



U.S. Department of Justice

Office of the United States Trustee, Region 20
Districts of Kansas, Oklahoma and New Mexico

421 Gold Avenue, SW, Room 112
Albuquerque, New Mexico 87102 505/248-6544

ATTENTION DEBTORS WITHOUT AN ATTORNEY

SOME DEBTORS HAVE BEEN VICTIMIZED by unscrupulous practices on the part of those who assisted them in preparing their bankruptcy petitions. Sometimes these fraudulent petition preparers claim to be affiliated with religious groups, non-profit or charitable organizations or even the government. Occasionally they represent themselves to be attorneys or affiliated with attorneys. Once they gain their victims' trust, they may demand an excessively large sum of money to file a bankruptcy case. In many instances they direct victims to pay mortgage or rent payments over to them and then fail to pay the money to the creditors. Some victims have even been persuaded to transfer ownership of their homes, only to find themselves evicted shortly thereafter. Alternatively, a debtor may be inadvertently drawn into a fraudulent scheme where their schedules are falsified to include property that does not belong to the debtor.

FEDERAL LAW REQUIRES all non-lawyers who assist debtors in the preparation of bankruptcy petitions to: (1) sign the bankruptcy documents; (2) provide their names, addresses, and social security numbers; (3) have debtors review all documents before they are signed; and (4) disclose any fees they have been paid or are still owed.

FEDERAL LAW PROHIBITS petition preparers from: (1) providing legal advice; (2) signing their clients' names on documents; (3) collecting or receiving court filing fees; and (4) using the word "legal" in their advertisements.

PETITION PREPARERS WHO VIOLATE THIS LAW MAY BE SUBJECT TO FINES, PENALTIES AND EVEN PAYMENT OF DAMAGES TO THE DEBTOR OF \$2000 OR MORE. ALSO, IF THE PETITION PREPARER CHARGED MORE THAN THE VALUE OF THE SERVICES RENDERED, THE COURT MAY ORDER SOME OF THE MONEY REFUNDED.

ATTACHED IS A STATEMENT FOR YOU TO COMPLETE AND SIGN BEFORE YOU MEET WITH YOUR CASE TRUSTEE. You may retain this information sheet for your future reference. PLEASE MAKE CERTAIN THAT YOUR ANSWERS ARE AS COMPLETE AND ACCURATE AS POSSIBLE. YOUR ANSWERS WILL ASSIST YOUR CASE TRUSTEE AND THE UNITED STATES TRUSTEE IN PROTECTING YOUR RIGHTS AS A DEBTOR.

QUESTIONNAIRE FOR DEBTORS WITHOUT AN ATTORNEY

Debtor's Name: _____ Case No.: _____

Debtor's Current Address: _____

_____ Debtor's Telephone No.: _____

Name of Case Trustee: _____ Date of § 341(a) Meeting: _____

1. I paid *someone* to assist me in preparing my bankruptcy documents: YES _____ NO _____ **OR**

I obtained bankruptcy documents or services from the Internet: YES _____ NO _____

(If no to the above questions, skip the rest of the questions and sign and date this document at the bottom).

2. Information regarding petition preparer / Internet provider:

Name: _____

Company: _____ Telephone No.: _____

Address / Web site: _____

3. Amount paid : _____ Date of payment: _____

The amount I paid included the court filing fees Yes ____ No ____

if no, amount paid for filing fee: _____

The filing fee was paid by: cash ____ check ____ money order ____ installments ____

Was the payment made payable to the U.S. Bankruptcy Court Yes ____ No ____

4. I was given a copy of petition and schedules before they were signed and filed. YES _____ NO _____

5. I did sign my own name on the petition and schedules. YES _____ NO _____

6. At any time did the petition preparer say or indicate that he/she was an attorney or working with an attorney?

YES _____ NO _____

7. The person who assisted me explained the difference between Chapter 7 and Chapter 13.

YES _____ NO _____

8. The person who assisted me explained what an exemption was. YES _____ NO _____

9. I was directed to make my mortgage/rent payments to someone other than my creditor/landlord.

YES _____ NO _____

The person I was directed to make payments to: _____

11. I was directed to transfer the title to my home. YES _____ NO _____

The person I transferred title to is: _____

12. I was directed to put false information on my bankruptcy documents. YES _____ NO _____

The false information is: _____

13. I was directed to say I had no assistance in preparing my documents. YES _____ NO _____

14. I completed this document with the help of the bankruptcy petition preparer or someone from the preparer's company.

YES _____ NO _____

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

SIGNATURE: _____ DATE: _____

_____ DATE: _____

PLEASE GIVE THIS COMPLETED DOCUMENT TO YOUR TRUSTEE AT YOUR CREDITORS MEETING AND RETAIN THE ATTACHED LETTER FOR YOUR FUTURE REFERENCE.