

MEMORANDUM OF UNDERSTANDING

We, the undersigned debtors, hereby acknowledge as follows:

Initials

- ____ Pre-bankruptcy Credit Briefing. We understand Section 109 of the Bankruptcy Code requires all individual debtors to obtain a credit brief from an approved non-profit budget and credit counseling within 180 days prior to filing. We must complete this bankruptcy briefing through an Approved Agency.
- ____ Filed Tax Returns. We have filed all tax returns and understand we must provide a copy of the most recent year tax return to Trustee at creditors meeting pursuant to Section 521(e).
- ____ Debt Relief Agency Disclosure. Pursuant to § 101 (12)(A) and § 101(3), our attorney is a debt relief agency and has discussed the following:
- ____ § 526.
____ Discussed the benefits and risks of filing for bankruptcy
____ Advised us “not” to incur more debt
____ Discussed waivers
- ____ § 527.
- ____ We have been provided a brief description of--
(A) chapters 7, 11, 12, and 13 and the general purpose, benefits, and costs of proceeding under each of those chapters; and
(B) the types of services available from credit counseling agencies
- [Attached is Form Notice 342(b)]
- ____ We fully understand that:
A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury in connection with a case under this title shall be subject to fine, imprisonment, or both.
All information supplied by a debtor in connection with a case under this title is subject to examination by the Attorney General.
Bankruptcy will negatively impact our credit.
All information provided in relation to this case under this title is required to be complete, accurate, and truthful.
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.

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 truthfully and accurately.

Information provided 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 sanction.

____ We have been provided a written fee agreement that defines the services to be provided, the fee for such services, terms and payment.

____ It is understood that: Attorney is a debt relief agency. Attorney helps people file for bankruptcy relief under the Bankruptcy Code.

____ Means Test Calculation. We understand our eligibility to file bankruptcy is based upon the “means test calculation.” This calculation is dependent upon the accuracy of the information we provide as well as other factors.

____ Post Petition Debtor Education Requirements. We understand § 727(a)(11) requires completion of a personal financial management course at our cost.

____ Schedules and Statement of Financial Affairs. We understand the importance of complete and accurate information. Without this information, bankruptcy cannot be filed. We have provided and disclosed:

- Asset verification
- Tax returns – 2 years
- Wage stubs – 60 days
- Expense verification
- Contingent assets
- Trusts
- All property transfers in the last 10 years

____ Chapter 7 Statement of Intention. We understand that we have only 30 days to perform from creditors meeting (surrender, redemption, reaffirmation). Failure to do so results in automatic relief from stay.

____ Purchase money collateral. We understand the 45 day rule associated with a PMSI.

____ We have disclosed all prior bankruptcy filings.

____ Identification. We have provided a copy of SS and drivers license.

____ Potential conflicts of interest have been discussed, including joint representation of a husband and wife.

— We understand that certain debts are not dischargeable in bankruptcy as detailed in 11 USC § 523, a copy of which is attached.

We have read, considered, and been given a full opportunity to discuss this information as well as other information related to our bankruptcy with our attorney. We accept and understand these terms.

DATED: _____

DEBTOR

DEBTOR