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ELECTRONIC COURT FILING (ECF) MEMO

After your documents have been completed, you will be e-mailed a password protected PDF file containing your initial bankruptcy documents. The password will be your zip code plus the last 4 digits of your social security number. You should read this file using Adobe Acrobat Reader, and make sure that it correctly reflects your anticipated financial condition on the anticipated date of the filing of your bankruptcy petition. I normally file my bankruptcy cases on Wednesday of each week unless there is an emergency. Special attention should be given to the amount of cash on hand and the balance in your checking account. It is normally a good idea to try to lower these amounts as low as you reasonably can by paying monthly expenses prior to filing. Pay by cash or money order so that you do not have outstanding checks on the date of the filing of the petition. Keep your receipts. Normally, you may resume normal use of your accounts after filing.

After you have verified your information, you will need to sign in several places in the forms. Print, sign, and mail to the address above the following pages:

1. The second page of the Voluntary Petition.
2. The Declaration Concerning Schedules
3. The last page of the Statement of Financial Affairs
4. The Statement of Intentions if you have secured creditors.
5. The Matrix Certification (Check (a) & (c), enter # of pages in matrix only, & date.)
6. Last page of Chapter 13 Plan if provided.

You will also need to complete, print, sign & return the Form 21 and ECF declaration provided with this memo. Please provide a copy of your social security card and photo identification when you return these documents, and have them available for the Trustee to view at the creditors meeting. You should also read the Bankruptcy Information Sheet provided with this memo prior to the creditor's meeting.

After I have received your signed originals and proof of identification, I will then file your documents electronically with the court. You will receive a Notice of Creditors meeting from the court. Try to arrive at least 15-30 minutes early so that you can have an opportunity to listen to a couple creditor meetings to get used to the questions being asked by the Trustee. I normally arrive at least 10 minutes prior to the meeting. If I am late, simply inform the Trustee when he or she calls your case, and they will normally skip calling your case until I arrive. If you fail to appear and it is necessary to reschedule the meeting, an additional attendance fee will be required. Creditors can appear and ask you limited questions, but most creditors do not appear at this meeting. In a Chapter 7 proceeding, this is normally the only time you need to appear. Your Discharge is normally entered 4 to 6 months after you file in a Chapter 7 proceeding. In a Chapter 13, the Discharge is entered after you have completed your payments. Since your Chapter 7 may remain pending for 6 to 12 months and your Chapter 13 for 3 to 5 years, it is important that you notify my office and the court of any change of address, otherwise you may not receive notices and your case may be dismissed.

FORM 21. STATEMENT OF SOCIAL SECURITY NUMBER

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA**

In re _____,)
Set forth here all names including married)
maiden, and trade names used by debtor within)
last 6 years.)
Debtor) Case No. _____)
))
))
Address _____)
_____)
_____) Chapter _____)
))
Social Security No(s). _____ and all)
Employer's Tax Identification No(s). *[if any]* _____)
_____)

STATEMENT OF SOCIAL SECURITY NUMBER(S)

- Name of Debtor (enter Last, First, Middle): _____
(Check the appropriate box and, if applicable, provide the required information.)
// Debtor has a Social Security Number and it is: _____
(If more than one, state all.)
// Debtor does not have a Social Security Number.
- Name of Joint Debtor (enter Last, First, Middle): _____
(Check the appropriate box and, if applicable, provide the required information.)
// Joint Debtor has a Social Security Number and it is: _____
(If more than one, state all.)
// Joint Debtor does not have a Social Security Number.

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

X _____
Signature of Debtor Date

X _____
Signature of Joint Debtor Date

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

Chapter _____

Case No. _____

In Re:

Debtor(s)/

DECLARATION UNDER PENALTY OF PERJURY FOR ELECTRONIC FILING

The undersigned, _____,

declares under penalty of perjury that:

1. I have signed the original(s) of the document(s) identified below under penalty of perjury ("Verified Documents(s)").
2. The information contained in the Verified Document(s) is true and correct to the best of my knowledge and belief.
3. I understand that the Verified Document(s) are to be filed in electronic form with the United States Bankruptcy Court in connection with the above captioned case.

Signature of Debtor

Signature of Joint Debtor

Verified Document(s) :

<u>Description</u> (Check those that apply.)	<u>Date Executed</u>	<u>Date Filed</u>
/ / 1. Voluntary Petition	_____	_____
/ / 2. Declaration Concerning Schedules	_____	_____
/ / 3. Statement of Financial Affairs	_____	_____
/ / 4. Statement of Intention	_____	_____
/ / 5. Matrix Certification	_____	_____
/ / 6. Chapter 13 Plan	_____	_____
/ / _____	_____	_____

BANKRUPTCY INFORMATION SHEET

BANKRUPTCY LAW IS A FEDERAL LAW. THIS SHEET GIVES YOU SOME 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:

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.

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.

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 ten years. It can affect your ability to receive credit in the future.

WHAT IS A 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 received 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 six years. 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 or any other kind of document to do this.

Some creditors hold a secured claim (for example, the bank that holds 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 agreements --

- 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 anytime 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 owe 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 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.