

**§341 Meeting of** \_\_\_\_\_

**Case Number** \_\_\_\_\_ **Date** \_\_\_\_\_

**1. Introductory Statement**

My name is \_\_\_\_\_, I represent the Chapter 13 Trustee assigned to your case. Today you will be answering questions about your bankruptcy petition under oath and under penalty of perjury. If there are creditors present they will also be allowed to ask you specific questions about your bankruptcy. You must answer all the questions on this sheet completely and clearly.

**2. Administering the Oath**

Do you swear or affirm that the testimony you are about to give is the truth, whole truth, and nothing but the truth? Write your answer and sign your name below.

\_\_\_\_\_

**3. Required Questions (for each debtor), write your answer to each question.**

- Please write your name, social security number, and current address for the record.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- You have before you a copy of the Declaration Regarding Electronic Filing that was filed in your case. Is that a copy of your signature at the bottom of the form?

\_\_\_\_\_

- Did you meet with your attorney in person before you signed the form?

\_\_\_\_\_

- Did your attorney advise you regarding your rights, options and responsibilities in bankruptcy?

\_\_\_\_\_

- Did you provide your attorney with a complete list of all your property, including any property you own jointly with another person?

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- Did you provide your attorney with a complete list of all your debts, including any co-signed debts (everyone / every company you owe any money to)?

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- Did you fully disclose all sources and amounts of income in your household?

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- Did you fully disclose all your household's expenses?

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- Was all the information regarding your household's property, debts, income and expenses accurately and fully disclosed in the schedules that accompany your bankruptcy petition?

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- Did you review the petition, schedules, statements, and Plan with your attorney before the documents were filed with the court?

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- To the best of your knowledge, were the petition, schedules and statements all complete, accurate and up to date at that time?

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- Have there been any changes in any of your financial circumstances, particularly regarding income or expenses, since the day your case was filed? If so, please describe those changes.

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- Have you ever filed bankruptcy before? If so, when?

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- Are you the plaintiff in any proceeding where you are seeking monetary damages from any party or do you have any cause of action that would allow you to file such a lawsuit? If yes, please provide full details on the reverse side of this page.

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- Have you recently received an inheritance or do you expect to in the immediate future? If yes, please provide full details on the reverse side of this page.

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- Have you filed your federal and state income taxes every year? If not, state the year(s) for which returns have not been filed.

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- Do you owe the IRS or Department of revenue any money? If yes, state the agency and amount.

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- Do you make payments to anyone that could be considered to be in the nature of maintenance or child support? If yes, are you past due in these payments?

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- Do you own, either individually or jointly with any other person(s), any real estate?

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- If yes, state the address, date of purchase, purchase price and current value for each property. If you are on title to more than one property use the reverse side of this page to list them.

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- If you own real estate, are property taxes included in your mortgage payment?  
If not, have you paid every property tax bill since you purchased the property?
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#### **4. Questions About Preferences and Fraudulent Conveyances**

- Have you paid any creditors more than \$600.00 in the past 90 days other than your current mortgage payments?

If Yes;

- a) To what creditors?
- b) How much was paid?
- c) When were the payments made?

- Have you bought or sold any real estate within the past two years?

If Yes;

- a) To whom was the property transferred?
- b) What was the value of the property?
- c) How much money/proceeds did you receive?
- d) What was done with the proceeds?
- e) If you purchased property, who was the seller?
- f) What was the purchase price?
- g) What is the address of the property?
- h) What was the source of financing?

- Have you owned or had any ownership interest in any real estate within the past two years, other than your principal residence?

If Yes,

- a) What happened to the property?
- b) What was the value of the property?
- c) Did you receive any money/proceeds?
- d) If so, what was done with the proceeds?

- Have you repaid any money to any friends or relative in the last year?

If Yes;

- a) To what relative?
- b) How much was paid?
- c) When were the payments made?
- d) How much was originally borrowed?
- e) When was the original loan made?
- f) What was the purpose of the loan?

- Have you transferred (or sold) any property worth more than \$1,000.00 within the past year?

If Yes,

- a) To whom was the property transferred?
- b) What was the value of the property?
- c) How much money/proceeds did you receive?
- d) What was done with the proceeds?

## 5. Closing

- If you have a mortgage and your plan requires you to pay the mortgage(s) directly to the lender, have you made post petition mortgage payments every month after the month in which you filed bankruptcy?
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- Please be sure to keep receipts for every mortgage payment and plan payment you make while you are in Chapter 13.
  - Your plan calls for you to make payments of \$ \_\_\_\_\_ each month for \_\_\_\_\_ months or until all of your secured and priority creditors are paid in full and your unsecured creditors receive a dividend of not less than \_\_\_\_\_% of the amount of their claims. Is that your understanding?
  - Have you made your Chapter 13 plan payments?
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- Do you want to have your monthly plan payments deducted from your pay and forwarded to my office by your employer?
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- Your plan payments are due every month on or before the \_\_\_\_\_ of each month, beginning with \_\_\_\_\_, 200\_\_\_. Mail your plan payments in **Certified Funds Only** to:

Glenn Stearns, Chapter 13 Trustee  
PO Box 2368  
Memphis TN 38101-2368

Be sure to write your case number on the front of each payment.

- You will receive a statement from my office twice a year showing all the Chapter 13 Plan Payments you have made and all the payments my office has made to our creditors. Contact my office if you have any questions regarding these statements.

I swear or affirm under penalty of perjury that I have answered all the above questions honestly and truthfully and that I have read all of the above informational statements provided to me by the Standing Trustee.

Sign your name: \_\_\_\_\_

Print your name: \_\_\_\_\_

Today's date: \_\_\_\_\_

Witnessed by: \_\_\_\_\_

Debtor Attorney name: \_\_\_\_\_

Witnessed by: \_\_\_\_\_

Trustee's representative: \_\_\_\_\_

Written 341 meeting for deaf debtor(s).

Instructions for the Hearing Officer.

You must fill in the blanks at the top of page one and in section five on pages six and seven. After the debtor(s) complete the questionnaire you will enter the 341 meeting into the record by explaining that the debtor is deaf, that a meeting was conducted under oath in writing, reading all the answers into the record and stating that the written document will remain a permanent part of the bankruptcy file.

Be sure that all the questions are answered and that the debtor, debtor attorney and you sign at the bottom of page seven.