

# RECEIPT FOR REQUIRED NOTICES



## TO OUR CLIENTS:

We are required by law to give you four separate notices. If you have received those notices, please complete and sign this receipt. Your signature means ONLY that you have received the notices. This is NOT an agreement or contract for legal services. You must sign this receipt before meeting with an attorney.

	Initial
I received a document entitled:	
1. Section 342(b) Notice	_____
2. Section 527(a)(2) Notice	_____
3. Section 527(b) Notice	_____
4. Section 527(c) Notice	_____

### Certificate of the Debtor(s)

I (We), swear/affirm that I (we) have received the notices identified above..

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_____	_____	_____
(signature)	(date)	(printed name)
_____		
(Complete Mailing Address)		
_____	_____	_____
(phone number)	(cell number)	(Email Address)
_____	_____	_____
(type of identification and identification number)	(expiration date)	

=====

_____	_____	_____
(signature)	(date)	(printed name)
_____		
(Complete Mailing Address)		
_____	_____	_____
(phone number)	(cell number)	(Email Address)
_____	_____	_____
(type of identification and identification number)	(expiration date)	



# LAW OFFICES OF PATRICK M. HUNTER

142 NORTH PARK  
P.O. Box 337  
Casper, WY 82602  
TEL: (307) 235-1900

## SECTION 342 (b) NOTICE

### TO OUR CLIENTS:

We are required by law to provide you with this notice which gives you some information about bankruptcy law. Not all of the information applies to your situation and we do not agree with some of the information in this notice. We invite you to read the notice either now or later, but you are NOT required to read it now.

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## NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: This notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### **1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.



**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses.

## **2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

### **Chapter 7: Liquidation (\$299 filing fee)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a “means test” designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case 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 court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

### **Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$274 filing fee)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in instalments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors.



The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

**Chapter 11: Reorganization (\$1,039 filing fee)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer or Fisherman (\$239 filing fee)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.



## **LAW OFFICES OF PATRICK M. HUNTER**

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### **SECTION 527 (a) (2) NOTICE**

#### **TO OUR CLIENTS:**

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### **NOTICE UNDER § 527(a)(2) OF THE BANKRUPTCY CODE**

- (A) all information that the assisted person is required to provide with a petition and thereafter during a case under this title is required to be complete, accurate, and truthful;
- (B) 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 506 must be stated in those documents where requested after reasonable inquiry to establish such value;
- (C) current monthly income, the amounts specified in section 707(b)(2), and, in a case under chapter 13 of this title, disposable income (determined in accordance with section 707(b)(2), are required to be stated after reasonable inquiry; and
- (D) information that an assisted person provides during their case may be audited pursuant to this title, and that failure to provide such information may result in dismissal of the case under this title or other sanction, including a criminal sanctions.



## **SECTION 527(b) NOTICE**

### **TO OUR CLIENTS:**

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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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## **SECTION 527(c) NOTICE**

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### **WHAT YOU SHOULD KNOW BEFORE YOUR BANKRUPTCY CASE IS FILED**

Before your bankruptcy case is filed, you should know all of the following things:

1. how to value assets at replacement value;
2. how to determine your current monthly income;
3. how to determine the amounts specified in section 707(b)(2);
4. how to determine disposable income if you are filing a chapter 13 case;
5. how to complete the list of creditors;
6. how to determine what amount is owed to each creditor;
7. what address to show for each creditor;
8. how to determine what property is exempt; and
9. how to value exempt property at replacement value as defined in section 506.

If you do not know these things, please tell the attorney or paralegal who is assisting you BEFORE YOUR CASE IS FILED.



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**NEW CLIENT QUESTIONNAIRE**

**(CONSUMER DEBTORS ONLY)**

Client Name(s): \_\_\_\_\_

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

QUESTIONS	YES	NO
Do you own a home?		
Are your home payments current?		
Are you property taxes current?		
Is your home worth more than you owe on it?		
Are you or your spouse over 65 years of age?		
Do you own a piece of property which is not your home?		
Is there anything in your home with a used value of more than \$5,000?		
Is there anything in your home with a used value of more than \$1,000?		
Do you rent an offsite storage locker?		
Is there anything in your locker with a used value of more than \$5,000?		
Is there anything in your locker with a used value of more than \$1,000?		
Do you own one or more cars?		
Are you leasing one or more cars?		
Are you current on the payments?		
Are you financing one or more cars?		
Are you current on the payments?		
Do you have auto insurance on all cars?		

QUESTIONS	YES	NO
Do you have any life insurance?		
Do you have a pension, IRA, 401k or similar account?		
Do you own stocks or bonds?		
Does someone owe you money?		
Do you own any patents, copyrights, trademarks?		
Do you receive residual income?		
Are you involved as an owner in any business?		
Are you involved in any trusts?		
Do you own any motorcycles, boats, airplanes or anything else with a motor?		
Do you own any office furniture or furnishings?		
Do you own any manufacturing equipment?		
Do you own any show animals?		
Do you own any farming equipment or tools?		
Do you own anything else worth more than \$1,000?		
Do you have a valid social security or tax ID number?		
Do you use more than one social security or tax ID number?		
Did you file both your federal and State tax returns for last year?		
Do you owe back income taxes?		
Do you owe any other type of taxes?		
In the last 3 years, have you exaggerated or not told the complete truth on a loan or credit card application?		
Have you taken a cash advance on a credit card account within the last year?		
Have you used a courtesy check on a credit card account within the last year?		
Have you made a balance transfer on a credit card account within the last year?		
Have you used credit cards more in the last year than in prior years?		
Have you ever filed bankruptcy before?		
Are you involved in any Court, arbitration or other legal proceedings of any type?		

QUESTIONS	YES	NO
Have you taken money from an employer without permission?		
Have you taken money from a friend or family member without permission?		
Do you have any judgments against you?		
Do any judgments against you use the word fraud?		
Are you getting a divorce, or have you been divorced?		
Do you owe spousal support?		
Do you owe child support?		
Do you owe any money to your ex-spouse?		
Have you ever intentionally injured someone?		
Have you ever intentionally injured someone's property?		
Do you owe any fines, penalties or sanctions?		
Do you owe any student loans?		
Have you ever caused an accident due to drugs or alcohol?		
Have you ever been convicted of a non-traffic crime?		
Do you owe a restitution debt?		
Do you owe money to a homeowners association?		
Do you owe money to a landlord?		
Do you receive a paycheck?		
Are you on commission?		
Do you receive some of your wages in cash?		
Are you now receiving disability payments?		
Are you receiving money from family or friends to help you pay your living expenses?		
Are you receiving social security?		
Are you operating a business?		
Are you receiving welfare or other government assistance?		
Have you sold anything for more than \$500 in the last 2 years?		



## CONSENT OR REFUSAL TO POST INFORMATION ON THE INTERNET

The undersigned client(s) of the Law Offices of Patrick M. Hunter have been informed that this office anticipates posting information on the status of their bankruptcy clients on the internet in a searchable format, whereby information can be retrieved by any member of the public that has a client's last name and last four digits of the client's social security number. The information which is retrievable will include the following for each client:

First name, last name, last 4 digits of the social security number, type of bankruptcy, anticipated filing date, date filed, 341 meeting date, discharge date and a status code indicating the general status of the case.

No other information will be posted or available on the internet, and this consent does not release any confidential information.

**This consent may be withdrawn at any time.**

I  Consent  Refuse this posting.

I  Consent  Refuse this posting.

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

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Print name

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Print name