

*Law Office of*  
**BRIAN L. KERSTETTER\***  
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*Tel: (570) 524-6020*  
*Fax: (570) 524-6050*

**\*We are not a debt relief agency.**  
**We help file for bankruptcy relief under the US Bankruptcy Code.**

*This packet has been prepared by Brian L. Kerstetter, Esquire. It includes a list of the items needed to file bankruptcy, an expense sheet, misc. household goods list, along with fifteen (15) debt forms. Also enclosed is a document entitled "Statement of Information Required by 11 U.S.C. Section 341". This Notice outlines certain aspects of a bankruptcy proceeding, which you will need to bring with you to your first appointment, as you will be required to execute the Notice stating you have received and reviewed the same.*

*You should gather all the information requested from the list of items needed and fill out the forms enclosed herein to the best of your ability. You will need to complete a debt form for each and every person or entity to whom you owe a debt so you may need to make additional copies of the debt form. It is extremely important that you include the complete names, addresses, zip codes and dates on each and every debt form. In the event you are currently billed through a collection agency, or attorney, you should list the name and address at the bottom of the debt form for that particular debt. You may wish to obtain a copy of your credit report to assist you in preparing the debt forms and also to ensure that you have listed all of your creditors. You are entitled to one free credit report from each of the three major credit reporting agencies once a year. Those agencies are Experian, Equifax & Transunion. You can obtain your free credit report online at [www.annualcreditreport.com](http://www.annualcreditreport.com).*

*If you feel there is additional information which would be helpful or necessary, you should bring it with you to your first appointment. It may also be helpful to make a list of questions you would like to ask. Your first appointment will take approximately 45 minutes to an hour.*

*If you should have any questions concerning this packet, or what you need to bring with you, please feel free to contact me.*

Sincerely,



Brian L. Kerstetter  
Attorney at Law

The following is a list of items you will need to provide to file bankruptcy:

- ITEM I. Copies of all deeds, mortgages and land contracts, titles or white memorandums of titles for motor vehicles, trailers, boats, motors or motor homes.
- ITEM II. The last two (2) years federal and state income tax returns, as well as all of your paystubs for every job worked for the 6 full months immediately preceding your first appointment.
- ITEM III. List of names, addresses and account numbers of any and all banks in which you did your banking for the last two years. This should include checking, savings, CDs, IRAs, or Keogh Accounts and list all individuals who were or are authorized in said account(s), as well as which account(s), if any, are now closed.
- ITEM IV. Copies of all life insurance policies, other than those provided through employment. Also, you should provide a copy of your homeowner's policy, if applicable.
- ITEM V. Copies of any lawsuits in which you were a party, either Plaintiff or Defendant, including any actions in Divorce, within the last two (2) years.
- ITEM VI. Copy of the most recent Court Order for Child Support or Spousal Support, if applicable.
- ITEM VII. List all addresses for the last two (2) years.
- ITEM VIII. Proof of income for the last six (6) months.

**PRINT LEGIBLY – IF WE CANNOT READ THE INFORMATION THAT YOU PROVIDE, YOU WILL BE REQUIRED TO REVISE IT OR COMPLETE A NEW QUESTIONNAIRE TO ENSURE THAT WE HAVE COMPLETELY CORRECT INFORMATION**

Please complete the following information:

FULL NAME: \_\_\_\_\_ Marital Status: \_\_\_\_\_

Have you used any other names in the past eight years? \_\_\_No \_\_\_Yes

*If yes, please list other names used (including all maiden names):* \_\_\_\_\_

\_\_\_\_\_

Telephone Numbers\Email Address:

Home: \_\_\_\_\_ Work: \_\_\_\_\_

Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Social Security Number: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ Date of Birth: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ State: \_\_\_\_\_

Name EXACTLY as it appears on License or Photo ID: \_\_\_\_\_

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

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

Have you lived at this address for at least 180 days? \_\_\_No \_\_\_Yes

Have you lived at this address for at least 730 days (2 years)? \_\_\_No \_\_\_Yes

If you answered **NO** to either of the questions above, please list your previous address:

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

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

**Beginning and end dates** at this address: \_\_\_\_\_

If you have a different mailing address, please list:

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

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

Employment:

Primary Employer \_\_\_\_\_

Employer's Address \_\_\_\_\_

Your Occupation \_\_\_\_\_ Length of Employment \_\_\_\_\_

Additional Current Employer \_\_\_\_\_

Employer's Address \_\_\_\_\_

Your Occupation \_\_\_\_\_ Length of Employment \_\_\_\_\_

Additional Current Employer \_\_\_\_\_

Employer's Address \_\_\_\_\_

Your Occupation \_\_\_\_\_ Length of Employment \_\_\_\_\_

If you are filing jointly with your spouse, fill in the following information about your spouse:

FULL NAME: \_\_\_\_\_ Marital Status: \_\_\_\_\_

Have you used any other names in the past eight years? \_\_\_ No \_\_\_ Yes

***If yes, please list other names used:*** \_\_\_\_\_

\_\_\_\_\_

Telephone Numbers\Email Address:

Home: \_\_\_\_\_ Work: \_\_\_\_\_

Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ State: \_\_\_\_\_

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Beginning and end dates at this address: \_\_\_\_\_

If you have a different mailing address, please list:

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

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Additional Employer \_\_\_\_\_

Employer's Address \_\_\_\_\_

Your Occupation \_\_\_\_\_ Length of Employment \_\_\_\_\_

Additional Employer \_\_\_\_\_

Employer's Address \_\_\_\_\_

Your Occupation \_\_\_\_\_ Length of Employment \_\_\_\_\_

Please answer the following questions, or provide the requested information (write on the back if necessary):

- 1) Have you ever filed for bankruptcy before? \_\_\_no \_\_\_yes. If "yes", in what district of which state and on what date? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 2) Have you filed all your income tax returns? \_\_\_no \_\_\_yes. If "no" please provide specifics. The bankruptcy law requires that you file all of your income tax returns up to and including the current tax year. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 3) Have you transferred any property to anyone in the last four (4) years? \_\_\_yes \_\_\_no. If "yes" please provide specifics. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 4) Have you been known by or conducted a business under any other name(s) within the last eight (8) years? \_\_\_no \_\_\_yes. If "yes" please provide the full name. \_\_\_\_\_  
\_\_\_\_\_
- 5) List all payments on loans, installment purchases of goods or services, and other secure debts to any creditor made within 90 days immediately preceding the commencement of this case unless the total value of all property that constitutes or is affected by such transfer is less than \$600.  
\_\_\_\_\_  
\_\_\_\_\_
- 6) Have you charged more than \$550.00 total on any one credit card in the last 90 days? \_\_\_no \_\_\_yes. If "yes", please provide the name of the creditor and the total amount of the charges. \_\_\_\_\_  
\_\_\_\_\_
- 7) Do you expect to inherit any money in the near future? \_\_\_no \_\_\_yes. If "yes" please provide specifics. \_\_\_\_\_  
\_\_\_\_\_
- 8) Do you have any support obligations, i.e., do you pay child support or spousal support pursuant to a Court Order? If so, please provide a copy of your most recent Order.
- 9) Please provide the names and ages of your dependents, if any.  
Name \_\_\_\_\_ Age \_\_\_\_\_ Relationship \_\_\_\_\_  
Name \_\_\_\_\_ Age \_\_\_\_\_ Relationship \_\_\_\_\_  
Name \_\_\_\_\_ Age \_\_\_\_\_ Relationship \_\_\_\_\_  
Name \_\_\_\_\_ Age \_\_\_\_\_ Relationship \_\_\_\_\_

**REAL ESTATE, MOTOR VEHICLES, JEWELRY, ETC.**

**Real Estate:** Do you own real estate? Yes \_\_\_\_\_ No \_\_\_\_\_

If so, please answer the following:

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

Value/Appraisal: \$ \_\_\_\_\_ (estimated)

Mortgage Lender: \_\_\_\_\_

Balance Owed: \$ \_\_\_\_\_ (estimated)

**\*\* Please provide a copy of the Deed to this Property \*\***

*Provide additional information on separate sheets,  
in the event you own other real estate (i.e. rental properties, etc.)*

**Motor Vehicles:** Please state the year, make, model, style, mileage and, at the very least, the **VIN** of each vehicle you own and list the approximate balance owed on the vehicle, if any.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**Jewelry:** Please provide an approximate value for each of the following (if applicable):

Watch \$ \_\_\_\_\_ Wedding Ring \$ \_\_\_\_\_ Engagement Ring \$ \_\_\_\_\_

Watch \$ \_\_\_\_\_ Wedding Ring \$ \_\_\_\_\_

Other: _____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

**Miscellaneous:** Please provide an approximate value for each of the following (if applicable):

Clothing \$ \_\_\_\_\_ Wall Hangings \$ \_\_\_\_\_ Pictures \$ \_\_\_\_\_

**Bank Accounts:**

Name of Bank \_\_\_\_\_

Type of Account \_\_\_\_\_

Est. Balance \_\_\_\_\_

All names and relationship on account:

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

Name of Bank \_\_\_\_\_

Type of Account \_\_\_\_\_

Est. Balance \_\_\_\_\_

All names and relationship on account:

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\_\_\_\_\_

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Est. Balance \_\_\_\_\_

All names and relationship on account:

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

## HOUSEHOLD ITEMS

Please state the replacement value (which means the price a retail merchant would charge for property of that kind, considering the age and condition of the property) of each item that you own. Use the back of these pages if necessary.

### LIVING ROOM

Description	Value of Each Item					Total Value
	1	2	3	4	5	
Couch(es)						
Bookcase(s)						
Desk(s)						
Chair(s)						
Table(s)						
Lamp(s)						
Radio(s)						
Television(s)						
Stereo(s)						
DVD Player(s)						
Other:						
<b>TOTAL:</b>						

### DINING ROOM

Description	Value of Each Item					Total Value
	1	2	3	4	5	
Table(s)						
Chair(s)						
Lamp(s)						
Hutch(es)						
China Cabinet(s)						
China(s)						
Silverware(s)						
Other:						
<b>TOTAL:</b>						

### BEDROOMS

Description	Value of Each Item					Total Value
	1	2	3	4	5	
Bed(s)						
Chair(s)						
Dresser(s)						
Hutch(es)						
Desk(s)						
Mirror(s)						
Lamp(s)						
Vanity(ies)						
Radio(s)						
Television(s)						
Stereo(s)						
DVD Player(s)						
Computer(s)						
Other:						
<b>TOTAL:</b>						





**CURRENT MONTHLY EXPENSES**

- 1. Rental or Home Ownership Expenses (including lot rent) ..... \$ \_\_\_\_\_  
If **NOT** included above:
  - Real Estate Taxes ..... \$ \_\_\_\_\_
  - Property, homeowners or renters insurance ..... \$ \_\_\_\_\_
  - Home maintenance, repair and upkeep expenses ..... \$ \_\_\_\_\_
  - Homeowners association or condominium dues ..... \$ \_\_\_\_\_
  
- 2. Additional mortgage payments (home equity loans or lines of credit) ..... \$ \_\_\_\_\_
  
- 3. Utilities: Electricity, heat, natural gas..... \$ \_\_\_\_\_
  - Water, sewer, garbage collection..... \$ \_\_\_\_\_
  - Telephone, cell phone, internet, satellite, cable ..... \$ \_\_\_\_\_
  - Other: \_\_\_\_\_ ..... \$ \_\_\_\_\_
- 4. Food & housekeeping supplies..... \$ \_\_\_\_\_
- 5. Childcare & children’s education costs ..... \$ \_\_\_\_\_
- 6. Clothing, laundry, and dry cleaning..... \$ \_\_\_\_\_
- 7. Personal care products & services..... \$ \_\_\_\_\_
- 8. Medical and dental expenses ..... \$ \_\_\_\_\_
- 9. Transportation (gas, maintenance, oil changes, tires, tune-ups, bus, train, etc.)... \$ \_\_\_\_\_
- 10. Entertainment, clubs, recreation, newspapers, movies, magazines, books.. \$ \_\_\_\_\_
- 11. Charitable contributions and religious donations ..... \$ \_\_\_\_\_
- 12. Insurance (**NOT** deducted from wages, or included in #1 or #17)
  - Life insurance ..... \$ \_\_\_\_\_
  - Health insurance ..... \$ \_\_\_\_\_
  - Auto insurance..... \$ \_\_\_\_\_
  - Other: \_\_\_\_\_ ..... \$ \_\_\_\_\_
- 13. Taxes (**NOT** deducted from wages, or included in #1 or #17) ..... \$ \_\_\_\_\_
- 14. Installment or lease payments:
  - Car payment for vehicle 1..... \$ \_\_\_\_\_
  - Car payment for vehicle 2..... \$ \_\_\_\_\_
  - Car payment for vehicle 3..... \$ \_\_\_\_\_
  - Other: \_\_\_\_\_ ..... \$ \_\_\_\_\_
- 15. Alimony, maintenance & support **NOT** deducted from your wages..... \$ \_\_\_\_\_
- 16. Payments to support others **NOT** living in your household ..... \$ \_\_\_\_\_
- 17. Other real property expenses (**NOT** included in #1, #12 or #13)
  - Mortgages on other property..... \$ \_\_\_\_\_
  - Real Estate Taxes ..... \$ \_\_\_\_\_
  - Property, homeowners or renters insurance ..... \$ \_\_\_\_\_
  - Maintenance, repair and upkeep expenses ..... \$ \_\_\_\_\_
  - Homeowners association or condominium dues..... \$ \_\_\_\_\_
- 18. Work lunches..... \$ \_\_\_\_\_
- 19. Other: \_\_\_\_\_ ..... \$ \_\_\_\_\_
- 20. Other: \_\_\_\_\_ ..... \$ \_\_\_\_\_
  
- TOTAL..... \$ \_\_\_\_\_**

## DEBT FORM

**complete this form for every debt**  
*make additional copies of this page if necessary*

Secured \_\_\_\_\_

Unsecured \_\_\_\_\_

Complete one of these forms for every debt that you owe, or may owe. If available, please attach the creditor's most recent statement, or billing. It is extremely important that you fill in every blank on this form. Make sure that all names, addresses and zip codes are complete.

1. Name of Creditor (who the debt is owed to) and the **complete address:**

---

---

---

2. Account # \_\_\_\_\_

3. Date the debt was incurred \_\_\_\_\_ (month/year)  
(In case of charge accounts, use the month and year of the last charge)

4. Amount owed \$ \_\_\_\_\_ Monthly Payment \$ \_\_\_\_\_  
Next Due Date \_\_\_\_\_ Number of Payments Behind \_\_\_\_\_

5. Who is primarily obligated on this debt? \_\_\_\_\_

6. Is there anyone else obligated on this debt? Y / N If so, list their name and address:

---

7. What was the purpose of this debt?   \_\_\_ Mortgage (1<sup>st</sup>/2<sup>nd</sup>)   \_\_\_ Home Equity/LOC  
\_\_\_ Car Loan   \_\_\_ Personal Loan   \_\_\_ Student Loan   \_\_\_ Credit Card   \_\_\_ Taxes  
\_\_\_ Medical Bill   \_\_\_ Utility Bill   Other: \_\_\_\_\_

8. Was any collateral pledged to the creditor on this debt? Y / N

(i.e. home, car, jewelry, household goods, etc.) If so, please describe the collateral:

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9. Has this debt been turned over to an attorney or a collection agency? Y / N

If so, please list the name, address, account number and telephone number below.

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## **BANKRUPTCY INFORMATION SHEET**

**BANKRUPTCY LAW IS A FEDERAL LAW. THIS SHEET PROVIDES YOU WITH GENERAL INFORMATION ABOUT WHAT HAPPENS IN A BANKRUPTCY CASE. THE INFORMATION HERE IS NOT COMPLETE. YOU MAY NEED LEGAL ADVICE.**

### **WHEN YOU FILE BANKRUPTCY:**

You can choose the kind of bankruptcy that best meets your needs (provided you meet certain qualifications):

Chapter 7: A trustee is appointed to take over your property. Any property of value will be sold or turned into money to pay your creditors. You may be able to keep some personal items and possibly real estate depending on the law of the State where you live and applicable federal laws.

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 live up to the terms of your repayment plan.

Chapter 12: Like Chapter 13, but it is only for family farmers and family fishermen.

Chapter 11: This is used mostly by businesses. In chapter 11, you may continue to operate your 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.

If you have already filed bankruptcy under chapter 7, you may be able to change your case to another chapter.

Your bankruptcy may be reported on your credit record for as long as 10 years. It can affect your ability to receive credit in the future.

### **WHAT IS BANKRUPTCY DISCHARGE AND HOW DOES IT OPERATE?**

One of the reasons people file bankruptcy is to get a “discharge”. A discharge is a court order which states that you do not have to pay most of your debts. Some debts cannot be discharged. For example, you cannot discharge debts for -

- most taxes;
- child support;
- alimony;
- most student loans;
- court fines and criminal restitution; and
- personal injury caused by driving drunk 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 receive 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, for example, 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. Other rules may apply if you previously receive a discharge in a chapter 13 case. No one can make you pay a debt that has been discharged, but you can voluntarily pay any debt you wish to pay. You do not have to sign a reaffirmation agreement (see below) or any other kind of document to do this.

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

#### **WHAT IS A REAFFIRMATION AGREEMENT?**

Even if a debt can be discharged, you may have special reasons why you want to promise to pay it. For example, you may want to work out a plan with the bank to keep your car. To promise to pay that debt, you must sign and file a reaffirmation agreement with the court. Reaffirmation agreements are under special rules and are voluntary. They are not required by bankruptcy law or by any other law. Reaffirmation agreement -

- must be voluntary;
- must not place too heavy a burden on you or your family;
- must be in your best interest; and
- can be canceled anything before the court issues your discharge or within 60 days after the agreement is filed with the court, whichever gives you the most time.

If you are an individual and you are not represented by an attorney, the court must hold a hearing to decide whether to approve the reaffirmation agreement. The agreement will not be legally binding until the court approves it.

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 any property on which it has a lien or mortgage. The creditor can also take legal action to recover a judgment against you.

**IF YOU WANT MORE INFORMATION OR HAVE ANY QUESTIONS ABOUT HOW THE BANKRUPTCY LAWS AFFECT YOU, YOU MAY NEED LEGAL ADVICE. THE TRUSTEE IN YOUR CASE IS NOT RESPONSIBLE FOR GIVING YOU LEGAL ADVICE.**

## **Disclosure Pursuant to 11 U.S.C. § 527(a)(2)**

You are notified:

1. All information that you are required to provide with a petition and thereafter during a case under the Bankruptcy Code is required to be complete, accurate, and truthful.
2. All assets and all liabilities are required to be completely and accurately disclosed in the documents filed to commence that case. Some places in the Bankruptcy Code require that you list the replacement value of each asset. This must be the replacement value of the property at the date of filing the petition, without deducting for costs of sale or marketing, established after a reasonable inquiry. For property acquired for personal, family, or household use, replacement value means the price a retail merchant would charge for property of that kind, considering the age and condition of the property.
3. The following information, which appears on Official Form 22, Statement of Current Monthly Income, are required to be stated after reasonable inquiry: 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)).
4. Information that you provide during your case may be audited pursuant to provisions of the Bankruptcy Code. Failure to provide such information may result in dismissal of the case under this title or other sanction, including criminal sanctions.

**IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES  
FROM AN ATTORNEY OR BANKRUPTCY PETITION PREPARER  
Disclosure Pursuant to 11 U.S.C. § 527(b)**

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, Scheduled 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 the 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.

**CERTIFICATION**

I have read the entire contents of the attached packet and the information I have provided therein is true and correct to the best of my knowledge, information and belief.

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor's Signature

\_\_\_\_\_  
Printed Name

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor's Signature

\_\_\_\_\_  
Printed Name