

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re

Debtor.

Case No. 7-\_\_\_\_\_

**APPLICATION FOR WAIVER  
OF THE CHAPTER 7 FILING FEE FOR INDIVIDUALS  
WHO CANNOT PAY THE FILING FEE IN FULL OR IN INSTALLMENTS**

**Part A. Family Size and Income**

1. Including yourself, your spouse, and dependents you have listed or will list on **Schedule I, Current Income of Individual Debtors**, how many people are in your family? (Do not include your spouse if you are separated AND are not filing a joint petition.) \_\_\_\_\_
2. Restate the following information that you provided, or will provide, on **Line 16 of Schedule I**. Attach a completed copy of Schedule I, if it is available. \$ \_\_\_\_\_
3. State the monthly net income, if any, of dependents included in Question 1 above. Do not include any income already reported in Question 2. If none, enter \$ 0. \$ \_\_\_\_\_
4. Add the "Total combined monthly income" reported in Question 2 to your dependents' monthly net income from Question 3. \$ \_\_\_\_\_
5. Do you expect the amount in Question 4 to increase or decrease by more than 10% during the next 6 months? Yes \_\_\_\_ No \_\_\_\_ If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

**Part B. Monthly Expenses**

6. EITHER (a) attach a completed copy of Schedule J, Current Expenditures of Individual Debtor, and state your total monthly expenses reported on Line 18 of that Schedule, OR (b) if you have not yet completed Schedule J, provide an estimate of your total monthly expenses.  
**Total monthly expenses from Schedule J or estimate:** \$ \_\_\_\_\_
7. Do you expect the amount in Question 6 to increase or decrease by more than 10% during the next 6 months? Yes \_\_\_\_ No \_\_\_\_ If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

**Part C. Real and Personal Property** EITHER (1) attach completed copies of Schedules A (Real Property) and Schedule B (Personal Property) OR (2) if you have not yet completed those schedules, answer the following questions.

8. State the amount of cash you have on hand: \$ \_\_\_\_\_
9. State below any money you have in savings, checking, or other accounts in a bank or other financial institution.

<u>Name of Financial Institution</u>	<u>Type of account such as checking, savings, CD</u>	<u>Amount</u>
_____	_____	\$ _____
_____	_____	\$ _____

10. State assets owned by you. **Do not list ordinary household furnishings and clothing.**

Address \_\_\_\_\_  
Home \_\_\_\_\_ Value: \$ \_\_\_\_\_  
Amount owed on mortgages/liens: \$ \_\_\_\_\_

Address \_\_\_\_\_  
Other real estate \_\_\_\_\_ Value: \$ \_\_\_\_\_  
Amount owed on mortgages/liens: \$ \_\_\_\_\_

Motor vehicle model/year: \_\_\_\_\_ Value: \$ \_\_\_\_\_  
Amount owed: \$ \_\_\_\_\_

Motor vehicle model/year: \_\_\_\_\_ Value: \$ \_\_\_\_\_  
Amount owed: \$ \_\_\_\_\_

Other (Describe): \_\_\_\_\_ Value: \$ \_\_\_\_\_  
Amount owed: \$ \_\_\_\_\_

11. State below any person, business, organization, or governmental unit that owes you money and the amount that is owed.

Name of Person, Business, or Organization that Owes You Money \_\_\_\_\_ Amount Owed: \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

**Part D. Additional Information**

12. Have you paid an **attorney** any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules? Yes \_\_\_ No \_\_\_ If yes, how much have you paid? \$ \_\_\_\_\_

13. Have you promised to pay or do you anticipate paying an **attorney** in connection with your bankruptcy case? Yes \_\_\_ No \_\_\_ If yes, how much have you promised to pay or do you anticipate paying? \$ \_\_\_\_\_

14. Have you paid **anyone other than an attorney** (such as a bankruptcy petition preparer, paralegal, typing service, or another person) any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules? Yes \_\_\_ No \_\_\_ If yes, how much have you paid? \$ \_\_\_\_\_

15. Have you promised to pay or do you anticipate paying **anyone other than an attorney** (such as a bankruptcy petition preparer, paralegal, typing service, or another person) any money

for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules? Yes \_\_\_ No \_\_\_ If yes, how much have you promised to pay or do you anticipate paying? \$ \_\_\_\_\_

16. Has anyone paid an attorney or other person or service in connection with this case, on your behalf? Yes \_\_\_ No \_\_\_ If yes, explain: \_\_\_\_\_

17. Have you filed for bankruptcy relief during the past eight years? Yes \_\_\_ No \_\_\_

<u>Case Number (if known)</u>	<u>Year filed</u>	<u>Location of filing</u>	<u>Did you obtain a discharge?</u>
_____	_____	_____	Yes ___ No ___ Don't know ___
_____	_____	_____	Yes ___ No ___ Don't know ___

18. Please provide any other information that helps to explain why you are unable to pay the filing fee in installments. \_\_\_\_\_

**Part E. Alternative to Waiver** If the application for waiver of the filing fee is DENIED, the Court may allow you to pay the filing fee in installments. Please propose a payment schedule:

- 1<sup>st</sup> payment of \$ \_\_\_\_\_ on or before \_\_\_\_\_
- 2<sup>nd</sup> payment of \$ \_\_\_\_\_ on or before \_\_\_\_\_
- 3<sup>rd</sup> payment of \$ \_\_\_\_\_ on or before \_\_\_\_\_
- 4<sup>th</sup> payment of \$ \_\_\_\_\_ on or before \_\_\_\_\_
- Total: \$ \_\_\_\_\_

Until the filing fee is paid in full, I will not make any additional payment or transfer any additional property to an attorney or any other person for services in connection with this case.

I understand that the filing fee must be paid within 120 days of the petition filing date and in a maximum of four installments. For cause shown, the court may extend the time of any installment, provided the last installment is paid not later than 180 days after the filing date of the petition. Fed. R. Bankr. P. 1006(b)(2). I also understand that if I fail to pay any installment when due, my bankruptcy case may be dismissed, I may not receive a discharge of my debts, and I will still owe the fee to the Bankruptcy Court.

I declare under penalty of perjury that I cannot currently afford to pay the filing fee in full or in installments and that the foregoing information is true and correct.

Signature of Debtor	Date	Signature of Joint Debtor	Date
Signature of Attorney	Date	Typed name, address, and telephone number of attorney: _____	
		_____	