

BANKRUPTCY IS A LOT OF WORK. THIS IS YOUR BANKRUPTCY. IF YOU WANT TO BE SUCCESSFUL, YOU MUST COMMIT TO DOING IT RIGHT. ASK QUESTIONS and FOLLOWING DIRECTIONS.



LEARN ABOUT CHAPTER 7 BANKRUPTCY

Education is very important when deciding your best option. First, watch the court videos. Then print the exemptions. Finally, do a good job completing the on-line questionnaire.

YOUR FREE PHONE CALL:



Other options: NFCC.org, referral to another attorney or work with creditors.

If Diane agrees to help you file bankruptcy, she will tell you the fee and what you need to do next, plus what not to do.



THE "WHAT'S NEXT" EMAIL

Diane will send an email with a link to our web site. Order your free credit reports. **VERY IMPORTANT**—print & read instructions for MyCaseInfo.

MYCASEINFO:

Diane will send an invitation to access MyCaseInfo. This will take 6-8 hours, but to make your life easier, please use the instructions to fill out MyCaseInfo (see the 'What's Next' email).

FINISH MYCASEINFO:

Once you have done a **very** good job completing all the information in MyCaseInfo, press the button "send to attorney" so we will receive it. Please call if you have any questions.

BAD JOB: Occasionally a client does not do a good job on MyCaseInfo. If so, Jay will send it back to fill in missing information. We don't want that to happen. If you have questions read the instructions first, then call Jay.

GOOD JOB: If you did a good job filling out MyCaseInfo Diane will call to schedule your first appointment on Zoom.



FIRST MEETING USING ZOOM: First, you will send some documents, sign the retainer & pay a fee. Next, you will meet Diane & Jay on Zoom (2.5 to 3 hours) to review & edit your MyCaseInfo. After the meeting, you will receive a draft of the bankruptcy forms to review and edit. Try FormSwift (free PDF editor & e-signature)

DEALING WITH CREDITORS AND PHONE CALLS: Once you sign the retainer and paid a fee you may give callers our contact information. This stops calls, but not lawsuits. To do that, the bankruptcy must be filed with the court.

READY FOR THE NEXT MEETING? Once you edit the forms, are ready to pay the balance of the fees and court fees, and followed Diane's instructions to fix things, then call to schedule your next virtual meeting.

OUR NEXT MEETING USING ZOOM First, you will send additional documents & pay any balance due. Next, you will meet with Diane and Jay for 1 to 1 1/2 hours to finalize your changes to the forms. After the meeting the amended forms will be emailed to you to review & sign. Once you email or fax the signed forms back, we can move forward to file your bankruptcy. You must immediately mail us the original signed pages.

CREDIT COUNSELING COURSE:

The credit counseling course must be completed before bankruptcy is filed. Suggestions were in 'What's Next' email, or call our office.



FINAL REVIEW BEFORE FILING

After you return the signed documents Diane will call to discuss the timing of filing. Depending on your situation you may be told to call us with instructions when to file. Remember all information must be up to date & accurate.

FILING DOCS WITH THE COURT:

Shortly after receiving your signed documents we will file the bankruptcy, send you a copy of the filed documents, and an instruction letter. It will take the court 10-14 days to notify your creditors about the filing. Meanwhile, give callers the case number and our contact info.

DIANE'S INSTRUCTION LETTER:

After filing, Diane will send a letter with your case number, the date, time & location of the trustee meeting, parking directions, sample questions & financial management course, plus much more. **REMEMBER- ANY INHERITANCE or DIVORCE RIGHTS IS AN ISSUE.**

FINANCIAL MANAGEMENT COURSE

Take the second class **BEFORE** the trustee meeting & send Jay a copy. See suggestions in Diane's instruction letter.



PREPARING FOR THE 341 or 'CREDITOR'S MEETING'

Diane's instruction letter (sent when your case was filed) gave specific information about this meeting. Don't miss this meeting or your case can be dismissed.

THE TRUSTEE'S LETTER

As Jay mentioned, you will receive a letter from the trustee requesting certain information. Call Jay to set a time to meet (might be on Zoom or in person) to review the letter & prepare the documents the trustee requested. **Please do not respond directly to the trustee.**

ATTEND THE CREDITOR'S MEETING'

Bring your driver's license and social security cards to the meeting or the meeting will be cancelled and you will pay an additional fee for a second meeting.

DIANE WILL EXPLAIN WHAT TO EXPECT NEXT...

Including the discharge process, how to deal with creditors (now and years later), and the trustee's role to completing their work & closing your case.



THE DISCHARGE

If you completed the financial management course then your discharge will be entered by the court approximately 4 months after the case was filed. A creditor has a right to object to a discharge, but it is very rare.

THE CREDITORS

Only the creditors (including collection companies) listed in your documents will know about your bankruptcy and be discharged. Debts that are not discharged are some taxes, student loans, child support, alimony, fraud or if the court determines a debt should survive due to unique circumstances. The discharge form does not specifically identify what debts are discharged.

DIANE'S EMAIL—"ALMOST THERE"

Once the discharge is entered you will receive Diane's email with a sign "Almost There" to remind you the bankruptcy is not over until the trustee finishes his/her work. The email will include a copy of the discharge and an instruction letter. If possible, Jay and I would really appreciate a review or two about your time with our office.



THE TRUSTEE

The trustee's job is to determine if you have property to liquidate in order to pay money to your creditors (and the trustee). This process is called the "administration of the estate". If you have tax refunds, or other non-exempt property, the trustee will decide whether it is worth his/her time to pursue. If you refuse to comply with any request your discharge will be revoked. (**very bad result because the debts can never be discharged**).

THE TRUSTEE DECIDES THERE IS NOTHING TO LIQUIDATE.—NO ASSET CASE

If the trustee makes that decision he/she will file their final report with the court. Normally this takes a few weeks, but each trustee is different, so it could be more.

TRUSTEE DECIDES TO LIQUIDATE PROPERTY—ASSET CASE.

The trustee can sell non-exempt property to you, at auction or hire a realtor. The trustee may wait until your next tax return to see if there is a refund. Depending on what the trustee liquidates, this process can take several months or even years to complete. There is no way to push the process, which is why earlier I suggested you sell all non-exempt property before filing bankruptcy in order to eliminate this very lengthy delay which can affect your ability to rent, buy a home or just move on.

TRUSTEE FILES HIS/HER FINAL REPORT WITH THE COURT



CLOSING THE CASE

Once the trustee files their final report the US Trustee will review the file and, 98% of the time closes your case.

PLEASE NOTE: Later the trustee can reopen your case if you did not disclose all your assets, committed fraud or if there is a change—such as a large tax refund or lawsuit settlement.

FIREWORKS EMAIL FROM DIANE

Once the court enters the order closing your case we will send an email with fireworks. This means that both you and the trustee have done everything necessary.

Again, Jay and I would really appreciate a review or two about your time with our firm.

