



KARIN A. GARVIN, P.L.

ATTORNEY AT LAW

1801 W. GARDEN STREET  
PENSACOLA, FLORIDA 32502  
(850) 437-5577  
FAX, (850) 437-5250  
kgarvin@kgarvinlaw.com

## New Client Worksheet

Please complete this worksheet prior to your consultation.  
Failure to do so may result in the attorney not being able to provide you complete advice on your situation.

Today's Date: \_\_\_\_\_

Your Name: \_\_\_\_\_ Your Social Security No: \_\_\_\_\_

Marital Status (please check one):  Married  Single  Separated  Divorced  Widow/er

Spouse's Name: \_\_\_\_\_ Spouse's Social Security No: \_\_\_\_\_

Home Address: \_\_\_\_\_ City, State, Zip Code: \_\_\_\_\_

County: \_\_\_\_\_ Home Telephone No: \_\_\_\_\_

Your Cell Phone Number: \_\_\_\_\_ Your email address: \_\_\_\_\_

Spouses' Cell Phone Number: \_\_\_\_\_ Spouse's email address: \_\_\_\_\_

Your Date of Birth: \_\_\_\_\_ Spouse's Date of Birth: \_\_\_\_\_

Have you resided in Florida for the past 2 years?  Yes  No

If No, what State(s) did you live in for the past 2 years? \_\_\_\_\_

Dependants? Name(s) and Age(s): \_\_\_\_\_

How did you learn about this office?  BellSouth Phone Book  Talking Phone Book

Internet  Letter  TV Ad  Pensacola News Journal  Referral

If Referral, Who? : \_\_\_\_\_ Other: \_\_\_\_\_

### PERSONAL INFORMATION

Your Occupation: \_\_\_\_\_ Spouse's Occupation: \_\_\_\_\_

Your employer: \_\_\_\_\_ Spouse's Employer: \_\_\_\_\_

Your Work telephone No: ( ) \_\_\_\_\_ Spouse's Work Telephone No: ( ) \_\_\_\_\_

Your length of Employment: \_\_\_\_\_ Your spouse's length of employment: \_\_\_\_\_

Have you or your spouse ever filed for Bankruptcy or Debt Consolidation before?  Yes  No

If "Yes" when and where? \_\_\_\_\_

Are your or your spouse's wages now being garnished or about to be garnished?  Yes  No

If "Yes" please give details: \_\_\_\_\_

Do you or your spouse have any outstanding judgments against you/them?  Yes  No

By Whom: \_\_\_\_\_

Do you or your spouse have any pending lawsuits?  Yes  No By Whom? \_\_\_\_\_

Have you or your spouse had any significant gambling losses?  Yes  No

Rent to own, pawns or outstanding checks payable to check/cash advance companies?  Yes  No

**SECURED DEBTS**

Do you own or rent where you reside? (Please check one):  Own  Rent

**HOME LOANS:**

Description of Principal Residence (house, mobile home, etc): \_\_\_\_\_

Approximate value of residence: \$ \_\_\_\_\_ Purchase Price: \$ \_\_\_\_\_

Names on Deed: \_\_\_\_\_ Month/Year purchased: \_\_\_\_\_

Is home in county or city? : \_\_\_\_\_ How much land with home? \_\_\_\_\_

1<sup>st</sup> Mortgage Payment \$ \_\_\_\_\_ per month Loan total \$ \_\_\_\_\_

Are you behind on your first mortgage payment?  Yes  No How many? \_\_\_\_\_

If "Yes" has foreclosure been filed?  Yes  No

2<sup>nd</sup> Mortgage Payment \$ \_\_\_\_\_ per month Loan total \$ \_\_\_\_\_

Are you behind on your second mortgage payment?  Yes  No How many? \_\_\_\_\_

If "Yes" has foreclosure been filed?  Yes  No

3<sup>rd</sup> Mortgage payment \$ \_\_\_\_\_ per month Loan total \$ \_\_\_\_\_

Are you behind on your third mortgage payment?  Yes  No How many? \_\_\_\_\_

If "Yes" has foreclosure been filed?  Yes  No

**OTHER REAL PROPERTY OWNED (IN ADDITION TO RESIDENCE):**

Description of Real Property (house, mobile home, etc): \_\_\_\_\_

Approximate value of residence: \$ \_\_\_\_\_ Purchase Price: \$ \_\_\_\_\_

Names on Deed: \_\_\_\_\_ Month/Year purchased: \_\_\_\_\_

Is home in county or city? : \_\_\_\_\_ How much land with home? \_\_\_\_\_

1<sup>st</sup> Mortgage Payment \$ \_\_\_\_\_ per month Loan total \$ \_\_\_\_\_

Are you behind on your first mortgage payment?  Yes  No How many? \_\_\_\_\_

If "Yes" has foreclosure been filed?  Yes  No

Amount of rent received per month?

**VEHICLES (including motorcycles, cars, trucks) & BOATS/RVs/JET SKIS/ATVs, etc.**

(You must list all vehicles whether paid for, leasing or buying)

1<sup>st</sup> Vehicle: Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Mileage \_\_\_\_\_

(please check one):  Paid for  Buying  Leasing  Title Loan

Monthly payment \$ \_\_\_\_\_ Balance \$ \_\_\_\_\_ How many months behind? \_\_\_\_\_

Names on title: \_\_\_\_\_ Value: \_\_\_\_\_

Month/Year Purchased: \_\_\_\_\_ Interest rate on loan: \_\_\_\_\_ Trade in /Downpayment? \_\_\_\_\_

2<sup>nd</sup> Vehicle: Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Mileage \_\_\_\_\_

(please check one):  Paid for  Buying  Leasing  Title Loan

Monthly payment \$ \_\_\_\_\_ Balance \$ \_\_\_\_\_ How many months behind? \_\_\_\_\_

Names on title: \_\_\_\_\_ Value: \_\_\_\_\_  
Month/Year Purchased: \_\_\_\_\_ Interest rate on loan: \_\_\_\_\_ Trade in /Downpayment? \_\_\_\_\_

3<sup>rd</sup> Vehicle: Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Mileage \_\_\_\_\_

(please check one):  Paid for  Buying  Leasing  Title Loan

Monthly payment \$ \_\_\_\_\_ Balance \$ \_\_\_\_\_ How many months behind? \_\_\_\_\_

Names on title: \_\_\_\_\_ Value: \_\_\_\_\_

Month/Year Purchased: \_\_\_\_\_ Interest rate on loan: \_\_\_\_\_ Trade in /Downpayment? \_\_\_\_\_

Have any other vehicles been titled in your name in the last year?  Yes  No

Do you or your spouse have 401(k), IRA, thrift savings or retirement plan accounts or loans?  Yes  No

Have you or your spouse transferred, traded-in, sold or given away anything within the last 2 years?

Yes  No If yes, please list: \_\_\_\_\_

Most Recent Purchase: \_\_\_\_\_

### **OTHER ASSETS**

#### **ESTIMATED RETAIL VALUE (USE FLEA MARKET/CONSIGNMENT STORE VALUES)**

Living Room Furniture: \_\_\_\_\_

Bedroom Furniture: \_\_\_\_\_

Dining Room Furniture: \_\_\_\_\_

Kitchen Appliances and Furniture: \_\_\_\_\_

Sport Equipment & Guns: \_\_\_\_\_

Jewelry and Clothing: \_\_\_\_\_

Do you own any Certificates of Deposits (CD)  Yes  No

Do you have the right to inherit any property?  Yes  No

Is your name on the title or deed to property owned by someone else?  Yes  No

Are you owed any commissions or bonuses?  Yes  No

Do you have any claims against anyone (the right to sue someone for money?)  Yes  No

### **CREDITORS**

Current on the monthly utilities (phone, electric, cable, etc.)?  Yes  No

Do you or your spouse owe the IRS or State taxes?  Yes  No How much?: \$ \_\_\_\_\_

Have all Federal and State income tax returns for previous years been filed?  Yes  No

What years have not been filed? \_\_\_\_\_

Do you or your spouse owe any student loans?  Yes  No

How much? \$ \_\_\_\_\_ How many? \_\_\_\_\_ Government Loan or Guaranteed? \_\_\_\_\_

Are you or your spouse behind in child or spousal support payments?  Yes  No

How much? \$ \_\_\_\_\_

Do you or your spouse have any outstanding NSF (non-sufficient funds) checks?  Yes  No

If "Yes" how much? \$ \_\_\_\_\_ How many? \_\_\_\_\_

Have you repaid any family members or close friends on any loans in the last year?  Yes  No How much \$ \_\_\_\_\_



**APPROXIMATE MONTHLY INCOME AND EXPENSES**

**\*\*\*even if only ONE spouse in household is considering filing bankruptcy,  
income and expenses for BOTH SPOUSES must be provided\*\*\***

**INCOME**

- 1. Your total monthly **GROSS** (before taxes) pay: \$ \_\_\_\_\_
- 2. Your spouse's total monthly **GROSS** (before taxes) pay: \$ \_\_\_\_\_
- 3. **ANY** other monthly income for either you , your spouse or other family member  
(include alimony, food stamps, retirement, social security,  
disability, child support, unemployment, etc.) \$ \_\_\_\_\_

**TOTAL MONTHLY GROSS INCOME** \$ \_\_\_\_\_

**TOTAL MONTHLY TAKE HOME INCOME** \$ \_\_\_\_\_

Are you entitled to any bonuses or commissions?:  Yes  No

**ESTIMATED FUTURE MONTHLY LIVING EXPENSES**

- Rent/Mortgage/Homeowner's Assoc./Space Rent Payment \$ \_\_\_\_\_
- Real Estate Taxes \$ \_\_\_\_\_
- Property Insurance \$ \_\_\_\_\_
- Electric \$ \_\_\_\_\_
- Gas \$ \_\_\_\_\_
- Water & Garbage \$ \_\_\_\_\_
- Telephone/Cell Phone \$ \_\_\_\_\_
- Cable \$ \_\_\_\_\_
- Internet \$ \_\_\_\_\_
- Home Maintenance \$ \_\_\_\_\_
- Food & Household \$ \_\_\_\_\_
- Clothing \$ \_\_\_\_\_
- Personal Care and Products( haircuts, personal grooming, etc.) \$ \_\_\_\_\_
- Laundry and Dry Cleaning \$ \_\_\_\_\_
- Newspaper, Magazines, Books (including school books ) \$ \_\_\_\_\_
- Medical, Dental, Medication \$ \_\_\_\_\_
- Automobile Insurance \$ \_\_\_\_\_
- Other Insurance (including Life insurance ) \$ \_\_\_\_\_
- Automobile operating costs (gas, oil, maintenance) \$ \_\_\_\_\_
- Child or Spousal Support \$ \_\_\_\_\_
- Day Care \$ \_\_\_\_\_
- Charitable Contributions \$ \_\_\_\_\_
- 1<sup>st</sup> Automobile payment \$ \_\_\_\_\_
- 2<sup>nd</sup> Automobile payment \$ \_\_\_\_\_
- Other installment payments (including furniture) \$ \_\_\_\_\_
- TOTAL MONTHLY EXPENSES** \$ \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF FLORIDA

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

In accordance with § 342(b) of the Bankruptcy Code, 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 (\$245 filing fee, \$75 administrative fee, \$15 trustee surcharge: Total Fee \$335)**

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 (\$235 filing fee, \$75 administrative fee: Total Fee \$310)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments 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 (\$1,167 filing fee, \$550 administrative fee: Total Fee \$1,717)**

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 (\$200 filing fee, \$75 administrative fee: Total Fee \$275)**

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.

**Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

**Karin A. Garvin, Esquire**

Printed Name of Attorney

Address:

**Karin A. Garvin, P.L.  
1801 West Garden Street  
Pensacola, FL 32502  
850-437-5577**

X **/s/ Karin A. Garvin, Esquire**

Signature of Attorney

Date

**Certificate of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Printed Name(s) of Debtor(s)

X

Signature of Debtor

Date

Case No. (if known)

X

Signature of Joint Debtor (if any)

Date

## STATEMENT OF INFORMATION REQUIRED BY 11 U.S.C. §341

### INTRODUCTION

Pursuant to the Bankruptcy Reform Act of 1994, the Office of the United States Trustee, United States Department of Justice, has prepared this information sheet to help you understand some of the possible consequences of filing a bankruptcy petition under chapter 7 of the Bankruptcy Code. This information is intended to make you aware of...

- (1) the potential consequences of seeking a discharge in bankruptcy, including the effects on credit history;
- (2) the effect of receiving a discharge of debts
- (3) the effect of reaffirming a debt; and
- (4) your ability to file a petition under a different chapter of the Bankruptcy Code.

There are many other provisions of the Bankruptcy Code that may affect your situation. This information sheet contains only general principles of law and is not a substitute for legal advice. If you have questions or need further information as to how the bankruptcy laws apply to your specific case, you should consult with your lawyer.

### WHAT IS A DISCHARGE?

The filing of a chapter 7 petition is designed to result in a discharge of most of the debts you listed on your bankruptcy schedules. A discharge is a court order that says you do not have to repay your debts, but there are a number of exceptions. Debts which may not be discharged in your chapter 7 case include, for example, most taxes, child support, alimony, and student loans; court-ordered fines and restitution; debts obtained through fraud or deception; and personal injury debts caused by driving while intoxicated or taking drugs. Your discharge may be denied entirely if you, for example, destroy or conceal property; destroy, conceal or falsify records; or make a false oath. Creditors cannot ask you to pay any debts which have been discharged. You can only receive a chapter 7 discharge once every eight (8) years.

### WHAT ARE THE POTENTIAL EFFECTS OF A DISCHARGE?

The fact that you filed bankruptcy can appear on your credit report for as long as 10 years. Thus, filing a bankruptcy petition may affect your ability to obtain credit in the future. Also, you may not be excused from repaying any debts that were not listed on your bankruptcy schedules or that you incurred after you filed for bankruptcy.

### WHAT ARE THE EFFECTS OF REAFFIRMING A DEBT?

After you file your petition, a creditor may ask you to reaffirm a certain debt or you may seek to do so on your own. Reaffirming a debt means that you sign and file with the court a legally enforceable document, which states that you promise to repay all or a portion of the debt that may otherwise have been discharged in your bankruptcy case. Reaffirmation agreements must generally be filed with the court within 60 days after the first meeting of the creditors.

Reaffirmation agreements are strictly voluntary — they are not required by the Bankruptcy Code or other state or federal law. You can voluntarily repay any debt instead of signing a reaffirmation agreement, but there may be valid reasons for wanting to reaffirm a particular debt.

Reaffirmation agreements must not impose an undue burden on you or your dependents and must be in your best interest. If you decide to sign a reaffirmation agreement, you may cancel it at any time before the court issues your discharge order or within sixty (60) days after the reaffirmation agreement was filed with the court, whichever is later. If you reaffirm a debt and fail to make the payments required in the reaffirmation agreement, the creditor can take action against you to recover any property that was given as security for the loan and you may remain personally liable for any remaining debt.

### OTHER BANKRUPTCY OPTIONS

You have a choice in deciding what chapter of the Bankruptcy Code will best suit your needs. Even if you have already filed for relief under chapter 7, you may be eligible to convert your case to a different chapter.

Chapter 7 is the liquidation chapter of the Bankruptcy Code. Under chapter 7, a trustee is appointed to collect and sell, if economically feasible, all property you own that is not exempt from these actions.

Chapter 11 is the reorganization chapter most commonly used by businesses, but it is also available to individuals. Creditors vote on whether to accept or reject a plan, which also must be approved by the court. While the debtor normally remains in control of the assets, the court can order the appointment of a trustee to take possession and control of the business.

Chapter 12 offers bankruptcy relief to those who qualify as family farmers. Family farmers must propose a plan to repay their creditors over a three-to-five year period and it must be approved by the court. Plan payments are made through a chapter 12 trustee, who also monitors the debtor's farming operations during the pendency of the plan.

Finally, chapter 13 generally permits individuals to keep their property by repaying creditors out of their future income. Each chapter 13 debtor writes a plan which must be approved by the bankruptcy court. The debtor must pay the chapter 13 trustee the amounts set forth in their plan. Debtors receive a discharge after they complete their chapter 13 repayment plan. Chapter 13 is only available to individuals with regular income whose debts do not exceed \$1,347,500 (\$336,900 in unsecured debts and \$1,010,650 in secured debts).

**AGAIN, PLEASE SPEAK TO YOUR LAWYER IF YOU NEED FURTHER INFORMATION OR EXPLANATION, INCLUDING HOW THE BANKRUPTCY LAWS RELATE TO YOUR SPECIFIC CASE.**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Joint Debtor's Signature (if any)

\_\_\_\_\_  
Date