

DAVID A. BIRDSELL  
BANKRUPTCY TRUSTEE  
216 N. CENTER  
MESA, AZ 85201  
(480) 644-1080 OFFICE  
(480) 644-1082 FAX

**When sending in  
documents, please  
do not use staples!**

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

RE: BANKRUPTCY CASE NUMBER: \_\_\_\_\_

Dear Chapter 7 Petitioner:

I have been assigned as the Trustee for your bankruptcy case.

As a representative of the Court, it is my responsibility to determine whether or not you have any assets which can be reduced to cash in order to bring about a dividend to your creditors.

It is important that you are aware that your case will remain open until all of my requests have been satisfied. **Even after you have received your discharge in the mail, your case will remain open and your discharge will be subject to revocation if you fail to meet any of the Trustee's requirements.** The following are the minimum requirements of your Trustee:

Check if enclosed, (if not applicable please write "n/a"):

- 1) \_\_\_\_\_ Copies of your 2006, 2007, 2008 and copies of your 2009 federal & state tax returns when you complete them in 2010 (Send 2009 returns only if requested). (complete returns please). If you do not have your tax returns, request transcripts by calling the IRS @ (800) 829-1040 & AZDOR (State) @ (602) 255-3381 or (800) 352-4090.
- 2) \_\_\_\_\_ **Any tax refunds you receive after your date of filing bankruptcy including your 2009 tax refunds are the property of your bankruptcy estate. Refund checks may not be cashed by you and must be turned over to my office.** Do not endorse the back of your refund checks. If you receive direct deposit you will need to cut a cashier's check for the amount matching the refund listed on the tax returns. This includes tax refunds from any other prior years. **Failure to do so will result in my objection to your bankruptcy discharge.**
- 3) \_\_\_\_\_ Date and amount you received your last tax refunds  
Date: \_\_\_\_\_ Federal: \$ \_\_\_\_\_ Date: \_\_\_\_\_ State: \$ \_\_\_\_\_
- 4) \_\_\_\_\_ Copies of all auto, boat, motor home, mobile home and any other recreational vehicle titles or registrations, payoff statements and proof of insurance.

Name \_\_\_\_\_

Instructions to Debtors

- 5) \_\_\_\_\_ Copies of your last six months bank statements for each checking, savings and investment accounts(s) held in your name(s) plus the month covering your bankruptcy filing date. (All pages please)
- 6) \_\_\_\_\_ Copies of your last six months pay stubs
- 7) \_\_\_\_\_ Complete copies of any divorce decree, separation agreement, alimony/child support orders and property settlements entered by a court during the last 3 years to which you were a party
- 8) \_\_\_\_\_ Copies of the last statements you received from your pension, 401K or IRA accounts
- 9) \_\_\_\_\_ Complete questionnaire regarding life insurance policies. Also include a current statement showing the cash surrender value of any life insurance policy (if it applies to you)
- 10) \_\_\_\_\_ Copies of the last two year tax returns of any corporation or partnership of which you are a partner or shareholder
- 11) \_\_\_\_\_ Real property mortgage application, declaration page of homeowner's insurance policy, latest tax assessment page from the county and mortgage payoff statement
- 12) \_\_\_\_\_ If you own a timeshare or any other real property other than your primary residence, supply copies of any and all information regarding your ownership

Other Requirements:

- 1) Be prepared to turnover to the Trustee any non-exempt assets. (tax refunds are not exempt)
- 2) Please complete enclosed questionnaire regarding your vehicle(s).  
Do not drive any non-exempt vehicles without insurance
- 3) If you own a business, it is your responsibility to file all payroll reports and W-2's
- 4) Be prepared to turnover any personal or business records
- 5) You will receive a notice in the near future regarding your 341 hearing which you are required to attend. When you prepare to come to this hearing please be advised that you must bring with you two (2) forms of identification:
  - a) **PHOTO IDENTIFICATION** (approved forms: state driver license, state issued picture identification card, passport or legal resident alien card.)
  - b) **SOCIAL SECURITY IDENTIFICATION** (approved forms: social security card, a W-2 form for the most recent tax year, recent pay stub or other official document which identifies your name along with your social security number)
- 6) **Mail, email or fax this checklist with your documents as soon as possible, after receipt of this letter and AT LEAST 5 BUSINESS DAYS prior to your 341 hearing (first meeting of creditors). Submit by email to: [debtordocs@azbktrustee.com](mailto:debtordocs@azbktrustee.com).**

Thank you for your anticipated cooperation regarding these requests for documents and information.

Very truly yours,

*David A. Birdsell*

Bankruptcy Trustee

**VEHICLE QUESTIONNAIRE:**

Number of vehicles: \_\_\_\_\_ (if more than 3, please put additional vehicle(s) on extra sheet of paper and attach to this questionnaire)

Vehicle #1	Vehicle #2	Vehicle #3
Make _____	Make _____	Make _____
Model _____	Model _____	Model _____
Year _____	Year _____	Year _____
Miles _____	Miles _____	Miles _____
4/2Doors _____	4/2Doors _____	4/2Doors _____
Trans:Automatic/Manual (circle one)	Trans:Automatic/Manual (circle one)	Trans: Automatic/Manual (Circle one)
Condition: _____ (poor, good, fair, excellent)	Condition _____ (poor,good, fair, excellent)	Condition: _____ (poor, good, fair, excellent)
Other Extras (Please Circle)	Other Extras (Please circle)	Other Extras (Please Circle)
air conditioning power windows/locks stereo, cassette, cd tilt wheel cruise control power seats sun roof convertible leather seats 4x4 abs brakes airbag others _____ _____ _____	air conditioning power windows/locks stereo, cassette, cd tilt wheel cruise control power seats sun roof convertible leather seats 4x4 abs brakes airbag others _____ _____ _____	air conditioning power window/locks stereo, cassette, cd tilt wheel cruise control power seats sun roof convertible leather seats 4x4 abs breaks airbag others _____ _____ _____
Lien amount \$ _____ (current balance due) (attach most recent statement)	Lien amount \$ _____ (current balance due) (attach most recent statement)	Lien amount \$ _____ (current balance due) (attach most recent statement)

LIFE INSURANCE POLICY QUESTIONNAIRE:

Number of life insurance policies \_\_\_\_\_ (TERM AND/OR CASH VALUE)

	Policy #1	Policy #2	Policy #3
Insurance Co.	_____	_____	_____
Face amount of Ins.	\$ _____	\$ _____	\$ _____
Kind (please circle)	term/cash value	term/cash value	term/cash value
Cash surrender value	\$ _____	\$ _____	\$ _____
Loans against CSV	\$ _____	\$ _____	\$ _____
Insurance on who?	_____	_____	_____
Age of person insured	_____	_____	_____

Please be prepared to provide the trustee with a copy any insurance policies held by you at the Trustee's request.

**REQUIRED INFORMATION**

*PLEASE PROVIDE THE FOLLOWING INFORMATION. THERE IS NO PROCESS SERVICE IN BANKRUPTCY. IT IS IMPORTANT TO KEEP YOUR CONTACT INFORMATION CURRENT WITH THE BANKRUPTCY COURT AND YOUR BANKRUPTCY TRUSTEE.*

NAME: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

DAYTIME PHONE NUMBER: \_\_\_\_\_  
(WHERE THE TRUSTEE CAN CONTACT YOU/LEAVE A MESSAGE DURING THE DAY)

HOME NUMBER: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

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**WHEN SENDING DOCUMENTS...**

...NO STAPLES PLEASE! ONLY PROVIDE THE REQUESTED INFORMATION.  
PROVIDE COPIES ONLY ORIGINALS CANNOT BE RETURNED.

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**REQUIREMENT OF DEBTOR TO READ STATEMENT OF INFORMATION**

Dear Chapter 7 Petitioner,

Enclosed you will find a statement of information that has been prepared by the United States trustee. This statement **must be read by each chapter 7 petitioner prior to your 341 hearing.**

At your 341 Hearing, you will be required to take an oath prior to your testifying. At this hearing you will be specifically asked if you have read this information statement. If you state that you have not read this information statement, your hearing will be continued to a later date in order to give you additional time to review this letter.

Thank you for your cooperation regarding this matter.

David A. Birdsell, Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA

**SUPPORT FORM**

Case No.: \_\_\_\_\_ Case Name: \_\_\_\_\_

Chapter: 7 Trustee: \_\_\_\_\_

*If you are required to pay alimony or child support, you **MUST** complete this form and return to your Trustee.*

Provide the Following information:

Name of Person you owe Support:	Address & phone number of Person you owe Support:
	Phone #:
Your Employer's Name:	Address and phone number of your Employer:
	Phone #:
Amount of Support owed as of the Petition date: \$ _____	

DATED: \_\_\_\_\_

\_\_\_\_\_  
SIGNED

\_\_\_\_\_  
PRINTED NAME

\*\*\*\*\*

(Submit this form with all other requested information to your Trustee.)

## **BANKRUPTCY INFORMATION SHEET**

**BANKRUPTCY LAW IS A FEDERAL LAW. THIS SHEET PROVIDES YOU WITH GENERAL INFORMATION ABOUT WHAT HAPPENS IN A BANKRUPTCY CASE. THE INFORMATION HERE IS NOT COMPLETE. YOU MAY NEED LEGAL ADVICE.**

### **WHEN YOU FILE BANKRUPTCY**

You can choose the kind of bankruptcy that best meets your needs (provided you meet certain qualifications):

Chapter 7 – A trustee is appointed to take over your property. Any property of value will be sold or turned into money to pay your creditors. You may be able to keep some personal items and possibly real estate depending on the law of the State where you live and applicable federal laws.

Chapter 13 – You can usually keep your property, but you must earn wages or have some other source of regular income and you must agree to pay part of your income to your creditors. The court must approve your repayment plan and your budget. A trustee is appointed and will collect the payments from you, pay your creditors, and make sure you live up to the terms of your repayment plan.

Chapter 12 – Like chapter 13, but it is only for family farmers and family fishermen.

Chapter 11 – This is used mostly by businesses. In chapter 11, you may continue to operate your business, but your creditors and the court must approve a plan to repay your debts. There is no trustee unless the judge decides that one is necessary; if a trustee is appointed, the trustee takes control of your business and property.

If you have already filed bankruptcy under chapter 7, you may be able to change your case to another chapter.

Your bankruptcy may be reported on your credit record for as long as ten years. It can affect your ability to receive credit in the future.

### **WHAT IS A BANKRUPTCY DISCHARGE AND HOW DOES IT OPERATE?**

One of the reasons people file bankruptcy is to get a "discharge." A discharge is a court order which states that you do not have to pay most of your debts. Some debts cannot be discharged. For example, you cannot discharge debts for–

- most taxes;
- child support;
- alimony;
- most student loans;
- court fines and criminal restitution; and
- personal injury caused by driving drunk or under the influence of drugs.

The discharge only applies to debts that arose before the date you filed. Also, if the judge finds that you received money or property by fraud, that debt may not be discharged.

It is important to list all your property and debts in your bankruptcy schedules. If you do not list a debt, for example, it is possible the debt will not be discharged. The judge can also deny your discharge if you do

something dishonest in connection with your bankruptcy case, such as destroy or hide property, falsify records, or lie, or if you disobey a court order.

You can only receive a chapter 7 discharge once every eight years. Other rules may apply if you previously received a discharge in a chapter 13 case. No one can make you pay a debt that has been discharged, but you can voluntarily pay any debt you wish to pay. You do not have to sign a reaffirmation agreement (see below) or any other kind of document to do this.

Some creditors hold a secured claim (for example, the bank that holds the mortgage on your house or the loan company that has a lien on your car). You do not have to pay a secured claim if the debt is discharged, but the creditor can still take the property.

### **WHAT IS A REAFFIRMATION AGREEMENT?**

Even if a debt can be discharged, you may have special reasons why you want to promise to pay it. For example, you may want to work out a plan with the bank to keep your car. To promise to pay that debt, you must sign and file a reaffirmation agreement with the court. Reaffirmation agreements are under special rules and are voluntary. They are not required by bankruptcy law or by any other law. Reaffirmation agreements—

- must be voluntary;
- must not place too heavy a burden on you or your family;
- must be in your best interest; and
- can be canceled anytime before the court issues your discharge or within 60 days after the agreement is filed with the court, whichever gives you the most time.

If you are an individual and you are not represented by an attorney, the court must hold a hearing to decide whether to approve the reaffirmation agreement. The agreement will not be legally binding until the court approves it.

If you reaffirm a debt and then fail to pay it, you owe the debt the same as though there was no bankruptcy. The debt will not be discharged and the creditor can take action to recover any property on which it has a lien or mortgage. The creditor can also take legal action to recover a judgment against you.

**IF YOU WANT MORE INFORMATION OR HAVE ANY QUESTIONS ABOUT HOW THE BANKRUPTCY LAWS AFFECT YOU, YOU MAY NEED LEGAL ADVICE. THE TRUSTEE IN YOUR CASE IS NOT RESPONSIBLE FOR GIVING YOU LEGAL ADVICE.**

Se dispone de una copia de este documento traducida al español.

Một bản dịch của tài liệu này hiện có bằng tiếng Việt.

Une copie de ce document est disponible en traduction française.

本文件有繁體中文譯本。

이 서류는 한국말로 된 사본도 있습니다.

Daim ntawv no muaj txhais ua lus Hmoob.

Ang isinalin na kopya ng dokumentong ito ay maaaring makuha sa Tagalog.

يمكن الحصول على نسخة مترجمة بالعربية لهذه الوثيقة.

# DECLARATION FOR DEBTORS WITHOUT AN ATTORNEY

Debtor's Name: \_\_\_\_\_ Case No. B- \_\_\_\_\_

Joint Debtor's Name: \_\_\_\_\_ Telephone No.: (\_\_\_\_) \_\_\_\_\_

Debtor's Address: \_\_\_\_\_

Case Trustee Name: \_\_\_\_\_ 341(a) Meeting Date: \_\_\_\_\_

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1. Did you pay someone to assist you in preparing your bankruptcy documents? Yes \_\_\_ No \_\_\_  
(If no, skip the rest of the questions and sign and date this document at the bottom.)

2. Information about the person who assisted you in preparing your bankruptcy documents (hereafter the "preparer"):

Name of preparer: \_\_\_\_\_ Telephone No.: (\_\_\_\_) \_\_\_\_\_

Company name: \_\_\_\_\_ Fee charged: \_\_\_\_\_

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

3. Amount paid: \_\_\_\_\_ Date of payment: \_\_\_\_\_

4. Form of payment: Cash \_\_\_\_\_ Check \_\_\_\_\_ Money order/cashier's check \_\_\_\_\_  
Other (please describe) \_\_\_\_\_

5. Were you given a contract of services from the preparer? Yes \_\_\_ No \_\_\_  
If yes, please enclose a copy with this completed Questionnaire.

6. Were you given a receipt for the money that you paid? Yes \_\_\_ No \_\_\_  
If yes, please enclose a copy with this completed Questionnaire.

7. Was any amount paid to the preparer after the bankruptcy petition was filed? Yes \_\_\_ No \_\_\_  
If yes, how much? \_\_\_\_\_

8. Do you still owe any money to the preparer? Yes \_\_\_ No \_\_\_  
If yes, how much? \_\_\_\_\_

9. Did you give the preparer money for the Bankruptcy Court filing fee? Yes \_\_\_ No \_\_\_  
If yes, how much? \_\_\_\_\_ Was payment made payable to the Bankruptcy Court? Yes \_\_\_ No \_\_\_

10. Did the preparer give you the petition and schedules to review before you signed them? Yes \_\_\_ No \_\_\_

11. If yes, did you find any errors? Yes \_\_\_ No \_\_\_ If so, were they corrected? Yes \_\_\_ No \_\_\_

12. Was there an additional fee charged for any corrections or changes? Yes \_\_\_ No \_\_\_  
If yes, how much? \_\_\_\_\_

13. Did you sign your own name on the petition and schedules? Yes \_\_\_ No \_\_\_
14. Did anyone else assist you with the preparation of your petition and schedules in addition to the name of the preparer shown on your petition? Yes \_\_\_ No \_\_\_
15. Did the preparer file your bankruptcy petition and schedules for you with the Court? Yes \_\_\_ No \_\_\_
16. Did the preparer explain the differences between Chapter 7 and Chapter 13 to you? Yes \_\_\_ No \_\_\_
17. Did the preparer explain reaffirmation? Yes \_\_\_ No \_\_\_
18. Did the preparer explain the different exemptions to you? Yes \_\_\_ No \_\_\_
19. At any time did you believe the preparer was an attorney? Yes \_\_\_ No \_\_\_  
 If yes, when did you determine that they were not an attorney? \_\_\_\_\_
20. At any time did the preparer say or indicate he/she was working with an attorney or a retired attorney?  
 Yes \_\_\_ No \_\_\_ If yes, did you meet with the attorney? Yes \_\_\_ No \_\_\_  
 What was the attorney's name? \_\_\_\_\_
21. Did the preparer charge you any fees for any other services? Yes \_\_\_ No \_\_\_  
 If yes, describe: \_\_\_\_\_
22. Did the preparer direct you to omit information from your bankruptcy documents? Yes \_\_\_ No \_\_\_
23. Were you directed by the preparer to put false information on your bankruptcy documents? Yes \_\_\_ No \_\_\_  
 The false information is: \_\_\_\_\_
24. Did the preparer give you any written information about bankruptcy? Yes \_\_\_ No \_\_\_  
 If so, what? \_\_\_\_\_
25. You engaged the services of the preparer as a result of: Newspaper advertisement \_\_\_ Billboard \_\_\_  
 Telephone book advertisement \_\_\_ Referral \_\_\_ Other (specify) \_\_\_\_\_

Any other comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
 Signature (Debtor) Date

\_\_\_\_\_  
 Signature (Joint Debtor, if any) Date

**PLEASE BRING THIS DOCUMENT TO YOUR CREDITORS' MEETING  
 AND GIVE IT TO YOUR TRUSTEE**