

FOR ATTORNEY USE ONLY:

Source: _____

Chapter: _____

District to be filed in: _____

Credit Report: _____
(\$35 for Indiv. \$70.00 for Joint)

Total Fees: _____ Total amount down: _____

Today's Date: _____

Initial Interview Information

Please complete this questionnaire. *All information will be held in strict confidence.*

GENERAL INFORMATION

Name _____ S.S.# _____

Spouse Name _____ S.S.# _____

Address _____

City _____ County _____ Zip Code _____

Your Telephone & Email:

Spouse's Telephone & Email:

Home# _____

Home# _____

Work# _____

Work# _____

Cell# _____

Cell# _____

Email _____

Email _____

Your Employment Information:

Spouse's Employment Information:

Employer _____

Employer _____

Position _____

Position _____

How long employed _____

How long employed _____

PROPERTY AND DEBTS

House or Apartment:

Do you own or rent your home? Own Rent

When was the property purchased? _____

How much was the down payment? _____?

Have you made any significant lump sum payments on the mortgage? Yes No

What is your monthly payment? \$ _____

If you are behind on monthly payments, how many months? _____

Does your mortgage company escrow for taxes and insurance? Yes No

Do you have a home improvement loan or second mortgage? Yes No

Motor Vehicles—both financed and paid for:

<i>Year/Make/Model</i>	<i>Lease or Own?</i>	<i>Name of Financial Lender</i>	<i>How far behind on payments?</i>

Other Property:

Do you have any of the following? (check all that apply)

- Rental real estate or other investment real estate besides you home
- Time-shares
- Recreational Vehicle
- Mobile home, camper, 5th wheel
- Boat
- Individual Retirement Account
- 401(k) account
- Pension or profit sharing through employment
- Cash value in whole life insurance policy(ies)
- Checking account(s)
- Savings account(s)
- Credit Union Membership or account
- Certificate(s) of deposit
- Stocks or bonds
- Collections (stamps, coins, dolls, guns, etc.)
- Precious stones, precious metals
- Jewelry

Basic Living Expenses:

- \$ _____ House payment or rent
Includes escrow for property taxes Yes No
Includes escrow for property and casualty insurance Yes No
- \$ _____ Car payment
- \$ _____ Utilities (electric, gas, water and sewer)
- \$ _____ Telephone
- \$ _____ Cellular phone or pager
- \$ _____ Food
- \$ _____ Clothes
- \$ _____ Laundry or dry cleaning
- \$ _____ Medical, prescription drug or dental expenses not covered by insurance (like co-pays)
- \$ _____ Insurance (for automobiles, or property not taken out of your house payment)
- \$ _____ Automobile fuel and maintenance
- \$ _____ Child support or alimony you must pay
- \$ _____ Other

OTHER GENERAL QUESTIONS

- | Yes | No | |
|--------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Have you ever filed for bankruptcy protection?
<i>Was it within the last ten years? <input type="checkbox"/>Yes <input type="checkbox"/>No</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | Are you being sued by anyone in a pending lawsuit right now? |
| <input type="checkbox"/> | <input type="checkbox"/> | Has anyone already sued you and obtained a judgment? |
| <input type="checkbox"/> | <input type="checkbox"/> | Are you suing anyone in a pending lawsuit right now? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is there anyone you are thinking of suing? |
| <input type="checkbox"/> | <input type="checkbox"/> | Do you have a lawsuit against anyone? |
| <input type="checkbox"/> | <input type="checkbox"/> | Have you been involved in any automobile accidents in the past 2 years? |
| <input type="checkbox"/> | <input type="checkbox"/> | Have you been divorced? |
| <input type="checkbox"/> | <input type="checkbox"/> | Do you have a divorce pending now? |
| <input type="checkbox"/> | <input type="checkbox"/> | Are you required to pay child support or alimony? |
| <input type="checkbox"/> | <input type="checkbox"/> | Do you receive child support or alimony? |
| <input type="checkbox"/> | <input type="checkbox"/> | Have you ever been convicted of a crime? |
| <input type="checkbox"/> | <input type="checkbox"/> | If so, are you required to pay any restitution payments to anyone? |
| <input type="checkbox"/> | <input type="checkbox"/> | Have you had any repossessions or foreclosures during past 2 years? |
| <input type="checkbox"/> | <input type="checkbox"/> | Have you sold any real estate in the past 5 years? |
| <input type="checkbox"/> | <input type="checkbox"/> | Have you assumed any real estate debt? |
| <input type="checkbox"/> | <input type="checkbox"/> | Has anyone ever assumed real estate debt from you? |
| <input type="checkbox"/> | <input type="checkbox"/> | Do you expect to inherit anything within the next year? |
| <input type="checkbox"/> | <input type="checkbox"/> | Are you the beneficiary of a life insurance policy or trust? |

**REQUIRED NOTICE TO ASSISTED PERSONS UNDER
BANKRUPTCY CODE SECTION 527(a)(2)**

All information that you are required to provide with a petition under the Bankruptcy Code, and are required to provide thereafter during a case under the Bankruptcy Code is required to be complete, accurate, and truthful.

All assets and all liabilities are required to be completely and accurately disclosed in the documents filed to commence the case, and the replacement value of each asset as defined in Section 405 must be stated on those documents where requested after reasonable inquiry to establish such value.

Current monthly income, the amounts specified in Section 707(b)(2), and, in a case under Chapter 13 of the Bankruptcy Code, disposable income (determined in accordance with section 707(b)(2), are required to be stated after reasonable inquiry.

Information that an assisted person provides during their [sic] case may be audited pursuant to the Bankruptcy Code, and failure to provide such information may result in dismissal of the case under the Bankruptcy Code, or other sanction [sic], including a criminal sanctions [sic].

This information is furnished to you pursuant to the requirements of 11 U.S.C. §527(b) and this notice is a verbatim restatement of the statute.

ACKNOWLEDGEMENT OF RECEIPT

I acknowledge that attorney Harriet L. Langston has given to me a copy of the Important Information About Bankruptcy Assistance Services From An Attorney or Bankruptcy Petition Preparer, pursuant to Bankruptcy Code Section 527(b).

Date: _____

Client signature

Client signature

Harriet L. Langston
Harriet Langston, P.C.
7557 Rambler Road, Suite 812
Dallas, Texas 75231-4142

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Fax 972-789-1710
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“IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES FROM AN ATTORNEY OR BANKRUPTCY PETITION PREPARER

If you decide to seek bankruptcy relief, you can represent yourself, you can hire an attorney to represent you, or you can get help in some localities from a bankruptcy petition preparer who is not an attorney. THE LAW REQUIRES AN ATTORNEY OR BANKRUPTCY PETITION PREPARER TO GIVE YOU A WRITTEN CONTRACT SPECIFYING WHAT THE ATTORNEY OR BANKRUPTCY PETITION PREPARER WILL DO FOR YOU AND HOW MUCH IT WILL COST. Ask to see the contract before you hire anyone.

The following information helps you understand what must be done in a routine bankruptcy case to help you evaluate how much service you need. Although bankruptcy can be complex, many cases are routine.

Before filing a bankruptcy case, either you or your attorney should analyze your eligibility for different forms of debt relief available under the Bankruptcy Code and which form of relief is most likely to be beneficial for you. Be sure you understand the 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 need to be prepared correctly and filed with the bankruptcy court. You will have to pay a filing fee to the bankruptcy court. Once your case starts, you will have to attend the required first meeting of creditors where you may be questioned by a court official called a ‘trustee’ and by creditors.

If you choose to file a Chapter 7 case, you may be asked by a creditor to reaffirm a debt. You may want help deciding whether to do so. A creditor is not permitted to coerce you into reaffirming your debts.

If you choose to file a Chapter 13 case in which you repay your creditors what you can afford over 3 to 5 years, you may also want help with preparing your Chapter 13 plan and with the confirmation hearing on your plan which will be before a bankruptcy judge.

If you select another type of relief under the Bankruptcy Code other than Chapter 7 or Chapter 13, you will want to find out what should be done from someone familiar with that type of relief.

Your bankruptcy case may also involve litigation. You are generally permitted to represent yourself in litigation in bankruptcy court, but only attorneys, not bankruptcy petition preparers, can give you legal advice.”

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NOTICE REQUIRED BY BANKRUPTCY CODE §§ 342(b)(1) AND 527(a)(1)

This purpose of this notice is to give: (1) a brief description of chapters 7, 11, 12 and 13, and the general purpose, benefits and costs of proceeding under each of those chapters; (2) a brief description of the types of services available from credit counseling “agencies”; and (3) required statements regarding information given by persons in connection with bankruptcy cases.

Types of Bankruptcy

The Bankruptcy Code is divided into chapters that provide different kinds of bankruptcy relief for persons who seek the relief (known as “debtors”). Chapter 7 provides for liquidation of non-exempt assets, and discharge of most debts. Chapters 11, 12, and 13 provide for various types of reorganization and repayment plans.

Chapter 7 – Liquidation

Chapter 7 is designed for debtors who are having financial difficulties and are not able to re-pay their debts.

For consumers who file for relief under Chapter 7, you will be required to undertake a “Means Test” to determine if you are eligible for this type of bankruptcy relief. If you do not meet the requirements of the “Means Test” and “presumption of abuse” is created, you may be precluded from filing a Chapter 7. You may still be able to file for relief under Chapter 13.

Under Chapter 7, all your property becomes subject to the jurisdiction of the Bankruptcy Court, and a Trustee takes ownership of all your property, pending the allowance of your exemptions. You may claim certain property as exempt under Texas law, or under the exemptions provided in the United States Bankruptcy Code. You can only exempt the value of property that is not subject to the liens of your creditors. The Trustee then liquidates the non-exempt property and uses the proceeds to pay off your creditors according to priorities of the Bankruptcy Code. The Trustee reserves the right to refrain from liquidating—or to “abandon”—property that he or she deems of negligible value.

The purpose of filing a Chapter 7 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 Bankruptcy Court may deny your discharge, and the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, some types of criminal restitution, and debts for death or personal injury caused by driving while intoxicated with alcohol or drugs.

Under certain circumstances you may be able to keep property that you have purchased subject to a valid security interest. You may redeem property for its fair market value, or you may reaffirm an existing pre-bankruptcy debt. Your attorney can explain the options that are available to you.

The costs of Chapter 7 usually include attorneys fees and expenses, which this office charges on a case-by-case basis, and the filing fee of \$299.00.

For individual Chapter 7 cases, the debtor must undertake and pay for credit counseling BEFORE the bankruptcy case can be filed. Upon completion of the course, the individual will receive a certificate of completion. That certificate must be filed with the Bankruptcy Court or the case will be dismissed for failure to comply with the requirement.

After the petition is filed, the debtor must also attend another credit counseling course, called a financial management course, before the debtor receiving a discharge. Failure to timely complete that course, or the failure to timely provide the certificate of completion to the Bankruptcy Court, will result in the closing of the case without the debtor having received a discharge with consumer debt, the debtor must receive and pay for credit counseling and receive a certificate before the case can be filed, and the debtor must attend and pay for a financial management course before receiving a discharge.

Chapter 13 – Repayment of All or Part of the Debts of an Individual with Regular Income

Chapter 13 is designed for individuals with a regular and stable source of income who are temporarily unable to pay their debts. These individuals may use their best efforts and good faith to pay their debts in installments over a period of time, subject to the protections and requirements afforded by Chapter 13 rules. You are only eligible for Chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under Chapter 13 you must file a plan with the Court to repay your creditors all or part of the money that you owe them. The payments on your plan will be funded by your future earnings or by the disposition and/or abandonment of certain collateral such as land and motor vehicles. You are protected from your creditors in most cases upon the filing of your case but the Bankruptcy Court must approve your plan before it can take full effect. Chapter 13 requires that you commence the payments on your plan within thirty days of the date your case is filed.

Under Chapter 13, unlike Chapter 7, you may keep all of your property, both exempt and non-exempt, as long as you continue to make payments under the plan and the plan takes into account the fact that you are retaining non-exempt property.

After completion of payments under the plan, your debts are discharged except for any domestic support obligations, student loans, and certain taxes, among others.

The costs of Chapter 13 usually include attorneys fees and expenses, which this office charges on a case-by-case basis, and the filing fee of \$274.00.

For individual Chapter 13 cases, the debtor must undertake and pay for credit counseling BEFORE the bankruptcy case can be filed. Upon completion of the course, the individual will receive a certificate of completion. That certificate must be filed with the Bankruptcy Court or the case will be dismissed for failure to comply with the requirement.

After the petition is filed, the debtor must also attend a second credit counseling course, called a financial management course, before the debtor receiving a discharge. Failure to timely complete that course, or

the failure to timely provide the certificate of completion to the Bankruptcy Court, will result in the closing of the case without the debtor having received a discharge.

Chapter 11 – Reorganization

Chapter 11 is designed primarily for the reorganization of businesses but is also available to consumer debtors. Its provisions are quite complicated, and any decision for an individual to file a Chapter 11 petition should be reviewed with an attorney. Most Chapter 11 cases are simply too expensive for the great majority of consumers. Most individuals are aware of the high profile Chapter 11 cases that have been filed in recent years by companies such as Enron.

For individual Chapter 11 cases, the debtor must undertake and pay for credit counseling BEFORE the bankruptcy case can be filed. Upon completion of the course, the individual will receive a certificate of completion. That certificate must be filed with the Bankruptcy Court or the case will be dismissed for failure to comply with the requirement.

After the petition is filed, the debtor must also attend another credit counseling course, called a financial management course, before the debtor receiving a discharge. Failure to timely complete that course, or the failure to timely provide the certificate of completion to the Bankruptcy Court, will result in the closing of the case without the debtor having received a discharge.

Chapter 12 – Family Farmer

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to a Chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family owned farm.

Credit Counseling

Reputable credit counselors can advise you on managing your money and your debts. They may also be able to develop a plan to repay your debts. But, many credit counselors are not reputable and charge high fees and contributions that will cause you to fall deeper into debt. Furthermore, many misrepresent their non-profit status and/or their affiliations with religious or charitable organizations. Harriet Langston, P.C., only recommends that a person seek the credit counseling services of a group that has been approved by the United States Trustee.

Honesty is Required

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury in connection with a case under this the bankruptcy code shall be subject to fine, imprisonment, or both and all information supplied by a debtor in connection with a case under this title is subject to examination by the Attorney General.

ACKNOWLEDGEMENT OF RECEIPT

I acknowledge that attorney Harriet L. Langston has given to me a copy of the foregoing notice, as required by Bankruptcy Code Sections 342 (b) and 527(a)(1).

Date: _____

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