sworn this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Client \_\_\_\_\_

Witness \_\_\_\_\_

## CHAPTER 7 NOTICE REGARDING REAFFIRMATION OF DEBT

In the event you are filing a Chapter 7 and you wish to reaffirm certain debts, you are informed that the decision to allow reaffirmation is solely the decision of the Creditor. You will likely be required to pay all delinquencies which exist as a condition of reaffirmation. If you cannot pay all past due amounts, you will likely lose the property if you proceed under Chapter 7. Chapter 7 affords you no protection against repossession or foreclosure if the Creditor refuses to accept reaffirmation and the Law Office of Jeffrey B. Kelly, P.C., will not be able to prevent such repossession or foreclosure.

Read, understood, and signed \_\_\_\_\_ / \_\_\_\_\_  
Client Date

### VERIFICATION OF NO PENDING LAWSUITS OR CLAIMS AGAINST ANY PERSON OR ENTITY

I, \_\_\_\_\_, swear under penalty of perjury, that I do not have any pending lawsuits or claims against any individual or entity. I understand that under Georgia law, if I do not list a pending claim or lawsuit on my bankruptcy petition, I will automatically lose and forfeit all right to recover any money or award of that claim. The Law Firm of Jeffrey B. Kelly, P.C. has answered all of my questions with respect to the issue of listing claims and lawsuits in a bankruptcy case.

Understood this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Client

\_\_\_\_\_  
Witness

### LETTER OF UNDERSTANDING WITH RESPECT TO CAR REPOSSESSIONS

I, \_\_\_\_\_, understand that if my car gets repossessed before my Chapter 13 is filed, it could take as long as six months to get my car back. I also understand that if I want to keep my car while I am in an active Chapter 13, I must keep full coverage insurance on the vehicle at all times.

Understood this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Client

\_\_\_\_\_  
Witness



## FORECLOSURE NOTICE

I, \_\_\_\_\_, understand that if I do not pay \$ \_\_\_\_\_ personally to Jeffrey B. Kelly by the last Friday before my Foreclosure date, the Law Office of Jeffrey B. Kelly will not be able to stop the foreclosure and cannot be held liable for anything. I understand that this money must be paid directly to Jeffrey B. Kelly in the form of a money order or cash and that I cannot leave this money with any other person. I also understand that it is my responsibility to notify the Law Office of Jeffrey B. Kelly with the name, phone number, and address of the foreclosing attorney AS WELL AS the foreclosure letter sent from the attorney representing the mortgage company. If the Law Office of Jeffrey B. Kelly is not provided with the said information, they cannot be responsible for anything.

Please also be aware that you MUST call the Law Office of Jeffrey B. Kelly the day before your foreclosure date and ask for your case number to verify that your case has been filed.

Understood this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Client

\_\_\_\_\_  
Witness

CHAPTER 7 DISCLAIMER SHEET THAT MUST BE SIGNED BEFORE ANY SIGN APPOINTMENT IS MADE

I \_\_\_\_\_, understand that if I have signed away any interest in a mobile home, house, car or anything else of value to anyone within the past two years, it must be listed in my Chapter 7. I understand that the Chapter 7 Trustee can take away anything of significant value that I have given away prior to filing.

I understand that if I own something like a house or anything else of value and I fail to list it as an asset in my Chapter 7 case, the trustee is going to take it away from me, sell it, and give the proceeds to my creditors.

I understand that if I have inherited anything from anyone within the last five years, I must get a copy of the will to the Law Office of Jeffrey B. Kelly before we file the case and must list anything that I have inherited on the bankruptcy petition.

I understand that if I am involved in any type of estate or expect to inherit anything from any estate, the trustee can take it away, sell it and pay my creditors.

I understand that the Law Office of Jeffrey B. Kelly will not take my Chapter 7 case if I have incurred any new debt six months prior to the filing of my case.

If you have repaid any loans to any family members with the last two years, the trustee can sue that family member to recover whatever you paid them.

**I understand that failure to list any asset or right to receive money from any estate can result in criminal prosecution by the bankruptcy court.**

Understood this \_\_\_\_ day of \_\_\_\_\_, 2010

---

---

