


Bankruptcy, especially chapter 13, is a lot of work and you must be committed to doing it right & following directions.



LEARN ABOUT CHAPTER 13 BANKRUPTCY

Education is very important when deciding the best option in your situation. 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 with a chapter 13 bankruptcy she will tell you the fee.



THE "WHAT'S NEXT" EMAIL
Diane will send an email with a link to our web site. Order your free credit reports. **IMPORTANT**—print instructions for MyCaseInfo.

MYCASEINFO:
Diane will send an invitation to access MyCaseInfo. To make your life easier please use the instructions to fill out the information.

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.

BAD JOB: If you did not do a good job on MyCaseInfo Jay will send it back for you to correct missing information. If you have questions read the instructions, then call Jay.

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



FIRST MEETING:
Meet with Diane and Jay for 3 hours. You will bring some documents, review information from MyCaseInfo, pay half the retainer fee, sign the retainer & leave with a draft of the bankruptcy forms.

DEALING WITH PHONE CALLS:
Now that you signed the retainer and paid a fee you may give callers our contact information. This will stop calls, but not lawsuits; filing the bankruptcy will do that.

READY FOR THE NEXT MEETING?
Once you edit the forms, are prepared to pay the balance of the fees and court fees, plus have control over your bank accounts, then call to schedule your next meeting with us.

OUR NEXT MEETING
Meet with Diane and Jay for 2 hours to make the changes to the bankruptcy forms, bring additional documents, pay the balance of the fees, sign the bankruptcy documents, and discuss the timing for filing the bankruptcy.

CREDIT COUNSELING COURSE:
Before your bankruptcy can be filed you must complete your credit counseling course. Suggestions for providers were in Diane's What's Next email.

It is possible you will need a third meeting before the bankruptcy can be filed.

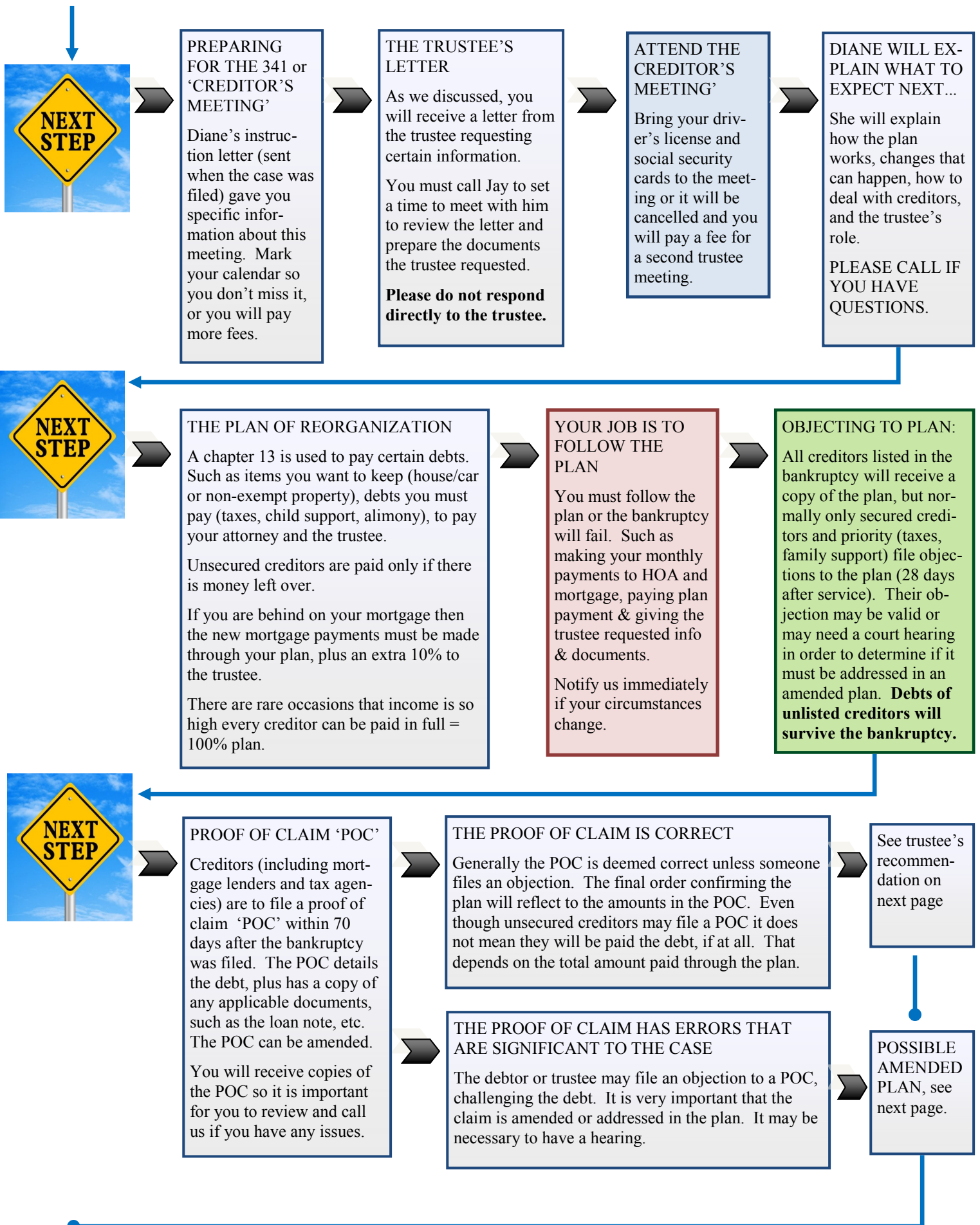


FINAL REVIEW BEFORE FILING
After your meeting with Diane she will review all the forms and call you if there are any questions. Depending on your situation you may be told to call us with instructions when to file.

FILING DOCS WITH THE COURT:
Shortly after your meeting we will file the documents with the court and send you a copy, plus her instruction letter. It will take the court 10-14 days to send creditors notice of the filing. Meanwhile give callers the case number & our contact info.

DIANE'S INSTRUCTION LETTER:
Diane's letter will have your case number, the date, time & location of the trustee meeting, plus parking directions & sample questions. Also suggestions for the financial management course, plus much more. **PLEASE READ THIS LETTER.**

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





THE TRUSTEE'S RECOMMENDATION

About 3-4 months after the bankruptcy is filed the trustee must file a recommendation to the original plan setting out all the requirements that must be addressed in order for the current plan to move forward for court approval. There is a 30 day limit to respond to the recommendation so we need you to respond immediately when we ask for your help.

IMPORTANT: If you refuse to comply with any request your case will be dismissed, but you will still have a bankruptcy on your credit reports.

THE PLAN CAN GO FORWARD WITHOUT SIGNIFICANT CHANGES

It is rare that the first plan is approved the first time. It depends on the accuracy of the information you provide before the bankruptcy was filed—such as taxes, mortgage arrears, vehicle value, back child support or alimony and the value of your non-exempt assets.

Attorney fees are based on the amount of work done in your case. The better job you do at the beginning the lower the attorney fees.

STIPULATED ORDER CONFIRMING THE PLAN "SOC"

You, your attorney, the trustee, sometimes a creditor, must all sign the SOC. Then the judge will sign and the SOC becomes binding on everyone, including you.

THE PLAN NEEDS SIGNIFICANT CHANGES

In order to address issues raised by the trustee or important creditors it will be necessary to file an **AMENDED PLAN**.

AMENDED PLAN



AMENDED PLAN:

The amended plan must deal with issues raised with the first plan. You may be required to provide additional documents. We may need to object to a POC. If your income changes even once the plan is confirmed we will need to amend or modify the plan. This continues throughout the life of the chapter 13.

Additional attorney fees will be charged with each amendment or modified plan.

OBJECTING TO AMENDED PLAN:

As with the original plan, creditors have a right to object to their treatment. It may be necessary to ask for a hearing to deal with anything significant.

A creditor may object to the amended plan if you defaulted on the terms of the plan—such as paying your mortgage or HOA, or failure to make the plan payment.

NOTE: paying the plan payment on time will help rebuild your credit.

THE TRUSTEE'S RECOMMENDATION

Again the trustee will file a recommendation to the amended plan, setting out all the requirements that must be addressed in order for the amended plan to go to the court for approval. Again, there is a 30 day limit to respond to the recommendation. Help us help you by responding quickly to our requests for information or documents.



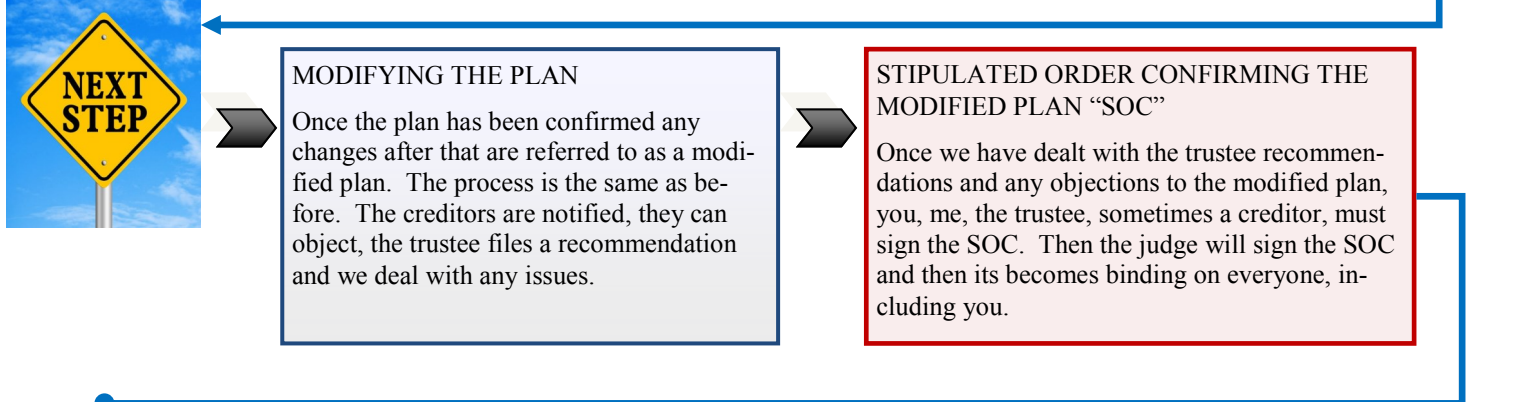
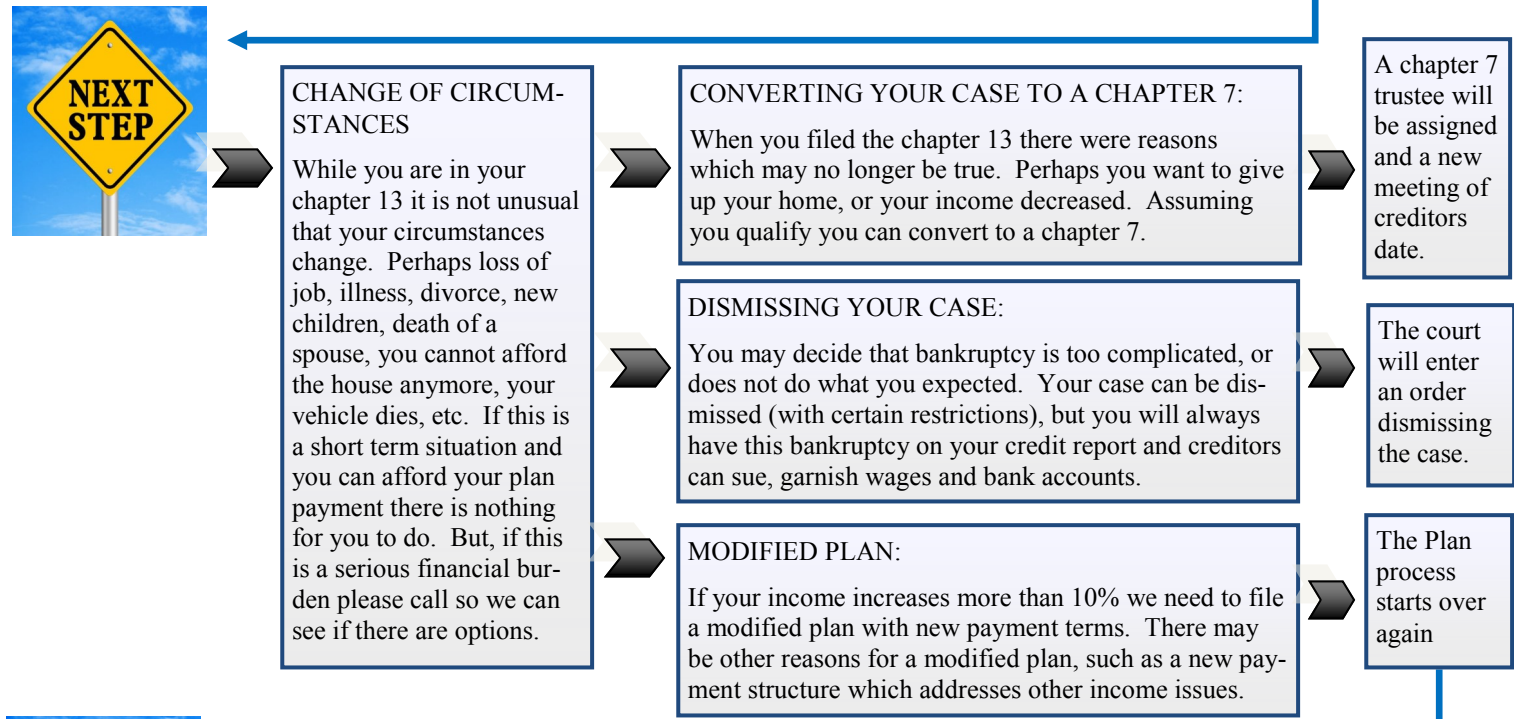
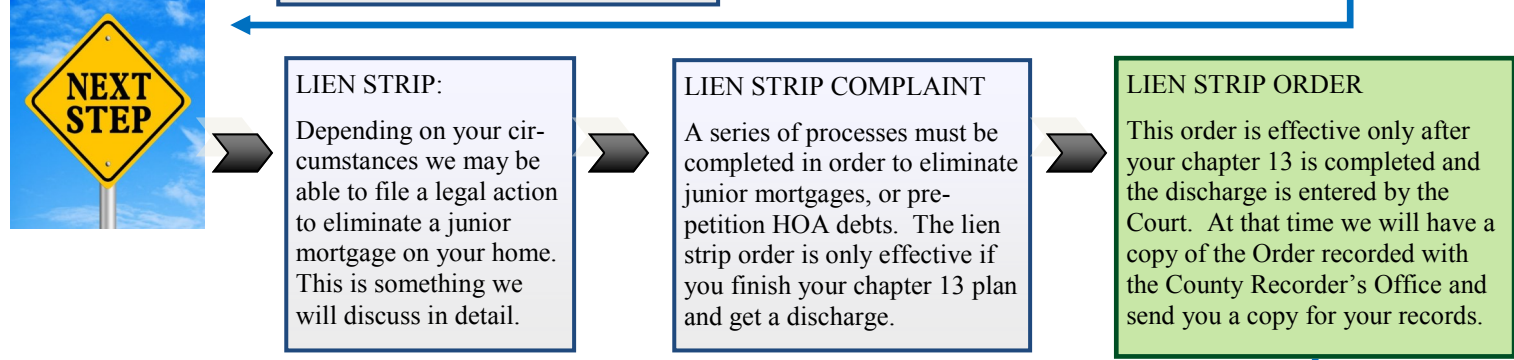
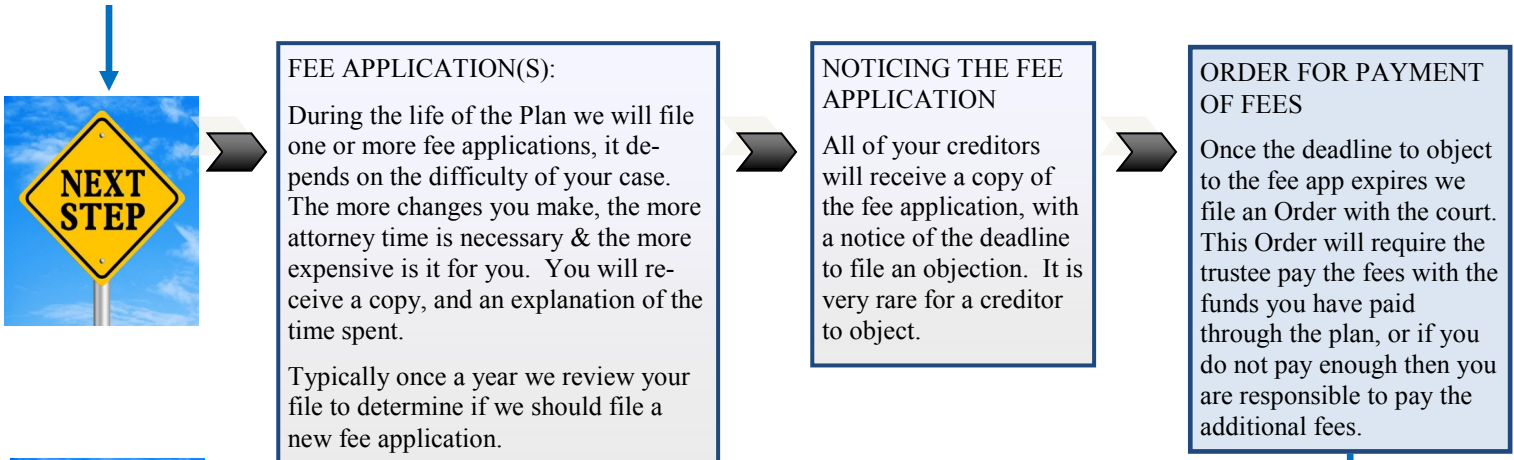
STIPULATED ORDER CONFIRMING THE PLAN "SOC"

Once we have dealt with the trustee recommendations and any objections to POCs, you, me, the trustee, sometimes a creditor, must sign the SOC. Then the judge will sign and the SOC becomes binding on everyone, including you. We will send you a letter explaining the process. Please read the letter.

IMPORTANT: CHANGE OF YOUR CIRCUMSTANCES

It is very important that you notify our office if there are significant changes in your financial situation (income, employment, divorce, medical, housing, etc.)

It may be necessary to file a **MODIFIED PLAN** (this is no longer called an amended plan) or to go in another direction. Call if you ever want to discuss other options.





BUYING OR SELLING A HOUSE OR VEHICLE
 During your chapter 13 you are not permitted to take out new debts without permission, including opening a credit card. You also need a signed court order in order to sell your home, which means filing additional documents. and additional attorney fees.

REQUIREMENT TO PROVIDE THE TRUSTEE DOCUMENTS
 Your plan will require you to provide the trustee copies of your tax returns while you are in the bankruptcy. Put this on your calendar.

ANNUAL REPORTS
 The trustee files annual reports indicating how much you paid, who they paid and how much is still owing. Read those reports and let us know if you have any questions.

PLAN PAYMENTS
 The plan requires that you to make plan payments during the life of your chapter 13 case. Don't forget to make the payments and call us if you have any significant problems.



COMPLETING THE PLAN
 The trustee will require a statement that you completed all Plan Requirements and, if did not do so already, you **MUST COMPLETE & FILE THE FINANCIAL MANAGEMENT COURSE** (talk to Jay if you don't remember if this was done).

DISCHARGE
 Once the trustee reports to the court that you finished all his requirements the court will enter a discharge (assuming you filed your financial management course certificate).
 This is the document that you fought very hard to obtain so keep a copy in your important records.



CREDITORS
 Only the creditors listed in your documents will be discharged. Your chapter 13 was designed to pay back taxes, child support, alimony. The rest of the debts, not paid in full are discharged.
 The discharge does not specifically identify the debts not discharged.

DEBTS THAT SURVIVE THE CHAPTER 13 DISCHARGE
 Only the creditors listed in your documents will be discharged (with a few exceptions) Any new debts you took out during the chapter 13 are not discharged. Student loans are not discharged. Any new taxes, child support, alimony are not discharged .



CLOSING THE CASE
 Once the trustee files his final report the US Trustee will review the file. Shortly after that the court will enter an order closing the case. Beware—the court or trustee can reopen the case if you did not disclose all your assets, or you failed to disclose an inheritance, insurance proceeds or law suit settlement you had a right to during your chapter 13.

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.
 Jay and I would really appreciate a review or two about our firm.

