

**SDNY Bankruptcy Legal Clinic**

**Bankruptcy Pre-filing**

**Counseling Worksheet**

Individual name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

The undersigned attorney met with the above named individual and was advised of the following:

The communications between the individual and the attorney are confidential under applicable rules of professional conduct.

Necessity for full, honest disclosure of complete financial condition, including all assets, all debts, all income, expenses, etc.

**Assets based only on individual information and disclosure:**

\_\_\_\_\_Homestead real property

\_\_\_\_\_No non-exempt assets

\_\_\_\_\_Non-exempt assets: (please list)

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**Potential Available Exemptions:**

 Choice between alternative exemption options:

State (and non-Bankruptcy Code Federal) exemptions **or**

Bankruptcy Code exemptions:

**Liabilities based only on individual information and disclosure:**

\_\_\_\_ Mostly Consumer debt **or** \_\_\_\_ Non-consumer debt

\_\_\_\_\_Secured \_\_\_\_\_Repossessions

\_\_\_\_\_Unsecured \_\_\_\_\_Judgments

\_\_\_\_\_Pending Lawsuits \_\_\_\_\_Child Support / Spousal Support

\_\_\_\_\_Tax Liabilities \_\_\_\_\_Student Loans

\_\_\_\_\_Other: (please list)

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**Review/Discuss:**

\_\_\_\_\_ Income & Expenses (schedules I and J).

\_\_\_\_\_ Non-Dischargeable Debts: (11 USC §523)

\_\_\_\_\_ Denial of Discharge grounds (11 USC §727)

\_\_\_\_\_ Statement of Financial Affairs

\_\_\_\_\_How to obtain a credit report (annualcreditreport.com or 1-877-322-8228)

\_\_\_\_\_Filing fee plus Administrative Fee. May also apply for a waiver or installment plan.

\_\_\_\_\_Pre-filing Credit Counseling requirement.

\_\_\_\_\_Post Petition Personal Financial Management requirement

**RECOMMENDATIONS**

\_\_\_\_\_ Chapter 7

\_\_\_\_\_ Chapter 13 (explain)

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\_\_\_\_\_ Eligible for bankruptcy but not recommended at this time (explain)

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\_\_\_\_\_ Other advice:

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\_\_\_\_ Review individual’s assets, liabilities and exemptions

Individual is judgment proof: \_\_\_\_\_ Yes \_\_\_\_\_ No

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Volunteer Attorney

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Individual