



**PATTON, HOVERSTEN & BERG, PA**

A PROFESSIONAL ASSOCIATION / ATTORNEYS AT LAW

## **Bankruptcy Information and Forms**

This document is designed to help you through the bankruptcy process. Your attorney will go through it with you and help you to gather the information you need to file.

Following your initial meeting with your attorney, you will need to complete the forms in this document and return them to our office. You can either mail them or bring them with you to a scheduled conference. It is important that the information on the forms is complete and correct.

This packet contains:

1. Bankruptcy information sheet
2. A list of documents required to be provided to our office
3. Questions that are required to be answered to complete the bankruptcy forms
4. Bankruptcy fee agreement
5. Credit report order form and consent
6. A blank authorization form

### **ATTORNEYS**

Perry A. Berg: [perry.berg@phblawoffice.com](mailto:perry.berg@phblawoffice.com)

Daryl D. Bail: [daryl.bail@phblawoffice.com](mailto:daryl.bail@phblawoffice.com)

### **BANKRUPTCY ASSISTANTS**

Kiley Glynn - [kiley.glynn@phblawoffice.com](mailto:kiley.glynn@phblawoffice.com) – Owatonna Office

Andrea Peterson – [andrea.peterson@phblawoffice.com](mailto:andrea.peterson@phblawoffice.com) – Waseca Office

### **OFFICES**

WASECA  
215 East Elm Ave  
PO Box 249  
Waseca, MN 56093  
507-835-5240

OWATONNA  
150 W. Park Square  
PO Box 506  
Owatonna, MN 55060  
507-451-9000

FARIBAULT  
415 2nd Ave NW  
Faribault, MN 55021  
507-332-7425

JANESVILLE  
216 N. Main St.  
PO Box M  
Janesville, MN 56048  
507-234-5106

## BANKRUPTCY INFORMATION SHEET

Types of Bankruptcy Cases:

- Chapter 7 - A trustee is appointed to take over non-exempt property. Any non-exempt property will be sold or turned into money to pay your creditors. You are likely able to keep personal items and real estate. Most debts are discharged. A simple case lasts three months from filing to discharge.
- 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 abide by the terms of your repayment plan.
- Chapter 12 - Like chapter 13, but it is only for family farmers.
- Chapter 11 - This is used mostly for businesses. In chapter 11, you must continue to operate a 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.

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.

A discharge is a court order which states that you do not have the money to pay most of your debts. Some debts cannot be discharged, such as most taxes, child support, alimony, most student loans, court fines and criminal restitution; and personal injury awards caused by drunk driving 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 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.

Some creditors hold a secured claim (for example, the bank that holds the mortgage on your house or the lien 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.

Even if a debt can be discharged, you may wish to continue to pay for debt. For example, you may want to work out a plan with the bank to keep your car. Some lenders will require a new promise to pay their debt called a reaffirmation agreement. Reaffirmation agreements are filed with the court and sometimes require court approval. They must: be done voluntarily, not place too heavy a burden on you or your family, and be in your best interest. Any reaffirmation agreement filed can be cancelled any time before the court issues your discharge or within 60 days after the agreement is filed with the court, whichever is later.

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

If you have question about how the bankruptcy laws affect you please obtain legal advice.

## REQUIRED FEES

The filing fee paid to the court is \$338 for a Chapter 7 case and \$313 for a Chapter 13. Our attorney's fees for a Chapter 7 are \$1,800.00 plus the cost of the credit report (\$37 for single debtor, \$74 for joint debtor) and due before your case can be filed. Our attorney's fees for a Chapter 13 are \$500 down plus the filing fee cost and must be paid before your case can be filed. Personal checks must clear the bank before filing and may take up to 15 days to clear.

## REQUIRED DOCUMENTS

1. **TWO** counseling classes have to be taken during your bankruptcy. The first course, called credit counseling, has to be taken within the 180 days before filing your case. The second court, called a debtor education or financial management course, has to be taken after filing before you can receive a discharge. A list of all the approved counseling agencies can be found on the Department of Justice's website. Below, we have listed the agencies with the lowest costs.

[www.ccadvising.com](http://www.ccadvising.com) (first course only), \$9.76 per person, use [perry.berg@phblawoffice.com](mailto:perry.berg@phblawoffice.com) during registration.

[www.firstbk.com](http://www.firstbk.com), \$18.95 single person, additional \$4.95 for joint, if sent via email delivery.

[www.bothcourses.com](http://www.bothcourses.com), first course: \$14.95 for 1 person, \$21.95 for 2 persons, second course: \$14.95 for 1 or 2 persons

2. Complete copies of your federal, state, and property tax returns for the past two years, including business taxes and all schedules, petitions, W2s and 1099s. You must include returns for you and your spouse even if you are the only one filing.
3. Documentation of all income received over the past 7 months, including but not limited to: pay stubs or a payroll history from all former and current employers; the benefit statement or a bank statement showing direct deposit of social security, veterans disability, workers' compensation or other disability income; unemployment, retirement or pension, child support, alimony or maintenance verification; rental or roommate income or regular contributions. **You need to continue providing pay stubs through the filing date.**
4. For all vehicles, motorcycles, boats, campers, trailers, ATVs, jet skis, snowmobiles and all other recreational vehicles that you own individually, with another person, or are a co-signer on:
  - a. Copies of titles or registration cards;
  - b. Copies of your most recent loan or lease statements; and

- c. Copy of your installment or sales or lease agreement from the purchase showing the payment terms and the payoff date.
5. For any interest in homes, investment properties, timeshares, vacant lots, vacation properties, cabins, life estates or remainder interests in real property:
    - a. Copies of your mortgage and other loan statements;
    - b. Copy of your most recent property tax statement;
    - c. Any recent home appraisal or comparative market analysis;
    - d. For a timeshare, current sale prices for similar timeshares;
    - e. The legal description which can be found on your deed or abstract or can be provided by your county recorder's office;
    - f. Copy of your mobile home title;
    - g. Copy of your association or timeshare dues; and
    - h. Copy of any sheriff sale notice within the past year.
  6. Copy of all lawsuit paperwork that you have received within the past 12 months including all Summons & Complaints, garnishment or bank levy notices.
  7. Documentation on life insurance policies identifying the owner of the policy, the type of policy, the policy premium, and the cash value, if any.
  8. Documentation of all retirement accounts, investment accounts, and stock ownership information identifying the type of account and the current cash value of each.
  9. Documentation of all educational IRAs, identifying the total value of the account and all contributions within the past year.
  10. Documentation of all withdrawals and loans from retirement accounts, investment accounts, stocks, and life insurance from the past two years.
  11. The total debt and monthly expenses of a non-filing spouse or significant other, including statements showing the name on the account and the minimal monthly payment.
  12. Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The US Trustee's Office audits a small percentage of bankruptcy cases. Those debtors are required to provide additional documentation including bank statements for the six months prior to filing and documentation for all payments made for maintenance, child support, custody or tax matters. Please keep these documents accessible in case they are requested.

The following sections contain questions that will provide our office with the information necessary to complete your bankruptcy forms. Please answer each question to the best of your ability. If you have questions, please note them on the form so they are not forgotten.

### PERSONAL INFORMATION

1. Name and any a/k/a: \_\_\_\_\_

2. Social security number: \_\_\_\_\_

3. Spouse's name and any a/k/a: \_\_\_\_\_

4. Spouse's social security number: \_\_\_\_\_

5. Street address and PO Box: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ County: \_\_\_\_\_

6. Telephone numbers we're authorized to use. Home: \_\_\_\_\_

Cell: \_\_\_\_\_ Work: \_\_\_\_\_

7. Email address: \_\_\_\_\_

8. Marital status – circle one:            married            single            divorced            separated

9. Dependents:

Name	Date of Birth	Relationship	Support Received, Paid, Spouse's Dependent or No Payments	Amount
			R / P / S / D	
			R / P / S / D	
			R / P / S / D	
			R / P / S / D	
			R / P / S / D	
			R / P / S / D	
			R / P / S / D	

10. Years, or months if less than two years, you have lived in Minnesota: \_\_\_\_\_

If less than 18 months, the state you lived prior to Minnesota: \_\_\_\_\_

11. Have you lived at any other address in the last three years? YES / NO  
 If yes, please provide the following information:

Address	Dates (month/year to month/year)

12. Have you filed bankruptcy before? YES / NO If yes, provide the following information:

State filed: \_\_\_\_\_ Date filed: \_\_\_\_\_ Case Number: \_\_\_\_\_

13. Are you aware of any pending bankruptcy cases related to yours? YES / NO If yes, provide the following:

Debtor name: \_\_\_\_\_ Relationship: \_\_\_\_\_ State: \_\_\_\_\_  
 Case number: \_\_\_\_\_

14. Are you self-employed or own a business? YES / NO If yes, provide the following:

Business name: \_\_\_\_\_

Describe your business: \_\_\_\_\_

If incorporated, date of incorporation: \_\_\_\_\_ State of incorporation: \_\_\_\_\_

**ASSET INFORMATION**

15. Do you own real property (i.e. a home, cabin, land)? YES / NO If yes, please provide the following information. You also must provide a copy of the most recent mortgage statement and complete legal description of home.

Property Description	Estimated Fair Market Value	Creditor Name	Monthly Payment	Balance of Loan	How many payments behind?	Retain and pay loan or surrender?

16. Do you own, lease, or have any interest in any vehicles, motorcycles, trailers, farm vehicles, lawn mowers, snow blowers, watercraft, motors, aircraft, ATV's, etc?  
 YES / NO If yes, please complete the following for each and provide a copy of the title.

Year, make, and model	Estimated fair market value	Mileage and condition (poor, fair, good, excellent)	Purchase month and year	Name of creditor and length of loan	Balance of the loan?	Retain and pay loan or surrender?
					How many payments behind?	

17. What could you sell all of your personal belongings and household goods and furnishings for at a garage sale? \$\_\_\_\_\_

18. Electronics. Complete the following for all electronics including TVs, cell phones, DVD players, stereos, tablets, laptops, desktop computers, etc.

Item	Amount You Could Sell it For	Purchase Date	Purchase Price

19. Do you own any art, collectables, pictures or antiques? YES / NO If yes:

Description	Amount You Could Sell it For	Purchase Date	Purchase Price

20. Do you own any firearms, sporting, photographic and other hobby equipment?  
YES / NO If yes:

Description	Amount You Could Sell it For	Purchase Date	Purchase Price

21. Please provide an estimate of the total amount that you could sell your clothes for at a garage sale: \$\_\_\_\_\_

22. Do you own a wedding ring or engagement ring? YES / NO If yes, provide:

Description including carats	Amount You Could Sell it For	Purchase Date	Purchase Price

23. Do you own any other jewelry, including costume jewelry, watches or furs?  
YES / NO If yes, provide:

Description	Amount You Could Sell it For	Purchase Date	Purchase Price

24. Do you have any pets (non-farm animals)? YES / NO If yes, provide:

Description	Age	Does the pet generate income (i.e. show dog)?



25. Do you own any other personal or household items not already listed, including health aids?  
 YES / NO If yes, provide:

Description	Amount You Could Sell it For	Purchase Date	Purchase Price

26. Average amount of cash in your wallet, home, and safe deposit box. \_\_\_\_\_

27. For each deposit account, including checking, savings, money market, CDs, etc, provide the following:

Bank Name	Type of Account	Anyone Else Named on Account?

28. Is your name on a bank account that belongs to another person? YES / NO If yes, please provide the following:

Bank Name	Type of Account	Owner of Funds	Relationship to Owner

29. Do you have any interest in bonds, mutual funds, or publicly traded stocks?  
 YES / NO If yes, please provide:

Institution or Issuer Name	Current Value

30. Do you have any interests in non-publicly traded stock or interests in incorporated and unincorporated businesses, including interest in an LLC, partnerships or joint ventures?  
 YES / NO If yes, please provide the following:

Name of Entity	Percent of Ownership	Current Value

31. Do you have any interest in government or corporate bonds or other negotiable and non-negotiable instruments? YES / NO If yes, please provide:

Institution or Issuer Name	Current Value

32. Do you have an interest in any pension, profit sharing, 401K, PERA or other retirement accounts? YES / NO If yes, please bring in the most recent statement for each account.

33. Do you have any security deposits with landlords, utility companies, etc? YES / NO If yes, please provide:

With Whom	Amount

34. Do you own any interests in annuities? YES / NO If yes, please bring in the most recent statement for each account.

35. Do you have an interest in any educational IRA? YES / NO If yes, please bring in the most recent statement for each account.

36. Have you created a trust or are you the beneficiary of any trusts? YES / NO If yes, please provide a copy of the trust documents.

37. Do you have an interest in any patents, copyrights, or other intellectual property? YES / NO If yes, please provide details: \_\_\_\_\_

38. Do you have an interest in any licenses or franchises? YES / NO If yes, please provide details: \_\_\_\_\_

39. Are you owed any past due alimony or child support, or divorce settlement or does anyone else owe you any money? YES / NO If yes, please provide:

Type of Support	Owed to You by Who	Amount Owed

40. Have you deposited or taken out any large sums of money in your bank accounts in the last 90 days? YES / NO If yes, please provide:

Details of Transaction	Date of occurrence	Amount

--	--	--

41. Do you have an interest in any life insurance policies? YES / NO If yes, please provide:

Company	Policy Owner	Beneficiary	Term or Whole Policy	Cash Surrender Value

42. Do you have a Health Savings Account (HSA)? YES / NO If yes, provide the most recent statement.

43. Has anyone died recently that you expect to receive an inheritance from? YES / NO If yes, provide the following:

Relationship to Deceased	Date of Death	Expected Gift

**If someone dies in the six months following the filing of your bankruptcy, any inheritance you receive is part of the bankruptcy estate. You must notify our office of any potential inheritance immediately.**

44. Do you have any claims against anyone else, whether or not you have filed a lawsuit or made demand for payment? YES / NO If yes, please provide details: \_\_\_\_\_

45. Is there any other property you own or have an interest in that you have not disclosed elsewhere? YES / NO If yes, provide details: \_\_\_\_\_

46. Do you have interest in land which will be granted to you on the death of some other person? YES / NO If yes, provide details: \_\_\_\_\_

47. Do you have any interest in land because you sold the land on the basis that if the party buying it defaulted you would receive the land back (i.e. a contract for deed)? YES / NO If yes, provide details: \_\_\_\_\_

48. Do you have any interest in personal property such that you may at some time in the future get the property back? YES / NO If yes, provide details: \_\_\_\_\_

49. Do you expect to receive any gift (personal property, real property or money) in the next six months? YES / NO If yes, provide details: \_\_\_\_\_

---

50. Do you have a personal injury claim for an auto accident or other injury to you?  
YES / NO If yes, provide details: \_\_\_\_\_

---

**Business Related Assets.** Please complete the following questions only if you are self-employed or own a business.

51. Do you have any accounts receivable or commissions earned? YES / NO If yes, please provide:

Description	Amount

52. Do you own any office equipment, furnishing, or supplies? YES / NO If yes, please provide:

Item Description	Value

53. Do you own any machinery, fixtures, equipment, supplies, or tools of the trade? YES / NO  
If yes, please provide the following:

Item Description	Value

54. Do you have any inventory? YES / NO If yes, please provide the following:

Description	Value

55. Do you have any customer lists, mailing lists, or other compilations? YES / NO  
If yes, do your lists include personally identifiable information? YES / NO  
If no, please submit a copy of the list. If yes, please provide the following:

Description of List	Value

--	--

56. Do you own any other business related property not already listed? YES / NO  
 If yes, please provide the following:

Description	Value

**Farm and Commercial Fishing Related Property.** Please complete the following questions only if you own farm or commercial fishing property.

57. Do you own any farm animals including livestock, poultry, and farm-raised fish?  
 YES / NO If yes, please provide the following:

Description	Value

58. Do you own any crops – either growing or harvested? YES / NO If yes, please provide the following:

Description	Value

59. Do you own any farm or fishing equipment, implements, machinery, fixtures, and tools of the trade? YES / NO If yes, please provide the following:

Description	Value

60. Do you own any farm and fishing supplies, chemicals, or feed? YES / NO If yes, please provide the following:

Description	Value

61. Do you own any farm or commercial fishing related property not already listed? YES / NO If yes, please provide the following:

Description	Value

## EXECUTORY CONTRACTS

Do you have a lease or other agreements not fully performed by both parties, e.g. property and car leases or cell phone, internet, TV and gym contracts, etc.? YES / NO  
If yes, please complete the following information.

Other Party's Name and Address	Contract Type (circle one)	Terms (length, payment amount, etc.)	Beginning Date	Buyout Amount
	Residential Vehicle Commercial Service Other			
	Residential Vehicle Commercial Service Other			
	Residential Vehicle Commercial Service Other			
	Residential Vehicle Commercial Service Other			
	Residential Vehicle Commercial Service Other			
	Residential Vehicle Commercial Service Other			
	Residential Vehicle Commercial Service Other			
	Residential Vehicle Commercial Service Other			

## CREDITOR INFORMATION

Federal Law requires that you list all debts, including debts that are not dischargeable such as child support, alimony, student loans, tax debt, and debts to friends and relatives. Failure to list a debt may result in the debt not being discharged in your bankruptcy case.

We will review your credit report. However, please also provide a copy of the most recent statement for each of your creditors. If you do not have a statement for a creditor please complete the following information.

Creditors Name and Address	Person(s) Responsible for Debt	Estimated Balance	If Secured, Asset Description	If Secured, Surrender Property or Continue Paying?	If Secured, Amount Behind.

## INCOME

You must bring in pay stubs or other proof of income for all employment over the prior seven months.

Please provide the total monthly amount received for any of the following categories.

1. Income from the operation of a business, profession or farm.

Business Name	Income Of (debtor's name)	Average Gross Monthly Income	Minus Average Monthly Expenses	Equals Average Net Income

2. Income from real property.

Property Information	Income Of (debtor's name)	Average Gross Monthly Income	Minus Average Monthly Expenses	Equals Average Net Income

Debtor 1

Debtor 2

3. Interest and Dividends

\_\_\_\_\_

4. Alimony, Maintenance, Child Support

\_\_\_\_\_

5. Social Security

\_\_\_\_\_

6. Government Assistance, specify: \_\_\_\_\_

\_\_\_\_\_

7. Pension or Retirement

\_\_\_\_\_

8. Other Monthly Income, specify: \_\_\_\_\_

\_\_\_\_\_



## MONTHLY EXPENSES

1. Rent or home mortgage payment (include lot rental for mobile home) \$ \_\_\_\_\_
  - a. Are real estate taxes and insurance included? YES / NO If no: \$ \_\_\_\_\_
2. Second Mortgage Payments \$ \_\_\_\_\_
3. Home maintenance, repairs and upkeep \$ \_\_\_\_\_
4. Homeowner's association or condominium dues \$ \_\_\_\_\_
5. Utilities
  - a. Electricity, heat, and natural gas \$ \_\_\_\_\_
  - b. Water, sewer and garbage collection \$ \_\_\_\_\_
  - c. Telephone, cell phone, internet, satellite and cable services \$ \_\_\_\_\_
  - d. Other, specify: \_\_\_\_\_ \$ \_\_\_\_\_
6. Food and housekeeping supplies \$ \_\_\_\_\_
7. Childcare and children's education costs \$ \_\_\_\_\_
8. Clothing, laundry and dry cleaning \$ \_\_\_\_\_
9. Personal care products and services \$ \_\_\_\_\_
10. Medical and dental expenses \$ \_\_\_\_\_
11. Transportation (gas, maintenance, bus or train fare, not car payments) \$ \_\_\_\_\_
12. Recreation, clubs, entertainment, newspapers, magazines, etc. \$ \_\_\_\_\_
13. Charitable contributions and religious donations \$ \_\_\_\_\_
14. Insurance
  - a. Life insurance not deducted from wages \$ \_\_\_\_\_
  - b. Health insurance not deducted from wages \$ \_\_\_\_\_
  - c. Automobile Insurance \$ \_\_\_\_\_
  - d. Other insurance, specify: \_\_\_\_\_ \$ \_\_\_\_\_
15. Monthly payments to IRS or state taxes, specify: \_\_\_\_\_ \$ \_\_\_\_\_
16. Installment or lease payments
  - a. Specify: \_\_\_\_\_ \$ \_\_\_\_\_
  - b. Specify: \_\_\_\_\_ \$ \_\_\_\_\_
  - c. Specify: \_\_\_\_\_ \$ \_\_\_\_\_
  - d. Specify: \_\_\_\_\_ \$ \_\_\_\_\_
17. Alimony, maintenance and support \$ \_\_\_\_\_
18. Support for dependents not living at home \$ \_\_\_\_\_
19. Other Expenses
  - a. \_\_\_\_\_ \$ \_\_\_\_\_
  - b. \_\_\_\_\_ \$ \_\_\_\_\_
  - c. \_\_\_\_\_ \$ \_\_\_\_\_
  - d. \_\_\_\_\_ \$ \_\_\_\_\_

## ADDITIONAL INFORMATION

1. Employment.

Is Debtor 1 employed? YES / NO

Is Debtor 2 employed? YES / NO

Job Title: \_\_\_\_\_

Job Title: \_\_\_\_\_

Employer's Name and Address

Employer's Name and Address

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Length of Employment: \_\_\_\_\_

Length of Employment: \_\_\_\_\_

Job Title: \_\_\_\_\_

Job Title: \_\_\_\_\_

Employer's Name and Address

Employer's Name and Address

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Length of Employment: \_\_\_\_\_

Length of Employment: \_\_\_\_\_

2. Have your wages been garnished or bank accounts levied within the past 90 days?  
YES / NO If yes, please provide documentation or complete the following.

Garnishing Creditor	Attorney Creditor	for	Dates and Amounts	and	Your Payroll Contact Name, Phone and Fax (if garnishment)

3. Have you closed a bank account in the last 12 months? YES / NO If yes, provide:

Bank Name	Account Type	Date of Closing	Balance at Closing

4. Do you have possession of any property or are you using any property that belongs to someone else (i.e. driving a car owned by someone else)? YES / NO If yes, please provide:

Property	Owner's Name and Address	Estimated Value

5. Have you modified or refinanced a mortgage in the past 12 months? YES / NO If yes, please provide a copy of the recorded mortgage or completed modification agreement.
6. Have you been divorced in the past 8 years? YES / NO If yes, provide a copy of the divorce decree and any amendments to the decree.
7. Have you paid any creditor a total of \$600 or more within the past 90 days, including rent, mortgage, vehicle loans, etc.? YES / NO If yes, please provide the following. List each payment made separately.

Creditor	Date(s) Payment was Made	Amount Paid

8. Have you given friends or relatives any money in the last 12 months? YES / NO If yes, please provide the following information for each payment. **Do not make any more payments to friends or relatives.**

Name and Address of Friend or Relative	Reason for Payment	Amount(s) Paid	Date(s) Paid	Amount Still Owed

9. Describe any expected increase or decrease in income or expenses in the next 12 months: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

10. Do you pay child support, alimony or maintenance payments? YES / NO If yes, please complete the Domestic Support Obligation Claim Holder Form on the next page.

**Domestic Support Obligation Claim Holder\***

Section One: your name, address, and employment information

Debtor's Name: \_\_\_\_\_

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

Employer's name and address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Section Two: the name and address of the person to whom you owe child support  
If you owe more than one individual, place the name and address of the second individual next to the name and address of the first individual.

Note: This section must be completed and cannot be left blank. If the person to whom you owe child support has a restraining order against you, and you are not allowed to know the individual's address, then you may list the government agency to which you submit your child support payment in the section labeled "OTHER." Also, write in this section that there is a restraining order against you.

Name of child's parent(s): \_\_\_\_\_

Address of child's parent(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone number of child's parent(s): \_\_\_\_\_

<p><b>MINNESOTA</b> Office of Child Support Enforcement Department of Human Services 444 Lafayette Road, 4th Floor St. Paul, MN 55155-3846 Office: 651-215-1714 Fax: 651-297-4450</p>	<p><b>OTHER</b> Name: _____ Street / PO Box: _____ City / State/ Zip: _____ Phone Number: _____</p>
---	---

Date: \_\_\_\_\_ Debtor(s) Initials – indicating accuracy of information: \_\_\_\_\_

\*Child support creditor includes both creditor to whom the debtor has a primary obligation to pay child support as well as any entity to whom such support has been assigned, if pursuant to Section 402(a)(26) of the Social Security Act or if such debt has been assigned to the Federal Government or to any State or political subdivision of a State.

## Chapter 7 Bankruptcy Retainer Agreement

This confirms that our law firm will be filing a Chapter 7 bankruptcy case for you in the U.S. Bankruptcy Court for the District of Minnesota. You made this decision after bankruptcy and other alternatives were explained to you.

We will represent you in the filing of a Chapter 7 case for a professional fee of \$1,800 plus the cost of credit report (\$37 for single debtor; \$74 for joint debtor). The base fee covers the following basic services:

1. Counseling you in preparing and filing:
  - a. a Chapter 7 petition;
  - b. a statement of financial affairs;
  - c. schedules of assets and liabilities;
  - d. any other papers, pleadings, or reports which may be required by the court; and
2. Attending the first meeting of creditors and any other hearings which arise in the administration of this case except as stated below.

In some Chapter 7 cases, there are legal services required which are beyond those contemplated in the base fee. You will be required to pay for any additional or supplemental services (the "supplemental services") at an hourly rate of \$250.00 - \$285.00 plus any related reimbursable expenses.

The supplemental services may include, but is not limited to:

1. Defending you against any complaint filed (or threatened to be filed) by the trustee to avoid or to recover any transfer of property which you made before the filing of your Chapter 7 petition;
2. Defending you against any motion filed (or threatened to be filed) by the United States Trustee to dismiss your Chapter 7 petition;
3. Attending a Reaffirmation Hearing if required by the U.S. Bankruptcy Court or reviewing and drafting any reaffirmation agreements;
4. Defending you and appearing on any Motions for Relief from the Automatic Stay;
5. Defending you against any contested matter or adversary proceeding filed (or threatened to be filed) by a creditor objecting to the debt you owe them from being discharged in your bankruptcy case; and
6. Amending your bankruptcy schedules or statements after the case is filed.

\_\_\_\_\_ (please initial)

In addition, you are obligated to pay the following costs related to the filing of a Chapter 7 bankruptcy case:

1. The fee of \$338 charged by the Bankruptcy Court;
2. The cost of obtaining copies of judgments, deeds, deeds of trust, title certificates, court papers, county tax records, and other similar documents;
3. The cost of pre-filing consumer credit counseling of approximately \$9 to \$28;
4. The cost of a post-filing instructional course concerning personal financial management of approximately \$8 to \$15;
5. The cost of securing any prior court records from the PACER system;
6. The cost of securing any other records or statements not otherwise produced by or available to you; and
7. Additional postage and shipping costs, if applicable.

If you forget to list a creditor, there will be a charge of \$50 per creditor to add the creditor to your schedules or correct the address after the petition has been filed. To add a creditor after you have received your discharge but before your case is closed there will be a charge of \$90 per creditor.

You must appear at the meeting of creditors (the 341 meeting) and at any other court hearing or meeting that may be required. You must provide any information requested by the Chapter 7 Trustee or the United States Trustee, or any other party in the case, unless the Court determines that you are not required to provide such documentation.

If we must reschedule a 341 meeting because you have failed to appear or failed to bring the required information to the hearing, or if the 341 meeting is continued by the trustee, there will be an additional fee of \$150.00.

**Do not incur more debt prior to filing your case. Stop using all credit cards, lines of credit, etc.**

**Do not close or cash in any 401(k) or retirement plans, insurance policies or bank accounts.**

**Do not transfer any assets without consultation with our office. Do not purchase any assets without consultation with our office.**

We have not been hired to fix your credit and make no representations that we can do so.

You may make payments on the base fee and filing fee but the fees must be paid in full prior to filing your Chapter 7 case. If you have any funds from a prior retainer currently held in trust, such funds will be applied to the balance of your Chapter 7 fees.

The base fee and filing fee is a flat fee and is property of the attorney upon payment of the fee, subject to refund of all or a portion of the fee if the agreed upon services are not provided. The fee will not be held in a trust account until earned. You, the client, have the right to terminate the attorney-client relationship. If we discover that any assets or transactions that you are required to disclose has NOT been disclosed, we have the right to terminate the attorney-client relationship. If you fail to cooperate in providing documentation necessary in the administration of your case, we have the right to terminate the relationship.

Very truly yours,

**PATTON, HOVERSTEN & BERG, P.A.**

by: \_\_\_\_\_

AGREED AND ACCEPTED:

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

by: \_\_\_\_\_

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

by: \_\_\_\_\_

## Chapter 13 Bankruptcy Retainer Agreement

This confirms that our law firm will be filing a Chapter 13 bankruptcy case for you in the U.S. Bankruptcy Court for the District of Minnesota. You made this decision after bankruptcy and other alternatives were explained to you.

We will represent you in the filing of a Chapter 13 case for a professional fee of \$3,500.00 (the "base fee"). The base fee covers the following basic services:

1. Counseling you in preparing and filing:
  - a. a Chapter 13 petition;
  - b. a statement of financial affairs;
  - c. schedules of assets and liabilities;
  - d. a chapter 13 plan; and
  - e. any other papers, pleadings, or reports which may be required by the court.
2. Attending the first meeting of creditors and any other hearings which arise in the administration of this case except as stated below; and
3. Attending the first confirmation hearing, if required.

In some Chapter 13 cases, there are legal services required which are beyond those contemplated in the base fee. Some of these additional fees may be paid by the payments you will be making to the trustee. If they are not, you will be required to pay for any additional or supplemental services (the "supplemental services") at an hourly rate of \$250 - \$285, plus any related reimbursable expenses.

The supplemental services may include, but is not limited to:

1. Defending you against any complaint filed (or threatened to be filed) by the trustee to avoid or to recover any transfer of property which you made before the filing of your Chapter 13 petition;
2. Defending you against any motion filed (or threatened to be filed) by the United States Trustee to dismiss your Chapter 13 petition;
3. Attending a Reaffirmation Hearing if required by the U.S. Bankruptcy Court;
4. Defending you and appearing on any Motions for Relief from the Automatic Stay;
5. Defending you against any contested matter or adversary proceeding filed (or threatened to be filed) by a creditor objecting to the debt you owe them from being discharged in your bankruptcy case;
6. Amending your bankruptcy schedules or statements after the case is filed; and
7. Modifying your Chapter 13 plan.

In addition, you are obligated to pay the following costs related to the filing of a Chapter 13 bankruptcy case:

1. The fee of \$310 charged by the Bankruptcy Court;
2. The cost of obtaining copies of judgments, deeds, deeds of trust, title certificates, court papers, county tax records, and other similar documents;
3. The cost of pre-filing consumer credit counseling of approximately \$9 to \$28;
4. The cost of a post-filing instructional course concerning personal financial management of approximately \$8 to \$15;
5. The cost of securing any prior court records from the PACER system;
6. The cost of securing any other records or statements not otherwise produced by or available to you; and
7. Additional postage and shipping costs, if applicable.

If you forget to list a creditor, there will be a charge of \$50 per creditor to add the creditor to your schedules or correct the address after the petition has been filed. To add a creditor after you have received your discharge but before your case is closed there will be a charge of \$90 per creditor.

You must appear at the meeting of creditors (the 341 meeting) and at any other court hearings or meetings that may be required. You must provide any information requested by the Chapter 13 Trustee or the United States Trustee, or any other party in the case, unless the Court determines that you are not required to provide such documentation.

If we must reschedule a 341 meeting because you have failed to appear or failed to bring the required information to the hearing, or if the 341 meeting is continued by the trustee, there will be an additional fee of \$150.

**Do not incur more debt prior to filing your case. Stop using all credit cards, lines of credit, etc.**

**Do not close or cash in any 401(k) or retirement plans, insurance policies or bank accounts.**

**Do not transfer any assets without consultation with our office. Do not purchase any assets without consultation with our office.**

We have not been hired to fix your credit and make no representations that we can do so.

You may make payments toward the base fee and filing fee. However, your case will not be filed until \$500 of the base fee and the entire filing fee must be paid before the case can be filed. The remaining base fee will be paid through the Chapter 13 plan. If you have any funds from a prior retainer currently held in trust, such funds will be applied to the balance of your Chapter 13 fees.

The filing fee is a flat fee and is the property of the attorney upon payment of the fee. The fee will not be held in a trust account until earned. You, the client, have the right to terminate the attorney-client relationship. If we discover that any assets or transactions that you are required to disclose have NOT been disclosed, we have the right to terminate the attorney-client relationship. If you fail to cooperate in providing documentation necessary in the administration of your case, we have the right to terminate the relationship.

Very truly yours,

**PATTON, HOVERSTEN & BERG, P.A.**

by: \_\_\_\_\_

AGREED AND ACCEPTED:

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

by: \_\_\_\_\_

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

by: \_\_\_\_\_



## Business Bankruptcy Retainer Agreement

This letter confirms our law firm will be filing a business bankruptcy case for you in the U.S. Bankruptcy Court for the District of Minnesota. You made this decision after bankruptcy and other alternatives were explained to you.

We advised you that we are willing to represent you for a professional fee of \$\_\_\_\_\_ (the "base fee"). The base fee covers the following basic services:

1. Counseling you in preparing and filing:
  - a. a petition;
  - b. a statement of financial affairs;
  - c. schedules of assets and liabilities;
  - d. any other papers, pleadings, or reports which may be required by the court.
2. Attending the first meeting of creditors and any other hearings which arise in the administration of this case except as stated below; and
3. Attending the first confirmation hearing, if required.

In some cases, there are legal services required which are beyond those contemplated in the base fee. Some of these additional fees may be paid by the payments you will be making to the trustee. If they are not, you will be required to pay for any additional or supplemental services (the "supplemental services") at an hourly rate of \$250 - \$285, plus any related reimbursable expenses.

The supplemental services may include, but is not limited to:

1. Defending you against any complaint filed (or threatened to be filed) by the trustee to avoid or to recover any transfer of property which you made before the filing of your petition;
2. Defending you against any motion filed (or threatened to be filed) by the United States Trustee to dismiss your petition;
3. Attending a Reaffirmation Hearing if required by the U.S. Bankruptcy Court;
4. Defending you and appearing on any Motions for Relief from the Automatic Stay;
5. Defending you against any contested matter or adversary proceeding filed (or threatened to be filed) by a creditor objecting to the debt you owe them from being discharged in your bankruptcy case;
6. Amending your bankruptcy schedules or statements after the case is filed; and
7. Modifying your plan if one exists.

In addition, you are obligated to pay the following costs related to the filing of a business bankruptcy case:

1. The filing fee charged by the Bankruptcy Court;
2. The cost of obtaining copies of judgments, deeds, deeds of trust, title certificates, court papers, county tax records, and other similar documents;
3. The cost of pre-filing consumer credit counseling of approximately \$9 to \$28;
4. The cost of a post-filing instructional course concerning personal financial management of approximately \$8 to \$15;
5. The cost of securing any prior court records from the PACER system for federal cases;
6. The cost of securing any other records or statements not otherwise produced by or available to you; and
7. Additional postage and shipping costs, if applicable.

If you forget to list a creditor, there will be a charge of \$50 per creditor to add the creditor to your schedules or correct the address after the petition has been filed. To add a creditor after you

have received your discharge but before your case is closed there will be a charge of \$90 per creditor.

You must appear at the meeting of creditors (the 341 meeting) and at any other court hearings or meetings that may be required. You must provide any information requested by the Trustee or the United States Trustee, or any other party in the case, unless the Court determines that you are not required to provide such documentation.

If we must reschedule a 341 meeting because you have failed to appear or failed to bring the required information to the hearing, or if the 341 meeting is continued by the trustee, there will be an additional fee of \$150.

**Do not incur more debt prior to filing your case. Stop using all credit cards, lines of credit, etc.**

**Do not close or cash in any 401(k) or retirement plans, insurance policies or bank accounts.**

**Do not transfer any assets without consultation with our office. Do not purchase any assets without consultation with our office.**

We have not been hired to fix your credit and make no representations that we can do so.

You may make payments on the base fee and the filing fee but your bankruptcy case will not be filed until those amounts are paid in full. If you have any funds from a prior retainer currently held in trust, such funds will be applied to the balance of your bankruptcy fees.

The base fee and filing fee is a flat fee and is property of the attorney upon payment of the fee, subject to refund of all or a portion of the fee if the agreed upon services are not provided. The fee will not be held in a trust account until earned. You, the client, have the right to terminate the attorney-client relationship. If we discover that any assets or transactions that you are required to disclose have NOT been disclosed, we have the right to terminate the attorney-client relationship. If you fail to cooperate in providing documentation necessary in the administration of your case, we have the right to terminate the relationship. We will then file a motion with the court seeking withdraw.

Very truly yours,

**PATTON, HOVERSTEN & BERG, P.A.**

by: \_\_\_\_\_

AGREED AND ACCEPTED:

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

by: \_\_\_\_\_

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

by: \_\_\_\_\_

**CREDIT REPORT INFORMATION**

Debtor 1's Full Name: \_\_\_\_\_

Debtor 1's Birthdate: \_\_\_\_\_ Social Security Number: \_\_\_\_\_

Debtor 2's Full Name (if a joint request): \_\_\_\_\_

Debtor 2's Birthdate: \_\_\_\_\_ Social Security Number: \_\_\_\_\_

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

City, State, Zip: \_\_\_\_\_

Former Street Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

I give authorization for Patton, Hoversten, & Berg and Online Credit Reporting Corporation to access my credit report information including all medical information reported. By signing this document, I am verifying that all the information above is correct.

Debtor 1's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Debtor 2's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

When ordering your credit report, Patton, Hoversten, & Berg will need to establish your identification through automated questions established by the credit bureaus. Please answer the following questions to the best of your ability. If this is a joint request, please answer for both debtors.

1. What county is your current address located in? \_\_\_\_\_

2. Who is your current and most previous employer? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Who are your current home and auto loan creditors and what are the payment amounts? \_\_\_\_\_

\_\_\_\_\_

**AUTHORIZATION**

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

SSN: \_\_\_\_\_

YOU ARE AUTHORIZED to provide to representatives of Patton, Hoversten & Berg, P.A., 215 East Elm Avenue, Post Office Box 249, Waseca, Minnesota, any and all information that you have which they may request regarding any and all records or files which you may have regarding myself.

A copy of this authorization is as valid as the original bearing my signature.

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