

**The following notices are required pursuant to 527(a)(2).** By signing below you acknowledge that:

- 1) You understand that all information that you are required to provide to complete any documents filed with the Bankruptcy Court must be complete, accurate and truthful;
- 2) That you will fully and completely disclose all assets and all liabilities in the documents filed with the Bankruptcy Court.
- 3) That the value of each secured personal property asset is the replacement value ("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) Current Monthly income, the amounts specified in Section 707(b)(2), and, in a case under Chapter 13, disposable income (determined in accordance with Section 707(b)(2)) are required to be stated after reasonable inquiry.
- 5) That you have fully disclosed all sources of income on any documents filed with this court.
- 6) That you understand that any information set forth either in the documents filed with the Bankruptcy Court, or testified to under oath may be audited and that failure to provide accurate information may result in the dismissal of your bankruptcy case or other sanctions, including criminal sanctions.
- 7) Both you agree that a faxed or e-mailed signature shall be sufficient to indicate agreement to these notices.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_      Signed: \_\_\_\_\_

**UNITED STATES BANKRUPTCY COURT  
NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE  
BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$150 filing fee, \$39 administrative fee: Total fee \$189)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

**1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

**Chapter 7: Liquidation (\$220 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$274)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a “means test” designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

### **Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$150 filing fee, \$39 administrative fee: Total fee \$189)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. 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, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### **Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

**Certificate of the Debtor(s)**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Date: \_\_\_\_\_

X \_\_\_\_\_ Signature of Debtor

X \_\_\_\_\_ Signature of Joint Debtor (if any)

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**Notice required by Bankruptcy Code Section 527(c)(1) and 521(b):**

**Information to the Assisted Person (Debtor) on  
How to Provide All Information Required by Section 521**

Section 521 of the Code sets out the Debtor's duties related to the filing of a bankruptcy case. As you fill out the schedules and statement of affairs, you should keep the following in mind:

- 1) Completing the income and expense pages accurately and completely is critical
    - a. To compile your income, refer to recent pay stubs and last year's income tax returns. Account for overtime, investment dividends and other earnings.
    - b. Review your monthly expense payments and make a best estimate on cash expenditures. If you pay insurance annually, calculate the monthly cost. Obtain a copy of the IRS expense allowance for the area in which you live. If your expenses exceed these allowances, our Firm may need to make adjustments.
    - c. When you value property you own: consider prices in the neighborhood for housing and in newspapers and car lots for vehicles. As to other items: compare what you would be paid for furniture and clothes at a business selling these used items and what you would pay for that same used furniture and clothes. List both values.
    - d. If you have an item of special value, you may need to obtain an appraisal.
    - e. When listing creditors, collect current bills and use that information for mailing addresses and balances due. It is very important that the addresses be correct. Use any statement or bill received in the last 90 days as the best place to obtain a current address.
    - f. Under the law of this state certain property may be exempt and you may keep it. If a seller has a lien on exempt property, the lien may be avoidable or you may have to pay for the property in order to keep it. After you have prepared these lists our firm will review them with you and decide what property qualifies as exempt.
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THE FOLLOWING DOCUMENT IS INTENDED TO BE ON A SEPARATE PAGE

Notice required by Bankruptcy Code Section 527(b)

**IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES  
FROM AN ATTORNEY**

If you decide to seek bankruptcy relief, you can represent yourself, hire a qualified bankruptcy attorney, or you are able to answer all questions related to bankruptcy – hire a bankruptcy petition preparer that is not an attorney. Under Arizona law the Arizona Supreme Court must license all Bankruptcy Petition Preparer and they may not give any legal advice, including explaining most of the terms contained in the bankruptcy forms. The law requires that any Attorney or Bankruptcy Petition Preparer give you a written contract specifying the work to be done and the fees to be charged.

Before filing any bankruptcy case you and your attorney should analyze your eligibility for different forms of relief available under the bankruptcy code and which type of bankruptcy relief is most beneficial for you. Be sure you understand that relief you can obtain and its limitations. To file a bankruptcy case, documents called a Petition, Schedules and Statement of Financial Affairs, as well as in some cases a Statement of Intention, must be prepared correctly and filed with the bankruptcy Court. You will have to pay a filing fee to the court. Within a few weeks after your case is filed with the Court you will be required to attend a meeting of creditors where the Trustee assigned to your case will swear you to tell the truth and ask you a few questions. Creditors, should they be present, can also ask questions. In most cases no creditors are ever present.

If you choose a chapter 7 case, you may be asked by a creditor who has a lien on your car, computer, appliances or furniture to reaffirm a debt. You should first obtain legal counsel before making any decision related to reaffirming any debt. A creditor is not permitted to coerce or bully you into signing a reaffirmation agreement.

If you choose to file a chapter 13 case so that you can pay arrears on your home, back taxes, child support or your car, then you will also need legal assistance in planning for a successful chapter 13 case and the confirmation process which is part of every chapter 13 case. It is very rare for anyone without an attorney to successfully complete a chapter 13.

In rare cases there is litigation in a chapter 7 case. You can represent yourself - but it is a complicated process and one that you will rarely be successful in without legal counsel.

Anytime you hire a bankruptcy professional you must be provided with a contract describing the services and fees to be charged. Each client will be given an agreement which details the relationship of the client and the attorney. By signing below you are certifying that you read our basic chapter 7 and chapter 13 fee agreement explaining the proposed services that may be provided, plus the fees and terms. Keep a copy of this entire document for your records.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_