



THE LAW OFFICES OF MARIE F. BENJAMIN

• Bankruptcy • Adoption • Wills and Trust • Tax

Dear Client:

We are honored you chose The Offices of Marie F. Benjamin to provide legal assistance during your financial challenge. To better serve you, we have outlined a list of the required documents needed to prepare your petition, schedules, and other information for submitting your bankruptcy file to the court.

All items must answer completely and honestly with full detail and/or description: account number, creditor's name and address, account owed, and market values, etc. Please pay attention to the detail of any question. If you are uncertain about a question, DON'T hesitate to contact us.

Below is the basic process involved in filing a Chapter 7 or Chapter 13 Case:

- STEP 1** - GATHER ALL INFORMATION REQUIRED. THIS IS A CONTINUOUS PROCESS!
- STEP 2** - COMPLETE THE PRE-DEBT COUNSELING CLASS ONLINE OR BY TELEPHONE. YOU WILL OBTAIN A CERTIFICATE FOR THIS CLASS. THE CERTIFICATE IS FILED WITH YOUR BANKRUPTCY PETITION.
- STEP 3** - INFORMATION GATHERED IS THEN USED TO PREPARE YOUR PETITION, SCHEDULES, AND OTHER REQUIRED DOCUMENTS TO FILE CHAPTER 7 OR CHAPTER 13 CASE.
- STEP 4** - ONCE FILED, A BANKRUPTCY CASE NUMBER IS INSTANTLY RECEIVED.
- STEP 5** - THE CASE WILL BE ASSIGNED TO A JUDGE, AND A TRUSTEE. A 341 MEETING WILL ALSO BE SET ALONG WITH BAR DATES FOR CREDITORS TO FILE THEIR CLAIMS: APPROXIMATELY 3 - 5 DAYS AFTER FILING.
- STEP 6** - APPROXIMATELY 30 - 35 DAYS AFTER THE FILING OF YOUR CASE, YOU WILL ATTEND THE 341 MEETING OF CREDITORS. A LIST OF QUESTIONS AND PROCEDURES WITH THIS HEARING WILL BE DISCUSSED. A REPRESENTATIVE FROM OUR OFFICE WILL ATTEND THE 341 MEETING WITH YOU.
- STEP 7** - AMEND OR MAKE CHANGES TO PETITION AFTER FILING IF NECESSARY. FILE CHAPTER 13 PLAN IF FILED CHAPTER 13 CASE.
- STEP 8** - COMPLETE A SECOND DEBT COUNSELING CLASS ONLINE (FILED CHAPTER 7) OR AT 341 MEETING IF FILED CHAPTER 13.
- STEP 9** - ATTEND ANOTHER 341 MEETING AS SCHEDULED. FIND OUT IF TRUSTEE IS GOING TO LIQUIDATE PROPERTY TO PAY CREDITORS. MAY BE ABLE TO ENTER INTO BUYBACK AGREEMENT TO KEEP CERTAIN PROPERTY.
- STEP 10** - SIGN REAFFIRMATION AGREEMENTS FOR DEBT OR SECURED ITEMS IF NECESSARY IF INTERESTED IN KEEPING CERTAIN PROPERTY OR DEBT.
- STEP 11** - ATTEND HEARINGS SCHEDULED FOR MOTION FOR RELIEF FROM STAY, ETC.
- STEP 12** - ORDER OF DISCHARGE IS ISSUED APPROXIMATELY 6 MONTHS ((FILED CHAPTER 7) OR 3-5 YEARS (FILED CHAPTER 13), AFTER INITIAL FILING OF BANKRUPTCY PETITION. ALL DEBTS ARE DISCHARGED.

"Serving with Integrity"

From the Desk of Marie F. Benjamin

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CHECKLIST OF DOCUMENTS/ITEMS REQUIRED TO FILE BANKRUPTCY

(Check off items as you retrieve information):

- Bankruptcy Filing Fee (Chap 7 -\$306; Chap 13 - \$281).
- *Attorney Fee. Chap 7 _____ Chap 13 _____
*Fee is based upon number and type of creditors, judgments, liens, garnishments, reaffirmation agreement, loan modifications, etc.
- Social Security Card (SSC) and Government Issued Picture ID. If you can't locate your social security card, please request a new SSC as soon as possible. You will need for you meeting with the Trustee after filing your bankruptcy.
- Pre-Filing Credit Counseling Certificate. Go to www.AccessBk.org. The cost is \$15.00 for the 1st course before filing. My attorney code is TL15725. The certificate is good for six months. Also, you will need to obtain a debtor certificate after the filing of your bankruptcy. Go to www.AccessBK.org. The cost for the 2nd course is \$9.00.
- Monthly Expense Breakdown - itemized list of monthly bills, i.e. mortgage or rent, utilities, insurance cost, car payments, credit cards, etc.
- Monthly Income breakdown - gross and net wages for the month, alimony, social security benefits, income from any source, etc.
- Income Tax Documents - Last three years 2011, 2012, and 2013. Complete Form 4506-T for copies of tax returns or transcripts. You may contact the IRS at 1-800-829-1040.
- 6 months paystubs or evidence of income for last six months, i.e., bank statements, printout of pay for 6 months period prior to filing bankruptcy.
- 3 months of bank statements for any and all accounts in debtors' name, including statement for the date of filing, along with copies and/or explanations of any checks (front and back) or debit transactions over \$1000.00.
- List of assets such as real property, personal property, stocks and bonds, retirement account, bank accounts and their balance at the time of filing, collectibles, etc. Any vehicles owned clear of lien, will need certificate of title, registration, proof of insurance, and vehicle mileage.
- Copies of any Lawsuits filed on your behalf (you as plaintiff) or against (you as defendant).
- Credit Report with list of creditors from all 3 reporting agencies, i.e. Experian, Equifax, and Transunion. Our office will obtain credit reports, if necessary.
- Signed Petition, Schedules and other document require for submitting the bankruptcy file. Our office will assist you with the gathering of the above information. It is understood that the above information will take some time to gather. Please contact our office if you have any questions or concerns. Thank you for the opportunity to serve you during this time.

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