



List of Documents for Chapter 7 and Chapter 13

What you need to do **before** we can file your bankruptcy petition:

Complete Questionnaire (Online or Paper)

You must complete the questionnaire as fully and as accurately as possible. Include the addresses of all of your creditors on the questionnaire.

IMPORTANCE OF SUPPLYING CREDITORS and ADDRESSES: If you do not provide your creditors and their addresses, they will not receive notice. It is important that all of your creditors receive notice of your bankruptcy filing. If a creditor does not receive notice, your debt might not get discharged. That means you would still be liable for it.

You must list all creditors even if you don't want to have the debt discharged. For instance, you must list the creditor for your car or home even if you want to keep it. You are obligated to list everything that you owe and everything you own.

It is your responsibility to continue to make payments on a debt for collateral that you intend to keep. After filing of the case, your car creditor or mortgage company might not send you statements or accept payments over the telephone or internet. However, you must send the payment to your creditor on time if you want to keep your house or car.

Credit report:

It is important to check your credit report in order to ensure all your creditors are listed. After you make your first payment, we will pull your credit report for you. All creditors listed on your credit report will be automatically included on your bankruptcy petition, therefore, you won't have to list them yourself—which can be a time consuming task. However, you do need to add in all of the creditors that you know you owe money to that did not show up on your credit report. This typically includes payday loans, some medical bills, certain utilities, etc. It is your job to make sure that all of your creditors are either on the credit report or listed in the questionnaire.

Obtain a "Credit Counseling Certificate":

You may do this over phone or through the internet. Please contact one of the following agencies and tell them you need the credit counseling certificate to file bankruptcy. It takes about 45 minutes. They will ask you a series of questions, such as, what your income and expenses are and what kind of debt you have. Anything that you discuss with them will not impact your bankruptcy filing. Please note that **the certificate expires after 6 months**. We do **need** the certificate in order to file your case. Ask the agency to fax your certificate to our fax number at (636) 244-5277 or email to morgan@teaguelawassociates.com.

Below are several court approved agencies that we regularly send our clients to:

- www.summitfe.org \$14.95-\$17.95
- www.getbankruptcycertificate.com \$17.95
- Cricket debt Counseling **1-866-719-0400** (\$36 for 1st certificate and \$24 for 2nd certificate)
www.cricketdebt.com

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Provide your most recently filed STATE AND FEDERAL tax return:

If you don't have a copy of your most recently filed taxes, you can request transcripts by calling the IRS at 1-800-829-1040 or Missouri Department of Revenue at 1-573-751-4450. They will send it to you by mail.

Provide Pay stubs:

Provide pay stubs for the last **6 months for you and your spouse (if applicable) for every source of income including part-time jobs even if you no longer work there.**

If you no longer have your pay stubs, ask your employer to print them out again. We need the pay stubs before we can file your case. The pay stubs must at least cover the time period of a full 6 months before the filing date of your case.

Please note:

- **Tax refund:** If you file a **chapter 13** bankruptcy case you are required to send a copy of your state and federal tax refunds to the trustee every year. You are entitled to keep the Earnest Income Credit and Additional Child Tax Credit portions of the refund plus an additional amount depending on your filing status. Please send me a copy of the tax return as well so that I can let you know what amount, if any, you are required to send in to the trustee. If you file a **chapter 7** bankruptcy case the trustee can take a portion of your tax refund depending on when it is received and whether it includes Earned Income Credit and Additional Child Tax Credit. If filing September-April this is especially important so let us know if you expect a big refund so that we can protect it!
- **Bank Account:** If you have your bank account with a bank you owe money (credit card/loan, etc.) the bank will close your account and take any money from your account to go towards your debt. In order to prevent this, you should open an account at a bank you do not owe money to and get your direct deposit, etc switched over BEFORE filing.
- **Redemption of your car:** If you owe more than the value of your car, you have the option to redeem (refinance with a different lender) your car for the retail value. Your vehicle must be less than 7 years old and must have less than 100,000 miles. If you want to know if you qualify to redeem your car loan, contact 722 redemption at 1888-721-2800 or go online at www.722redemption.com

What you need to do after your bankruptcy petition is filed:

Provide Bank Statement (Chapter 7 Only)

If you file a chapter 7 bankruptcy case, your trustee will demand bank records revealing the balance in your bank account the day your petition was filed and three months previous. If your combined bank accounts total more than \$600, please let us know before the case is filed. Fax or send a copy of your bank statements (or "print-outs") to our office immediately after the filing of your bankruptcy petition. The trustee will not proceed with your case if that bank statement is not provided to him immediately after filing.

Obtain the 2nd Certificate

The second certificate is also called "Debtor Education Certificate", "Financial Management Certificate", or Pre-Discharge Certificate". In a Chapter 7, you need to call the Credit Counseling Agency where you previously obtained the first certificate (Credit Counseling Certificate) promptly after the filing of your case. The credit counseling agency will ask you for your bankruptcy case number. Request that they fax the second certificate to our fax number. **This needs to be completed before your court date.** If this certificate is not received by our office and filed promptly, your Chapter 7 case will be at risk for dismissal without discharge. In other words, you would still owe all the debt listed on your petition.

Attend the creditors' meeting

These meetings take place in downtown St. Louis. Even though it is called a "creditors' meeting," normally no creditor is present. The trustee is an attorney who represents your creditors and has to verify your identity to be sure your information matches the information on the bankruptcy petition. At the meeting,

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he/she will check your social security number and picture ID. **Please bring both, Drivers' license and Social Security Card, to the meeting. The trustee will not proceed with your case if you don't have these documents with you.** The meeting will not be in a courtroom and the trustee is not a judge. No special attire is required. The meeting itself is very short. However, you might have to wait until the trustee calls your case because several cases are scheduled for the same time. Please make sure to arrive early so that you can find parking and be inside early to speak to your attorney prior to the hearing. If you arrive late, the trustee might continue the meeting for another day. If we have to attend a second hearing, we will charge a fee according to your contract.

- Please read the "Statement of Information" below. The trustee will ask you at the meeting if you read it.

You are done!

In a Chapter 7: After the trustee has concluded the creditors' meeting, we have filed the second certificate, and all the court costs have been paid, the court will send you an order of discharge about two to three months after the meeting. All your dischargeable debt is discharged.

Note that sometimes the IRS asks you to pay taxes on the debt you did not pay; nonetheless, discharged debt is not taxed. You would then need to file Form 982 and list the discharged debt. Talk to your tax consultant for details.

If you have any questions don't hesitate to contact us at 636-244-5277

Teague & Associates, LLC