## Contents

	About the Companion Website	xiii
CHAPTER 1	Getting Started	1
•	Who Should Use This Guide	1
	How to Use This Guide	3
	Other Resources	5
CHAPTER	Representing Consumer Debtors	9
-	Handling Pro Bono Cases	9
	Debtor Attorney Duties	11
	Debt Relief Agency Provisions	17
CHAPTER	Counseling the Consumer Client	25
	Explaining Bankruptcy to Clients	25
	Alternatives to Bankruptcy	31
CHAPTER	Introduction to Consumer Bankruptcy	39
	Key Bankruptcy Concepts	39
	Overview of Chapter 7	48
	Overview of Chapter 13	61
CHAPTER 5	Prefiling Considerations	69
	Gathering Information	69
	Choosing the Type of Bankruptcy	77
	Timing Considerations	79
	Satisfying the Counseling Requirement	84
	Bankruptcy Related Fees and Filing Fee Waivers	87
CHAPTER	Preparing the Petition, Schedules, and Other Documents	93
	The Required Documents	93
	Getting the Case Filed	98
	Preparing the Documents	99

Voluntary Petition	
Statement of Social Security Number	
Mailing List	
Section 342(b) Notice	
Schedule A—Real Property	
Schedule B—Personal Property	109
Schedule C—Exemptions	112
Schedules D, E, and F—Liabilities	115
Schedule G—Executory Contracts and Unexpired Leases	122
Schedule H—Codebtors	123
Schedules I and J—Income and Expenses	
Summary of Schedules and Statistical Summary of Certain Liabilities	
Debtor's Declaration	
Statement of Financial Affairs	
Statement of Intention	135
Statement of Current Monthly Income, Means Test, and Disposable Income	136
Disclosure of Attorney Compensation	
Payment Advices	



Getting the Discharge

Getting the Discharge	141
First Steps After Case Filed	142
Representing the Debtor at the Meeting of Creditors	148
After the Meeting of Creditors	151
Satisfying the Debtor Education Requirement	154
Obtaining and Defending the Discharge	156
Debtor Audits	158

CHAPTER

## **Dealing with Unsecured Debt** Secured Debts and Reaffirmation

Redemption	
Avoidance of Liens and Transfers	169
Secured Creditors in Chapter 13	171
Saving Homes in Bankruptcy	175

163

163

## CHAPTER 9

Using Consumer Protection Laws	
Credit Reporting Rights in a Nutshell	182
Other Dispute Rights Regarding Specific Types of Transactions	188
Special Protections for the Military: The Servicemembers Civil Relief Act	198

$\mathbf{A}^{PPENDIX}$	Bankruptcy Questionnaire	203
APPENDIX B	Annotated and Completed Bankruptcy Forms to Institute Case	227
APPENDIX C	Other Bankruptcy Forms	299
APPENDIX D	Bankruptcy Fees	333
APPENDIX	Practice Aids	337
	Aid 1—Interim Procedures Regarding the Chapter 7 Fee Waiver Provisions	337
	Aid 2—Obtaining Tax Returns or Transcripts from the Internal	
	Revenue Service	339
	Aid 3—Interim Guidance Regarding Tax Information	350
	Aid 4—Median Income by State	352
	Aid 5—Best Practices for Consumer Bankruptcy Cases	354
	Aid 6—Helpful Websites	357
appendix F	Sample Pleadings and Other Forms	359
$\overset{\text{appendix}}{G}$	Bankruptcy Client Handouts	385
	Handout 1—Answers to Common Bankruptcy Questions	386
	Handout 2—Your Legal Rights During and After Bankruptcy: Making the Most of Your Bankruptcy Discharge	391
	Handout 3—Using Credit Wisely After Bankruptcy	394
	Index	399