

BYMASTER BANKRUPTCY

LAW OFFICES

Phone: 317-769-6533, Fax: 317-769-4545, Email: bk@bymasterbankruptcy.com,
READ THIS ENTIRE FOLDER. IT'S PART OF YOUR CONTRACT!

HOW TO GET YOUR CASE FILED:

Step 1. Take the Credit Counseling Class:

CALL THIS NUMBER OR USE THIS WEBSITE TO TAKE THE CLASS:

www.summitfe.org

1-866-719-0400

WE HAVE NO ATTORNEY CODE. DO NOT CALL US ON HOW TO TAKE THE CLASS. ASK THE PROVIDER ONLY.

Step 2: Collect the documents on the next page:

**ALL MUST BE BROUGHT OR SENT AT THE
SAME TIME at a SINGLE APPOINTMENT!**

ALL SENT DOCUMENTS MUST BE IN CORRECT PDF FORMAT:

Read Format at: <https://bymasterbankruptcy.com/client-welcome/>

Step 3: Pay Your Required Fee Amounts

Pay your attorney fee balance.

Using the payment plan? Great! Follow instructions attached to the folder.

Payments can be made over-the-phone, in-person, or via address above.

\$ 338 is your court cost balance. (\$313 for Ch. 13)

Get a single money order for \$338 (\$313 money order for Chapter 13)

You can only pay this Court Cost by a single money order or a debit card.

**Steps 1, 2, and 3 Done? Attend Your Appointment
Or Call us to set a single appointment to bring in your class
certificate, the documents, and remaining fees.**

Other Calls for Us? Read the entire folder first. Remember, the answer to most problems is getting your bankruptcy case filed. You already have clear instructions to get your case filed. BE POLITE AND TALK TO THE WHOLE STAFF.

BYMASTER BANKRUPTCY LAW OFFICES

DOCUMENT LIST

**BY THE REQUIREMENTS OF LAW, WE NEED
ALL DOCUMENTS BEFORE WE CAN BEGIN
DRAFTING YOUR BANKRUPTCY PETITION:
(Also Provide Driver's License and Social Security Card)**

Creditor List – (Available at: <https://bymasterbankruptcy.com/client-welcome/>)
You must list every creditor, no exceptions. Unlisted Creditors will NOT BE DISCHARGED. **DO NOT PROVIDE A CREDIT REPORT.**

7 Months Proof of Income (paycheck stubs or benefit statements)

Get a printout from your employer showing the gross and all deductions or copies every paycheck stub. All income requires documentation such as wages, pension, social security, unemployment, and even gambling. (*If you have business or self-employment income, go month by month listing out your total business income & expenses for each month going at least 7 months back.) (*Remember, income records must also be provided for non-filing spouses.)

Tax Returns 2021 & 2022 Federal, State, and W2's

No exceptions unless not required to file due to minimal income.

Bank Statements - 3 Months (90 days back from the date case is filed required)

Also statements all financial accounts, such as internet accounts (like Cash App and PayPal) or retirement accounts. (A final printout will also be required after your bankruptcy case is filed to cover all 90 days).
(BANK STATEMENTS NOT REQUIRED ON CHAPTER 13)

If you have a house, we also need the next two items:

Copy of Recorded Mortgage, Note, and Deed for your House(s)

This can be obtained at the Recorder's office in the City-County Building (Marion) or at your County Courthouse (all other counties). To cut down on printout cost, you can usually print out only the 1st, 2nd, & last page as long as it shows the amounts and the part where you signed. **(NOT REQUIRED ON CHAPTER 13)**

Comparative Market Analysis to show the value of your House(s)

You must get an **exact opinion letter of your home's value** from a local real estate broker or agent. It is usually free or inexpensive. Real estate appraisals are also accepted. The valuation must be within the last two years. Tax or insurance valuations are too inaccurate and are usually insufficient.

Lawsuits

Have any lawsuits? Bring copies of all lawsuits whether they are for or against you.

Child Support Order or Divorce Decree (if applicable)

Also, list the name and address of the child support recipient.

List out your last three years of addresses (if you lived in more than one place)

Additional information may be required including 401K, 403B, IRA, and life insurance policies. Remember to take the Class so you can provide the 1st Class Certificate when you bring in your documents.

After you have paid all the fees and provided these documents, make sure that we set an Appointment for you to Sign your Bankruptcy Petition so that your Case can be Filed. Page 2

BYMASTER

BANKRUPTCY LAW OFFICES

Some more things to know!

1. Cash and Financial Accounts: You cannot have more than \$450!

You must have less than \$450 (\$900 if a joint case) in cash when you file. *This includes how much is in your bank accounts (or other financial account/cash investments).* If you have more than this, it will be taken to pay your creditors. (This does not apply as strictly in Chapter 13).

2. Tax Refunds: You may lose part or all of your tax refund

If you have a tax refund coming, part or all of the refund may be taken from you so that something can be paid back to your creditors. Change your withholdings so that you will not receive a large tax refund. **DO NOT SPEND YOUR REFUND** if the trustee asks for it, or the discharge of your debts can be revoked.

3. Garnishments: When do they stop?

Signing up for bankruptcy does not stop your garnishment. Your garnishment can only be stopped after the bankruptcy case is filed. On Chapter 7 cases, the case cannot be filed until all your fees are paid and your documents are provided to our office. You must also give us your employer's payroll phone and fax number. If you are getting garnished, you should have come to our office months ago before you received a lawsuit. Remember, we are not garnishing your wages. We are here to help.

4. Do you have Loans or Credit Cards from your Bank?

You need to close your bank account(s) if you have a loan or credit card from your bank. Your bank can "setoff" their losses after you file bankruptcy by removing money from your bank account at any time. Close your accounts now and find a new bank.

5. You had a Judgment in a Lawsuit? Your Real Estate may have a judicial lien.

When a judgment is rendered in a lawsuit filed in your county, a "judicial lien" can attach to your real estate. This lien stays in effect even after filing bankruptcy. You may be forced to satisfy the lien in the future such as when you sell your real estate.

Sometimes these liens can be avoided in a bankruptcy. It is YOUR responsibility to notify us if a lien attached to your house which you desire to eliminate through the bankruptcy. Additional fee of \$90 per lien will be charged to have the lien avoided. If a judicial lien attached to your house, it is not our fault. You should have come to our office months ago and completed what was necessary to file before you even received lawsuits.

6. Don't hide assets. Don't pay friends or relatives. Don't use credit. It's fraud.

The court will find hidden assets. The court will reverse payments made to relatives or friends. It is fraudulent to use credit after deciding to file bankruptcy because you do not intend to repay the debt. The court will make sure all your creditors are treated fairly!

You must provide all fees, documents, and sign your petition within 120 days or your case may be closed.
REMEMBER: Chapter 7 cases are not filed until all attorney fees, court fees, and documents are turned into our office.

Want to do things right? Stay away from the following:

1. **Waiting Too Long** - It is human nature to put off unpleasant events. Foreclosure, repossession, garnishments and other collection efforts can be stopped by filing bankruptcy. Get together your fees and documents to file your bankruptcy quickly.
2. **Failing To List All Of Your Creditors** - If you do not list a creditor, then the debt you owe that creditor may not be discharged in bankruptcy. You should list all creditors, even if you have a co-debtor/co-signer or you intend to repay that debt. Also, you are required by law to list all of your creditors.
3. **Reaffirming Burdensome Debt** - You can reaffirm (keep) any of your secured debts. Do not reaffirm debts that are unreasonable. Doing so will make it difficult or impossible for you to recover financially. As stated in the contract, reaffirmations agreements are only sent to you if (1) the creditor provides the agreement and (2) you specifically request in writing for the reaffirmation agreement to be sent to you.
4. **Having Too Much Cash** - You are limited on how much cash or “cashable items” you can protect in a bankruptcy case. This includes bank accounts, money on hand, cash-value life insurance, stocks and bonds, or any other financial items that can be converted to cash quickly. This “cash” category also includes any over-payment you have sent to the IRS for your tax withholdings.
5. **Filing Bankruptcy When You Have A Substantial Tax Refund Pending** - Tax refunds are treated just like cash in the bank. As stated above, there is a limit on how much cash you can protect in a bankruptcy case.
6. **Large Credit Card Usage Before Filing Bankruptcy** - Significant cash advances, balance transfers or purchases before filing will be a reason for choosing a Chapter 13 bankruptcy over a Chapter 7 bankruptcy. The issue comes when you incur debt at a time that you could not reasonably afford to repay it. You could even be forced to pay some of these debts back in a Chapter 7. It’s best to wait 6 months or more after new credit card usage to file Chapter 7.
7. **Repaying Family Members, Friends or Business Partners Before Filing** - In a Chapter 7, those “preferences” (on who gets repaid) can be taken back, then distributed to creditors on a pro-rata basis. If the Chapter 7 trustee cannot recover those preferences, then he can use that as a basis for objecting to your discharge, which then forces you to come up with the money. Essentially, you will pay the debt twice!
8. **Transferring Assets** - Assets transferred in anticipation of filing bankruptcy may be recovered by the Trustee in a Chapter 7 as a fraudulent transfer. In a Chapter 13, it would cause your plan payment to increase. Besides, you can protect your stuff while it’s in your possession or control, but not after you have given it to someone.
9. **Expecting that Chapter 7 Bankruptcy ALWAYS Lets You Keep Everything You Own** - Your Indiana property exemptions protect the things you want to keep, like your house and your car. Newer, paid-in-full automobiles can exceed the property amount that is deemed exempt. Also, paid-in-full homes or homes with high equity may exceed the maximum exempt property amount for real estate. If you own expensive, non-exempt property, you may want to consider filing a Chapter 13 bankruptcy.
10. **Having Your Name on Someone Else’s Property** - If your name is on someone else’s property (such as real estate, automobiles, or financial accounts), the court will still consider the property to be your own. If the property is of any serious value, it will be sold in the bankruptcy unless you pay the trustee the same amount the property is worth. Example: Is your name on your daughter’s car? Is your name on your elderly mother’s house? Is your name on your son’s college savings account? On each case, you are an owner of the property and the value will be exposed in the bankruptcy.
11. **Expecting An Inheritance** - Property inherited within 6 months after filing bankruptcy is deemed to be part of the bankruptcy estate. Also, any pending inheritance will likely be taken in the bankruptcy.
12. **Intending On Selling Your House Before Your Bankruptcy Case Is Over** - This is only an issue in a Chapter 13 case because it lasts 3-5 years, whereas a Chapter 7 only lasts 90 days. We can protect your home equity in a bankruptcy case, but your attempt to sell it for maximum profit during your bankruptcy case can be difficult, especially if you want to keep all the net proceeds.
13. **Missing The Court Meeting** - If you do not attend your hearing (also known as the Meeting of Creditors), then your case may be dismissed. You must bring to the meeting a photo ID, proof of your Social Security number, and your most recent bank statements and paycheck stubs.
14. **Not Following Bankruptcy’s Rules or Your Trustee’s Requests After The Case Is Filed** - If you do not follow the rules of bankruptcy, your case will be closed without a discharge or your discharge could be revoked. It will be as if you never filed Bankruptcy! Be sure to take your second class and provide the certificate and signature page. Also, follow any request from the court or trustee for documents or funds that must be turned-over in the bankruptcy.
15. **Refusing Or Forgetting To Send The Trustee Your New Tax Return and Tax Refund Check** - If the trustee held your upcoming tax refund as an asset to be processed by the bankruptcy, you are responsible for sending your upcoming tax return papers and the tax refund check to the trustee’s office. You must *send the tax return and tax refund directly to the trustee’s office*. Make sure to include your name and case number. Failure to do so can result in your case being dismissed or your discharge being revoked. You cannot spend your tax refund in such a case. The bankruptcy court owns your upcoming tax refund! (Note: not all bankruptcy cases hold the tax refund as an asset. Small refunds are usually not pursued. Also, tax refund loss is not an issue certain times of the year.)

Your Bankruptcy Case is Filed! Now what?

Information to identify the case:	
Debtor Name Joseph M. Debtor	Social Security number or ITIN xxx-xx-5329
United States Bankruptcy Court – Southern District of Indiana Case number: 15-10084-JMC-7	EIN Date case filed for chapter 7: December 10, 2015

Official Form 309A (For Individuals or Joint Debtors) Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline

For the debtor listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, the debtor, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

1. Debtor's full name	Joseph M. Debtor	
2. Other names (used in last 8 years)	None	
3. Address	123 Any Street, Indianapolis, IN 46222	
4. Debtor's attorney Name and address	John Forest Bymaster 4435 E. Whitestown Parkway Lebanon, IN 46032	Contact info: 317-769-6533 or johnfby@masterbankruptcy.com
5. Bankruptcy trustee Name and address	Your Trustee Your Trustee's Street Indianapolis, IN 46202-2515	Contact info: 317-635-4428
6. Bankruptcy clerk's office Documents in this case may be filed at this address or fed.uscourts.gov . You may inspect all records filed in this case at this office or pacer.mbo.uscourts.gov .	United States Bankruptcy Court Southern District of Indiana 46 E. Ohio St., Rm. 116 Indianapolis, IN 46204	Open weekdays 8:30 AM – 4:30 PM ET Contact info: 317-229-3800
7. Meeting of creditors. The debtor must attend the meeting to be questioned under oath. Creditors may attend but are not required to do so. If the meeting is continued or adjourned to a later date, the date will be on the court docket.	January 19, 2016 at 10:30 AM EST The debtor MUST provide picture identification and proof of social security number to the trustee at the meeting. Failure to do so may result in the case being dismissed. Language interpretation of the meeting of creditors will be provided to the debtor at no cost through a telephone interpreter service upon request made to the trustee. These services may not be available at all locations.	Location: Rm. 418A U.S. Courthouse 46 E. Ohio St. Indianapolis, IN 46204
8. Presumption of abuse If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). The debtor may rebut the presumption by showing special circumstances.	The presumption of abuse does not arise.	
9. Deadlines The bankruptcy clerk's office must receive these documents and any required filing fees by the following deadlines.	Deadline to object to discharge or challenge whether certain debts are dischargeable: • If you assert that the debtor is not entitled to a discharge under 11 U.S.C. § 727(a)(2)-(7) or • If you want a debt excused from the discharge under 11 U.S.C. § 523(a)(2), (4), or (5)	March 21, 2016 You must file a motion by the deadline: • If you assert that the discharge should be denied under 11 U.S.C. § 727(a)(9) or (9).
10. Proof of claim Do not file a proof of claim unless you receive a notice to do so.	The law permits the debtor to keep certain property as exempt. If you believe the law does not authorize an exemption claimed by the debtor, you may file an objection no later than 30 days after the meeting of creditors concludes.	
11. Creditors with a foreign address	No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.	
12. Exempt property	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have a question about your rights in this case. The law allows the debtor to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. The debtor must file a list of property claimed as exempt. If you inspect that list at the bankruptcy clerk's office or pacer.mbo.uscourts.gov , if you believe the law does not authorize an exemption claimed by the debtor, you may file an objection no later than 30 days after the meeting of creditors concludes.	



1. Look for your Meeting of Creditors Notice to arrive in the mail

You must CALL IN to attend this meeting at the correct date and time listed on the notice. The date and time are court set. The Phone Number and Pass Code are on the notice. Call-in at least 10 minutes early and wait for your case to be begin. Chapter 13 cases may require ZOOM instead of calling-in. **If you do not receive this notice within 3 weeks of the date you filed, call our office to find out the date and time of your meeting.** PROVIDE YOUR UPDATED BANK PRINTOUTS TO OUR OFFICE AT THE TIME YOU RECEIVE THIS NOTICE.

DO NOT WORRY ABOUT THE COURT QUESTIONS OR IF MORE DOCUMENTS MUST BE PROVIDED- THIS IS NORMAL!

2. Take the Second Class BEFORE THE MEETING OF CREDITORS: Financial Management is the second class that is required for your bankruptcy. You take this second class the same way, but covers different information. You must take this class after you file in order to get the bankruptcy discharged!

YOU MUST TAKE THE SECOND CLASS BEFORE THE MEETING OF CREDITORS:

www.Summitfe.org

You are responsible for making sure our office receives the second class certificate. However, Summit Financial automatically files the certificate after you have completed it.

3. If you did not use Summit Financial for the Second Class, You must Call Us!

Once you have taken the Financial Management class, it must be FILED WITH THE COURT. Not all providers of the second class automatically file it with the court. Remember, our office must receive a certificate for every person who takes the second class (before the Meeting of Creditors). If you did not use Summit Financial, YOU MUST MAKE SURE THAT WE GET THE CERTIFICATE AND THAT WE FILE IT WITH THE COURT. Failure to do so will result in a \$260 fee. (See next page).

4. Call (or Zoom) to Attend the Meeting of Creditors

Make sure we have your document updates! (Usually bank statements and paycheck stubs)

You must attend this meeting. (Meetings were traditionally at the U.S. Courthouse located at 46 E. Ohio Street, Indianapolis, IN 46204). The date and time of this meeting are court set. The notice you received (see above # 1) tells the date, time, and phone number. Dial in, put in the pass-code, and wait until your case is called. Chapter 13 cases may require using Zoom instead. Be 10 minutes early.

5. You must comply with all requests of the Trustee.

Failure to do so could result in your debts not being discharged with the court. Many times the trustee will not ask for anything additional. However, if your trustee asks for additional items or your tax refund check, you must comply in a timely manner or face getting your case dismissed without a discharge of your debts. **YOU MUST FOLLOW ALL INSTRUCTIONS OF THE TRUSTEE.**

FOUR MORE IMPORTANT THINGS

1. WE MEET BY APPOINTMENT ONLY:

OUR TIME IS VALUABLE. WE WILL NEED TIME TO PREPARE YOUR CASE. WE ARE UNABLE TO ADDRESS OUR OTHER CLIENTS' NEEDS WHEN OUR TIME IS TAKEN UP BY UNSCHEDULED VISITS OR EXCESSIVE CALLING.

- We meet only by appointment. Come on time; do not be early (or very late).
 - We do not meet when questions can be answer over the phone.
 - Read your entire folder before you call us with any question.
 - We will contact you within 48 hours to resolve your matter, excessive calling is not tolerated.
 - We reserve the right to bill \$50 per call beyond 4 calls (for excessive calling).
- ONLY payment drop-offs can be done without an appointment.

2. THE MEETING OF CREDITORS ALWAYS REQUIRES YOU TO HAVE SAME 4 ITEMS:

CALL-IN FOR THE MEETING OF CREDITORS AT THE DATE AND TIME INDICATED ON YOUR NOTICE. WE WILL BE THERE.

MAKE SURE WE HAVE THESE FOUR ITEMS FOR YOUR MEETING:

1. Driver's License(s)
2. Social Security Card(s)
3. Your 2 Most Recent Paystubs (these are newer ones than you already gave to the office)
4. Bank statement update(s) that covers the section right before your case was filed. (We need all 90 days Bank Statements up to the date the case is filed.) Determine how much was in your account on that day and write it on the top of each account statement. ***NOTE: #4 MUST ALSO BE PROVIDED IN ADVANCE TO OUR OFFICE WITHIN 2 WEEKS AFTER THE CASE IS FILED.**

3. YOUR CASE WILL CLOSE WITHOUT YOUR DISCHARGE IF YOU DO NOT TAKE THE SECOND CLASS AND PROVIDE THE CERTIFICATE:

Take the second class before the Meeting of Creditors or your case may close without a discharge. The court charges \$260 to reopen a case. Make sure our office receives the class certificate.

4. WE LOOK FOR CREDITOR VIOLATIONS:

We examine your case to protect your future credit reporting and to look for creditor violations. We work only with local, licensed Indiana attorneys for this purpose. You may get future calls for credit reviewing to ensure your credit is being reported properly during or after your bankruptcy case.

5. ANOTHER APPROVED COURSE PROVIDER:

Money Management 1-866-889-9347 For Phone-Class Version –Note: More expensive