

DECLARATION OF DEBTOR CONFIRMING IDENTITY AND SOCIAL SECURITY NUMBER

SEND THIS FORM TO THE TRUSTEE 7 DAYS BEFORE THE 341 MEETING

In re: (Case Name) _____

Bankruptcy Case No.: _____

Date of telephonic appearance at § 341(a) meeting of creditors: _____

1) My name is: _____
(Print or type)

2) My home address is: _____

3) My work address is: _____

4) My Email address is: _____

5) My cellular telephone number is: _____

6) My home telephone number is: _____

7) My work telephone number is: _____

IDENTITY VERIFICATION (SEND ONLY ONE OF THE FOLLOWING):

8) I verify that the copy of the document submitted is a true and correct copy of the original document:

_____ Driver's License _____ (State & number)

_____ State Identification _____ (State & number)

_____ Passport _____ (Country, number, expiration date)

_____ Military Identification _____ (Branch & ID number)

_____ Other _____ (describe)

SOCIAL SECURITY NUMBER VERIFICATION (SEND ONLY ONE OF THE FOLLOWING):

9) I verify that the copy of the document submitted is a true and correct copy of the original document:

_____ Social Security Card

_____ Social Security Administration Statement

_____ W-2 Form

_____ Recent Payroll Stub

_____ Employer's Health Card or Medical Insurance Card

_____ Other (specify) _____

IN ACCORDANCE WITH 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Date: _____ Signature: _____

PLEASE RETURN THIS FORM TO THE TRUSTEE. DO NOT FILE THIS FORM WITH THE COURT.

QUESTIONNAIRE FOR DEBTORS NOT REPRESENTED BY ATTORNEY

Debtor's Name: _____ Case No.: _____
Trustee: _____ Chapter: _____
Debtor's Current Address: _____
Debtor's Telephone Number: _____
Date of 341(a) Meeting: _____

1. Did anyone assist you in the preparation of your bankruptcy documents? YES NO
2. Did you use an internet service to prepare your petition? YES NO

If YES to either question, please answer the following questions:

3. Information on person, business, internet service that provided assistance:
Name: _____
Address: _____
Telephone #: _____ Area code: _____ Number: _____
Web Address: _____
4. How did you find this preparer? _____
5. How much did you pay to prepare your bankruptcy documents? \$ _____
6. Did this amount include the court filing fee? YES NO
7. How much do you owe such person/company? \$ _____
8. Did this person / company:
a. Assist you with determining exemptions (what property you can keep)? YES NO
b. Explain to you which of your debts are "secured", "unsecured", and "priority"? YES NO
c. Explain to you the different chapters in bankruptcy (chapter 7, 11, 12, or 13)? YES NO
d. Advise whether filing under chapter 7, 11, 12, or 13, was appropriate? YES NO
e. Answer any of the questions for you in the bankruptcy papers? YES NO
f. Advise you to exclude assets or income that should have been included? YES NO
g. Advise you to use an incorrect social security number? YES NO
h. Advise you whether your debts would be discharged in this case? YES NO
i. Advise you that you would be able to keep your home, car or other property? YES NO
j. Advise whether you should promise to repay any debt or enter into a reaffirmation agreement with a creditor to reaffirm a debt? YES NO
k. Advise you about bankruptcy procedures or your rights? YES NO
l. Instructed you on what to answer your questions at your meeting of creditors? YES NO
m. Provide you any other services apart from the preparation of the bankruptcy papers? YES NO
9. Did the preparer instruct you to state that you had not been helped? YES NO
10. The preparer did did not give me a copy of my bankruptcy papers when **OR** before I signed them.
11. Did you file the bankruptcy papers with the Court? YES NO
If no: Who file the papers for you? _____

I declare under penalty of perjury that the foregoing is true and correct.

Date: _____ Debtor's Signature: _____
Date: _____ Co-debtor's Signature: _____

QUESTIONARIO PARA DEUDORES NO REPRESENTADOS POR ABOGADO

Nombre del Deudor: _____ No. Caso: _____
Nombre del Síndico: _____ Capítulo: _____
Dirección: _____
No. Teléfono: _____

Fecha de la Junta de Síndicos (Sección 341): _____

1. Alguna persona lo asistió en la preparación de sus papeles de bancarrota? SI NO
2. Utilizó un servicio en línea ("online") para preparar sus papeles de bancarrota? SI NO

Si contestó que SI a alguna de estas preguntas, favor contestar las siguientes:

3. Información de la persona, negocio, o proveedor en línea que preparó o lo asistió:
Nombre: _____
Dirección: _____
Teléfono #: (____) _____
Dirección de Web: _____
4. Cómo encontró a esta persona, negocio, or proveedor en línea? _____
5. Cuánto le pagó a la persona/negocio por la preparación de sus papeles de bancarrota? \$ _____
6. Esta cantidad, incluye los gastos de corte? SI NO
7. Cuánto dinero le debe a esta persona/negocio? \$ _____
8. La persona/negocio:
- a. ¿Lo asistió en la determinación de sus activos exemptos (propiedad a quedarse)? SI NO
 - b. ¿Le explicó cuáles deudas eran hipotecadas, no hipotecadas, o prioridad? SI NO
 - c. ¿Le explicó los diferentes capítulos de bancarrota (capítulos 7, 11, 12, o 13)? SI NO
 - d. ¿Le recomendó cuál capítulo específico usar en la bancarrota? SI NO
 - e. ¿Le contestó o llenó algunas de las secciones de los papeles de bancarrota por su cuenta? SI NO
 - f. ¿Le recomendó qué activos o ingreso excluir de la bancarrota or cuáles incluir? SI NO
 - g. ¿Le recomendó el usar un número de seguro social incorrecto? SI NO
 - h. ¿Le recomendó cuáles deudas recibirían una descarga ("discharge") en la bancarrota? SI NO
 - i. ¿Lo asesoró de si podría quedarse con su casa, auto, o alguna propiedad? SI NO
 - j. ¿Le recomendó repagar alguna deuda o entrar en un contrato de reafirmación de la deuda con algún acreedor? SI NO
 - k. ¿Lo asesoró acerca de los procedimientos de bancarrota y sus derechos? SI NO
 - l. ¿Le recomendó qué contestar en la junta de acreedores? SI NO
 - m. ¿Le proveyó algún servicio adicional? SI NO
9. La persona/negocio, le indicó que dijera que nadie lo había asesorado en la preparación de su Bancarrota? SI NO
10. La persona/negocio, le dió una copia adicional de sus papeles de bancarrota después que usted los firmó? SI NO
11. Usted llevó los papeles de bancarrota a la corte? SI NO
Si contestó NO: Quién los llevó por usted? _____

Declaro con pena de perjurio, que la información provista es correcta y la verdad.

Fecha: _____ Firma Deudor: _____
Fecha: _____ Firma Co-Deudor: _____

Case No. _____

Debtor.

Debtor.

WRITTEN QUESTIONS TO DEBTOR(S) AT §341 MEETING OF CREDITORS

Each debtor responds to the following written questions as testimony at the meeting of creditors. In a joint case, "you" includes both debtors. If joint debtors have different answers, complete 2 separate questionnaires:

1) Have you ever filed bankruptcy before?

- Yes No If yes, complete below with information of last case filed:
 prior Chapter 7 date filed _____ Discharged (completed) Dismissed
 prior Chapter 13 date filed _____ Discharged (completed) Dismissed
 prior Chapter 11 date filed _____ I filed more than 2 bankruptcy cases
Did you receive a discharge in any prior bankruptcy within the last 4 years? Yes No

2) Have you had any change in your income the last 6 months prior to the filing of this case?

- Yes No If yes, income increased income decreased

3) Have you had any change in your income since the filing of this case?

- Yes No If yes, I have provided a forward looking CMI Form

4) Have you been self-employed or received a 1099 instead of a W2 within the last year?

- Yes No If yes, I received a 1099, I attached Schedule C to my personal taxes
 I filed separate tax returns for the business

5) Do you have a loan against a 401K or other retirement account?

- Yes No If yes the last month/year you took money out _____
If yes how much do you still owe \$ _____

6) Have you sold, transferred or given away anything worth more than \$1,000.00 in the last 2 years?

- Yes No If yes: To whom _____ When _____
Value \$ _____ Description: _____

7) Have you repaid any loans larger than \$1,000.00 to any friends or family members in the last 2 years?

- Yes No If yes: To whom _____
When _____ How much _____

8) Have you changed your mailing address since you filed your petition?

- Yes No If yes, new address: _____

9) Has anything changed since you filed your petition such as your employment or do you need to make any changes to the information you filed with the Court.

- Yes No

10) In the last two years have you held any interest in any real property including homestead, vacant land, condominium, rental or vacation house? Yes No (If no, skip to question 11)

I have non-homestead property (attach supplemental questions to Debtor)

My homestead property address is _____

A) Have you owned this property and lived in this property longer than 4 years? Yes No

B) In the last 2 years did you refinance or obtain an equity line on this property Yes No

i) If yes, how much did you receive at closing? \$ _____

C) Are you current with your mortgage payments on this property ? Yes No

D) I intend to continue making payments directly Surrender, seek mortgage modification, or Cure delinquency and maintain regular payments in plan

11) How many people live in your home including yourself? _____

List each person below including the age and legal relationship (Not name)

■ Self/Debtor Age _____

Spouse/Co-Debtor Age _____

Relationship _____ Age _____

Relationship _____ Age _____

Relationship _____ Age _____

Relationship _____ Age _____

Relationship _____ Age _____

Relationship _____ Age _____

12) Have you filed tax returns with the IRS Yes No (Years not filed _____)

I have provided declarations to the Trustee and the IRS as I am not required to file tax returns because _____

13) Are you a citizen of the United States **OR** a legal permanent resident of the United States?

Yes No

14) Have you permanently lived in Florida more than 3 years before filing this case?

Yes No

A) If not, list which states you lived in and when? _____

In accordance with 28 USC §1745, I declare under penalty of perjury that the foregoing is true and correct.

Debtor

Co-Debtor

Date: _____

Date: _____



U.S. Department of Justice

Office of the United States Trustee
Southern District of Florida

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Miami, FL 33130 FAX (305) 536-7360

IMPORTANT NOTICE

April 3, 2020

OFFICE OF THE U.S. TRUSTEE ANNOUNCES TELEPHONIC SECTION 341 MEETINGS IN ALL BANKRUPTCY CASES AND TELEPHONIC CHAPTER 11 INITIAL DEBTOR INTERVIEWS

In light of the recommendations of the CDC regarding the spread of the COVID-19 virus, and on a temporary basis, the United States Trustee for Region 21 has directed that all Meetings of Creditors under 11 U.S.C. § 341 in all bankruptcy cases, and all Chapter 11 Initial Debtor Interviews in Chapter 11 and Subchapter V cases be conducted by telephone conference.

For cases in which the initial §341 meeting was postponed (generally, cases in which the initial § 341 meeting was scheduled after March 17, 2020), and until further notice in all newly filed cases, the court will issue Notices of Case Filing that include § 341 telephonic meeting information. The Notices of Case Filing will include the “dial in” telephone number for the appointed trustee or the U.S. Trustee’s Office, a participant passcode, and the date and time of the telephonic meeting. This information will also be provided in notices of the Initial Debtor Interview in Chapter 11 and Subchapter V cases.

Attached to this notice are (1) specific instructions for accessing the telephonic 341 Meetings and Initial Debtor Interviews; and (2) a list of the call-in numbers and participant codes for all appointed Southern District of Florida trustees and the U.S. Trustee’s Office. The U.S. Trustee’s Office requests that all attorneys and their clients cooperate in making this process as smooth as possible under these difficult and unprecedented circumstances.

INFORMATION FOR SECTION 341 MEETING OF CREDITORS
SOUTHERN DISTRICT OF FLORIDA

Bankruptcy Code section 343 requires each debtor to appear and submit to examination under oath at the meeting of creditors convened pursuant to section 341(a). Because of developing issues with the COVID-19 virus and the national declaration of emergency by the President of the United States, meetings of creditors will be conducted by telephone conference call. The dial-in number and participant code for the telephone conference line appear on the notice of meeting of creditors. The conference line is only for meetings of creditors. The trustee's contact information is listed elsewhere on the notice.

Bankruptcy Information Sheet

Prior to the meeting, the debtor must read the Bankruptcy Information Sheet, provided by their attorney or available at <https://www.justice.gov/ust/bankruptcy-information-sheet-0>.

Identification Materials & Tax Return

At least seven days prior to the meeting, the debtor must provide the trustee with a copy of (1) the most recently filed federal income tax return or a transcript thereof; (2) government-issued photo ID; and (3) evidence of complete Social Security Number. Contact the trustee to obtain instructions for submitting these materials. Failure to timely submit these materials may result in the meeting being rescheduled or the case being dismissed.

Acceptable forms of picture identification (ID) include: driver's license, U.S. government ID, state ID, student ID, passport (or current visa, if not a U.S. citizen), military ID, resident alien card, and identity card issued by a national government authority. Acceptable forms of proof of social security number include: social security card, medical insurance card, pay stub, W-2 form, IRS Form 1099, and Social Security Administration (SSA) Statement.

Dial-In Instructions

- (1) **Type of Phone.** You must use a touch-tone telephone to participate. If you have a choice, use a landline phone rather than a cell phone.
- (2) **Limit Distractions and Background Noise.** Make the call from a quiet area where there is as little background noise as possible. Do not use a speaker phone.
- (3) **One Phone Per Caller.** Persons attending the meeting from the same location (e.g., joint debtors) should each use a separate touch-tone telephone to participate.
- (4) **Call at Appointed Time.** Dial the telephone conference line number and then enter the participant code (7 numerals followed by a # sign). Do not call in advance; call at your appointed meeting time. Once connected, place your phone on mute, remain on the line, and wait until your case is called prior to speaking, as another meeting may be underway.
- (5) **Connection.** Do not put the call on hold at any time after the call is connected. If your call is disconnected before the meeting is completed, you must immediately call back.

(6) Tardiness. Meetings are scheduled either individually or in small blocks. Trustees will commence and end meetings as scheduled. If the debtor is tardy, the trustee may assign a call back time later that day or reschedule the meeting to another date.

Conference Call Instructions

(1) Listen for Call of Case. At the appointed time, the trustee will announce the case name and number. When your case is called, unmute your phone and identify yourself.

(2) Each Debtor Must Testify. For joint cases, each debtor must clearly and audibly answer every question.

(3) Recording. The trustee or United States Trustee will electronically record the meeting. Other recordings are prohibited. Debtors and other parties must speak clearly and loudly to ensure a clear record.

(4) Bankruptcy Papers. Debtors must have their bankruptcy papers (including the petition, schedules, statement of financial affairs, means test, and tax returns, as well as any document the trustee has indicated in advance that the debtors should have) available to review and respond to questions.

(5) Additional Time. Trustees will commence and end meetings as scheduled. If additional time is needed, the trustee may assign a call back time later that day or continue the meeting to another date.

(6) Terminating the Call. Please hang up promptly at the end of your meeting.

Special Services

(1) Foreign Language Interpretation. The United States Trustee Program provides telephonic foreign language interpreter services for participation at section 341 meetings by debtors and creditors. Although the provider does not require prior notice, it will be helpful to alert the trustee prior to the meeting. There is no charge for this service.

(2) Assistance for Hearing Impaired Parties. The United States Trustee Program offers the services of a sign language interpreter for debtors and creditors at meetings of creditors. Prior notice is required to enable the United States Trustee to make necessary arrangements. Under the current circumstances, the meeting may be rescheduled until appropriate arrangements can be made. There is no charge for this service.