

ANNE-MARIE L. BOWEN, P.A.
ATTORNEY AT LAW

DATE: _____

CLIENT INFORMATION AND CONFLICT SHEET

FULL NAME(S): _____

OTHER NAMES USED IN THE LAST SIX (6) YEARS _____

MARTIAL STATUS _____ (Single, Married, Widow(er), Divorced)

STREET ADDRESS _____
(City) (State) (Zip)

COUNTY _____

MAILING ADDRESS (if different) _____

PHONE NUMBERS: HOME _____ WORK _____
CELL _____ FAX _____

E-MAIL: _____

(HIS) SOCIAL SECURITY NUMBER _____

(HER) SOCIAL SECURITY NUMBER _____

HOW DID YOU HEAR ABOUT US? _____

(FOR OFFICE USE ONLY)

TYPE OF MATTER _____

HOURLY RATE _____ FIXED RATE _____

OPPOSING COUNSEL WORKING ON MATTER _____
ADDRESS _____

TELEPHONE _____

RELATED PERSONS AND OTHER POSSIBLE WORK:

SUGGESTIONS OF BANKRUPTCY:

MOTION TO AVOID LIEN:

ANNE-MARIE L. BOWEN, P.A.
ATTORNEY AT LAW

DATE: _____

1. Full Name(s): _____

Did you make this appointment because:

- a) Your house is in danger of foreclosure?
- b) Your car is in danger of repossession?
- c) The bills are piling up?
- d) Other? _____

How long have you lived in Central Florida? _____

Living Situation: a) alone ___ b) with wife/husband ___ c) with partner ___ d) rent room ___
e) other ___ Please explain _____

2. Do you own a house? **YES/NO**

How much is your house worth (value)? _____

How much do you owe on your house? 1st Mortgage \$ _____
2nd Mortgage \$ _____
3rd Mortgage \$ _____

Are you behind in your mortgage payments? _____
If yes, how many months are you past due? _____

Are you renting a house/apartment? **YES/NO**

3. Do you own any other land, lots, or houses? **YES/NO**

If so, please describe _____

4a. Do you **OWN** a car/truck? (If Leasing, go to next page.)

Vehicle #1: Year _____ Make _____ Model _____

How much do you owe on this vehicle? _____

How much is the car worth? _____

Name on the title? _____

Are you behind in car payments? _____

How many payments behind? _____

How much is past due? _____

Vehicle #2: Year _____ Make _____ Model _____

How much do you owe on this vehicle? _____

How much is the car worth? _____

Name on the title? _____

Are you behind in car payments? _____

How many payments behind? _____

How much is past due? _____
Vehicle #3: Year _____ Make _____ Model _____
How much do you owe on this vehicle? _____
How much is the car worth? _____
Name on the title? _____
Are you behind in car payments? _____
How many payments behind? _____
How much is past due? _____

Do you **LEASE** a car/truck? **YES/NO**
Vehicle #1: Year _____ Make _____ Model _____

Are you behind in lease payments? _____

Vehicle #2: Year _____ Make _____ Model _____

Are you behind in lease payments? _____

Vehicle #3: Year _____ Make _____ Model _____

Are you behind in lease payments? _____

How long have you leased cars? _____

4b. What other vehicles are titled in your name? _____

4c. Do you own a boat? If so, describe. _____

5. Do you have a security deposit on any of the following?

Landlord: \$ _____
Electric: \$ _____
Water: \$ _____
Telephone: \$ _____
Cable: \$ _____
Other: \$ _____

How much do you have in:

Savings: \$ _____
Checking: \$ _____
Stocks: \$ _____
Bonds: \$ _____
Investments: \$ _____
IRA/401(K) \$ _____

6. Do you own any antiques? If so, describe and state the value.

7. Do you own any collectible items or collections? If so, describe.

8. What jewelry do you own and how much could you get for it if you sold it at a pawn shop?

9.
 - a. Have you filed all your tax returns? **YES/NO**
 - b. Are you entitled to a tax refund? **YES/NO**
 - c. If so, how much and when do you expect to receive it? _____
 - d. How much did you receive from a tax refund last year? _____
 - e. Do you owe taxes? **YES/NO**
 - f. What type of taxes are owed: Personal income taxes or other? _____
 - g. What years and how much is due for each year, including interest and penalties?
 10. Does anyone owe you any money? **YES/NO** If so, describe.
 11. Do you have the right to sue anyone for any reason? **YES/NO** If so, describe.
 12. Are you expecting an inheritance in the next 6 months? **YES/NO**
 13.
 - a. Have you been in a car wreck in the last 2 years? **YES/NO**
 - b. Was it someone else's fault? **YES/NO**
 - c. Was it your fault? **YES/NO**
 - d. Are any claims still outstanding? **YES/NO**
 14.
 - a. His Employer's Name: _____ Occupation: _____ Salary/Wages: _____
 - b. List Other Income you are receiving: (*e.g. social security, retirement, child support/alimony, SSDI, Unemployment compensation, etc.*)
Describe: _____
 15.
 - a. Her Employer's Name: _____ Occupation: _____ Salary/Wages: _____
 - b. List Other Income you are receiving: (*e.g. social security, retirement, child support/alimony, SSDI, Unemployment compensation, etc.*)
Describe: _____
 16. Have you repaid any money to family or friends in the last 12 months? **YES/NO** If so, please describe.
 17. Were you sued or did you sue anyone in the last 12 months? **YES/NO** If so, please describe.
 18. Do you own any interest in any business? **YES/NO** If so, please describe.
 19. Do you own anything else? _____
 20. Have you ever filed bankruptcy before? **YES/NO** If so, when? _____ What chapter? _____
 21. Is there anything else we should know? _____
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Notice Mandated by Section 527(a)(2) of the Bankruptcy Code to Clients Who Contemplate Filing Bankruptcy

The purpose of this Notice and The Statement Mandated by Section 527(b) of the Bankruptcy Code, which you have been provided by a separate document, are to make you aware of some of your obligations should you file bankruptcy.

Note: This Notice and the Statement Mandated by Section 527(b) of the Bankruptcy Code are required by legislation adopted by Congress in 2005. You do not need to be intimidated by these Notices. So long as you are honest and meet the requirements set out under the law, you are entitled to debt relief. We can guide you through all the requirements of filing bankruptcy so long as you provide us accurate and complete information.

You are notified as follows:

1. All information that you are required to provide with your bankruptcy petition and thereafter during your bankruptcy case is required to be complete, accurate, and truthful.
2. All your assets and your liabilities are required to be completely and accurately disclosed in the documents filed to commence your case.
3. The value of each asset which is secured by a lien on such asset must be stated as the replacement value of such asset after reasonable inquiry to establish such value. The replacement value means the replacement value on the date of filing of the bankruptcy petition without deduction for costs of sale or marketing. With respect to property acquired for personal, family, or household purposes, replacement value means the price a retail merchant would charge for property of that kind considering the age and condition of the property at the time the value is determined.
4. After reasonable inquiry you are required to state your current monthly income, and the amounts specified in Section 707(b)(2) of the Bankruptcy Code, and in a case under Chapter 13, you are required to state your disposable income determined in accordance with Section 707(b)(2) of the Bankruptcy Code.
5. Information that you provide during your case may be audited pursuant to the provisions of the Bankruptcy Code. Your failure to provide information may result in dismissal of your case or other sanctions, including criminal sanctions.

Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)

This notice is for you if:

You are an individual filing for bankruptcy,
and

Your debts are primarily consumer debts.
Consumer debts are defined in 11 U.S.C.
§ 101(8) as "incurred by an individual
primarily for a personal, family, or
household purpose."

The types of bankruptcy that are available to individuals

Individuals who meet the qualifications may file under
one of four different chapters of Bankruptcy Code:

Chapter 7 - Liquidation

Chapter 11 - Reorganization

Chapter 12 - Voluntary repayment plan
for family farmers or
fishermen

Chapter 13 - Voluntary repayment plan
for individuals with regular
income

**You should have an attorney review your
decision to file for bankruptcy and the choice of
chapter.**

Chapter 7: Liquidation

\$245	filing fee
\$78	administrative fee
<u>+ \$15</u>	<u>trustee surcharge</u>
\$338	total fee

Chapter 7 is for individuals who have financial
difficulty preventing them from paying their debts
and who are willing to allow their non-exempt
property to be used to pay their creditors. The
primary purpose of filing under chapter 7 is to have
your debts discharged. The bankruptcy discharge
relieves you after bankruptcy from having to pay
many of your pre-bankruptcy debts. Exceptions exist
for particular debts, and liens on property may still
be enforced after discharge. For example, a creditor
may have the right to foreclose a home mortgage or
repossess an automobile.

However, if the court finds that you have committed
certain kinds of improper conduct described in the
Bankruptcy Code, the court may deny your
discharge.

You should know that even if you file chapter 7 and
you receive a discharge, some debts are not
discharged under the law. Therefore, you may still
be responsible to pay:

most taxes;

most student loans;

domestic support and property settlement
obligations;

most fines, penalties, forfeitures, and criminal restitution obligations; and

certain debts that are not listed in your bankruptcy papers.

You may also be required to pay debts arising from:

fraud or theft;

fraud or defalcation while acting in breach of fiduciary capacity;

intentional injuries that you inflicted; and

death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs.

If your debts are primarily consumer debts, the court can dismiss your chapter 7 case if it finds that you have enough income to repay creditors a certain amount. You must file *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A-1) if you are an individual filing for bankruptcy under chapter 7. This form will determine your current monthly income and compare whether your income is more than the median income that applies in your state.

If your income is not above the median for your state, you will not have to complete the other chapter 7 form, the *Chapter 7 Means Test Calculation* (Official Form 122A-2).

If your income is above the median for your state, you must file a second form—the *Chapter 7 Means Test Calculation* (Official Form 122A-2). The calculations on the form—sometimes called the *Means Test*—deduct from your income living expenses and payments on certain debts to determine any amount available to pay unsecured creditors. If

your income is more than the median income for your state of residence and family size, depending on the results of the *Means Test*, the U.S. trustee, bankruptcy administrator, or creditors can file a motion to dismiss your case under § 707(b) of the Bankruptcy Code. If a motion is filed, the court will decide if your case should be dismissed. To avoid dismissal, you may choose to proceed under another chapter of the Bankruptcy Code.

If you are an individual filing for chapter 7 bankruptcy, the trustee may sell your property to pay your debts, subject to your right to exempt the property or a portion of the proceeds from the sale of the property. The property, and the proceeds from property that your bankruptcy trustee sells or liquidates that you are entitled to, is called *exempt property*. Exemptions may enable you to keep your home, a car, clothing, and household items or to receive some of the proceeds if the property is sold.

Exemptions are not automatic. To exempt property, you must list it on *Schedule C: The Property You Claim as Exempt* (Official Form 106C). If you do not list the property, the trustee may sell it and pay all of the proceeds to your creditors.

Chapter 11: Reorganization

	\$1,167	filing fee
+	\$571	administrative fee
	\$1,738	total fee

Chapter 11 is often used for reorganizing a business, but is also available to individuals. The provisions of chapter 11 are too complicated to summarize briefly.

Read These Important Warnings

Because bankruptcy can have serious long-term financial and legal consequences, including loss of your property, you should hire an attorney and carefully consider all of your options before you file. Only an attorney can give you legal advice about what can happen as a result of filing for bankruptcy and what your options are. If you do file for bankruptcy, an attorney can help you fill out the forms properly and protect you, your family, your home, and your possessions.

Although the law allows you to represent yourself in bankruptcy court, you should understand that many people find it difficult to represent themselves successfully. The rules are technical, and a mistake or inaction may harm you. If you file without an attorney, you are still responsible for knowing and following all of the legal requirements.

You should not file for bankruptcy if you are not eligible to file or if you do not intend to file the necessary documents.

Bankruptcy fraud is a serious crime; you could be fined and imprisoned if you commit fraud in your bankruptcy case. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Chapter 12: Repayment plan for family farmers or fishermen

	\$200	filing fee
+	\$78	administrative fee
	\$278	total fee

Similar to chapter 13, chapter 12 permits family farmers and fishermen to repay their debts over a period of time using future earnings and to discharge some debts that are not paid.

Chapter 13: Repayment plan for individuals with regular income

	\$235	filing fee
+	\$78	administrative fee
	\$313	total fee

Chapter 13 is for individuals who have regular income and would like to pay all or part of their debts in installments over a period of time and to discharge some debts that are not paid. You are eligible for chapter 13 only if your debts are not more than certain dollar amounts set forth in 11 U.S.C. § 109.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, usually using your future earnings. If the court approves your plan, the court will allow you to repay your debts, as adjusted by the plan, within 3 years or 5 years, depending on your income and other factors.

After you make all the payments under your plan, many of your debts are discharged. The debts that are not discharged and that you may still be responsible to pay include:

- domestic support obligations,
- most student loans,
- certain taxes,
- debts for fraud or theft,
- debts for fraud or defalcation while acting in a fiduciary capacity,
- most criminal fines and restitution obligations,
- certain debts that are not listed in your bankruptcy papers,
- certain debts for acts that caused death or personal injury, and
- certain long-term secured debts.

Warning: File Your Forms on Time

Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information about your creditors, assets, liabilities, income, expenses and general financial condition. The court may dismiss your bankruptcy case if you do not file this information within the deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

For more information about the documents and their deadlines, go to:
<http://www.uscourts.gov/forms/bankruptcy-forms>

Bankruptcy crimes have serious consequences

If you knowingly and fraudulently conceal assets or make a false oath or statement under penalty of perjury—either orally or in writing—in connection with a bankruptcy case, you may be fined, imprisoned, or both.

All information you supply in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the U.S. Trustee, the Office of the U.S. Attorney, and other offices and employees of the U.S. Department of Justice.

Make sure the court has your mailing address

The bankruptcy court sends notices to the mailing address you list on *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101). To ensure that you receive information about your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address.

A married couple may file a bankruptcy case together—called a *joint case*. If you file a joint case and each spouse lists the same mailing address on the bankruptcy petition, the bankruptcy court generally will mail you and your spouse one copy of each notice, unless you file a statement with the court asking that each spouse receive separate copies.

Understand which services you could receive from credit counseling agencies

The law generally requires that you receive a credit counseling briefing from an approved credit counseling agency. 11 U.S.C. § 109(h). If you are filing a joint case, both spouses must receive the briefing. With limited exceptions, you must receive it within the 180 days **before** you file your bankruptcy petition. This briefing is usually conducted by telephone or on the Internet.

In addition, after filing a bankruptcy case, you generally must complete a financial management instructional course before you can receive a discharge. If you are filing a joint case, both spouses must complete the course.

You can obtain the list of agencies approved to provide both the briefing and the instructional course from:
<http://www.uscourts.gov/services-forms/bankruptcy/credit-counseling-and-debtor-education-courses>.

In Alabama and North Carolina, go to:
<http://www.uscourts.gov/services-forms/bankruptcy/credit-counseling-and-debtor-education-courses>.

If you do not have access to a computer, the clerk of the bankruptcy court may be able to help you obtain the list.