

Edward J. Maney
Chapter 13 Trustee
P.O. Box 10434
Phoenix, Arizona 85064-0434
(602) 277-3776
Fax (602) 277-4103

TRUSTEE'S QUESTIONNAIRE

Case Number: _____

The Bankruptcy Court has appointed me as the Chapter 13 Trustee in your case. As your Trustee, I need information to process your bankruptcy case. If this is a joint case of husband and wife, then "you" means both debtors.

DOCUMENTS

Complete and return this Questionnaire to the Trustee's office within 10 days **before** your meeting of creditors. Also, mail a copy of your most recently filed state and federal income tax return and two recent and consecutive paystubs for each job. Except this Questionnaire, please send **copies, not originals**. If you cannot return the Questionnaire with copies of documents within 10 days before your meeting, bring the Questionnaire and the documents to your meeting of creditors. You may have to attend another meeting of creditors if you do not timely provide the documents and Questionnaire. Send the Trustee a **copy** of any returns you file after you filed your bankruptcy petition.

PLAN PAYMENTS

Your first plan payment to the Trustee probably is due about the time of your meeting of creditors. Do not mail any plan payments to the address listed above. Payments must be in certified funds.

DEBTS

- (1) Do you owe a domestic support obligation like child support or spousal maintenance? This includes any money owed at the time you filed your bankruptcy case. No _____ Yes _____
- (2) If you owe a domestic support obligation, child support or spousal maintenance, list the name, address, and telephone number of each person owed:
- (a) _____
- (b) _____

RESIDENCE

- (3) Did you reside in Arizona for the entire two years before you filed your petition? No _____ Yes _____
- (4) If your answer to (3) is no, then list the States and dates of residence in which you resided for more than 90 days before moving to Arizona.
- _____

MARITAL STATUS

- (5) Are you married, but your spouse did not join the bankruptcy petition? N/A or No _____ Yes _____
- (6) If your answer to (5) is yes, state why your spouse did not file with you:
- _____

INCOME & EXPENSES

- (7) Are you self employed? (If yes, you must complete a Self Employment Questionnaire and file monthly business operating statements. The Trustee may give you the forms at your meeting of creditors.) No _____ Yes _____

If yes, describe the self employment or business: _____

- (8) If you are employed, did you receive a bonus of any kind within the past two years from your employer (e.g., Christmas, performance, profit sharing)? No _____ Yes _____

- (9) If you are employed, do you expect to receive a bonus of any type during the next three years? No _____ Yes _____

- (10) If your answer to (8) or (9) is yes, then describe the type of bonus, amount received or expected, and the date received or expected:

- (11) Since you filed your case, has your income changed? No _____ Yes _____

If yes, describe the change and amount: _____
You may have to file an amended Schedule I of income.

- (12) Since you filed your case, have your expenses changed? No _____ Yes _____

If yes, describe the change and amount: _____
You may have to file an amended Schedule J of expenses.

TAX RETURNS

- (13) Have you filed all required State and Federal income tax returns? No _____ Yes _____

- (14) If you have unfiled tax returns, for each unfiled return list the year and type:

To help you in properly filing returns, the Trustee will provide you with information from the Internal Revenue Service and the State of Arizona.

ASSETS

- (15) Do you have any pending claim for an inheritance, personal injury, wrongful death, wrongful termination or discrimination, or any other type of claim, or are you a beneficiary of a trust? No _____ Yes _____

- (16) If your answer to (15) is yes, describe: _____

TRANSFERS

- (17) Did you transfer any money or property to a family member in the 12 months before you filed your petition? No _____ Yes _____

(18) In the past 10 years, did you transfer any money or property to a trust? No ____ Yes ____

CONTACT INFORMATION

We may need to contact you regarding your case. Please list your contact information:

Home telephone number: (_____) _____

Work: Debtor/Husband: (_____) _____ Name of employer: _____

Wife: (_____) _____ Name of employer: _____

Pager/cellphone: Debtor/Husband (_____) _____ Wife (_____) _____

Email: Debtor/Husband _____ Wife _____

I (We), undersigned Debtor(s), declare under penalty of perjury, that the answers on this Questionnaire are true and correct.

Debtor: _____ Co-Debtor Signature: _____
Debtor Debtor

EDWARD J. MANEY, CHAPTER 13 TRUSTEE

PLEASE READ CAREFULLY - IMPORTANT INFORMATION AND INSTRUCTIONS

Please read the following information carefully to insure that your bankruptcy will go smoothly and cause less frustration.

ALWAYS KEEP THE TRUSTEE INFORMED OF YOUR CURRENT MAILING ADDRESS EVEN IF YOUR CASE HAS BEEN DISMISSED.

YOUR PLAN PAYMENTS

You are required to begin making monthly payments to EDWARD J. MANEY, TRUSTEE not later than 30 days from the date your case was filed, unless the Court has ordered otherwise.

Do not make your payments at the U. S. Trustee's office or the Bankruptcy Court at First Avenue and Van Buren.

You must mail your plan payments directly to the Trustee's bank - Do not bring them to the Trustee's Office. Payments must be mailed to **Edward J. Maney, Lockbox, P.O. Box 53304, Phoenix, Arizona 85072-3304.** All non-payment correspondence and other items should be mailed to **P. O. Box 10434, Phoenix, Arizona 85064.**

If you do not know the amount of your monthly Plan payment or the date the payment is due in the Trustee's Bank's lockbox, call your attorney. If you are not represented by an attorney, call the Trustee's office at (602) 277-3776.

Payments must be made by *MONEY ORDER* or *CASHIER'S CHECK*. The Trustee will not accept cash or personal checks. Personal checks will be returned. The payment must be made payable to:

EDWARD J. MANEY, TRUSTEE

Your name and case number must be written legibly on the money order or cashier's check. If you have changed your name since your case was filed, use the name you used when the case was first filed since that is probably the only name the Trustee and the Court will have for you. If you fail to provide the Trustee with your name and case number in the payment, your payments could be misplaced and your case dismissed!

MEETINGS YOU MUST ATTEND

You are required to attend your 341(a) creditor's meeting. Also, you must attend any other hearing set for your case if you are not represented by an attorney. Failure to attend required hearings may result in the dismissal of your case.

The Bankruptcy Court is responsible for the notifying you of the dates of your 341(a) Creditor's Meeting. Please read carefully anything you receive from the U.S. Bankruptcy Court.

PHOTO IDENTIFICATION AND PROOF OF SOCIAL SECURITY NUMBER

All individual debtors must provide **PHOTO IDENTIFICATION AND PROOF OF THEIR SOCIAL SECURITY NUMBERS** at their 341(a) creditor meeting. **Failure to provide the required documentation will result in the meeting of creditor's being continued.**

-Acceptable photo identification includes a valid driver's license, a state issued picture ID card, a passport, or a legal resident alien card.

-Acceptable proof of social security number may be provided from your social security card, a W-2 form from the most recent tax year, a recent pay stub from your employer, or some official document, not prepared by the debtor, which gives the debtor's name and social security number.

Note: A valid driver's license which contains the debtor's social security number may serve as both forms of documentation.

DELINQUENT PLAN PAYMENTS

You must stay current with your monthly Plan payments. If you do not, upon request of the Trustee, the Court may dismiss your case. If your case is dismissed, you will lose the protection against creditors provided by the U. S. Bankruptcy Code.

You should remit all Plan payments on or before the stated due date. Late payments may result in additional interest being accrued on any secured claims being paid through your plan. This additional interest may result in a funding shortfall at the end of your Plan term. Any funding shortfall must be cured before your case can be discharged.

DELINQUENT TAX RETURNS

Any unfiled tax returns must be filed no later than ***One Day*** preceding the date set for the first meeting of creditors or your case may be automatically dismissed. Attached are instructions from the Internal Revenue Service and the Arizona Department of Revenue regarding the filing of these past-due returns. You must provide the Trustee with signed, date-stamped copies of any late-filed returns.

TURNOVER OF FUTURE INCOME TAX REFUNDS AND RETURNS

To help the Trustee monitor present and future income and tax refund activity, the Trustee may require that debtor turnover to the Trustee copies of income tax returns(Federal and State) for the year in which you filed your case and for the two years immediately following the year your case was filed. If your case is filed in 2001, the Trustee may require copies of your returns for tax years 2001, 2002, and 2003, regardless of whether you receive refunds or are required to pay additional taxes. You may be required to turnover income tax refunds for the current and future years for use in paying your creditors.

REFUND OF PAYMENT IF YOUR CASE IS DISMISSED OR CONVERTED

In order to get a refund of you plan payments, it is critical you keep the trustee informed of your current address. If your case is dismissed or converted to chapter 7 before your plan is confirmed and you have made one or more pre-confirmation Plan payments, this money will be returned to you, less the Trustee's percentage fee and other Court-ordered payments. If converted or dismissed, your attorney may seek Court approval of legal fees that the Trustee would have to pay. If converted, any non-wage related payments received by the Chapter 13 may be turnover to the successor Trustee. The generally Trustee waits 30 days before processing any refunds.

NOTICE IS HEREBY GIVEN THAT INFORMATION RELATING TO YOUR CHAPTER 13 CASE WILL BE MADE AVAILABLE ON THE INTERNET TO YOUR CREDITORS AND PARTIES IN INTEREST

Pursuant to 11 U.S.C. §§ 704(7) and 1320 (b)(1), a Chapter 13 Trustee has the duty, unless otherwise ordered by the bankruptcy court, to furnish information concerning the administration of your bankruptcy case as is requested by parties in interest. In furtherance of this duty, the Chapter 13 Trustee will make the following information available to parties in interest who request such information:

Your name, address, bankruptcy case number, Trustee's name, and state and district in which your case is pending. Your social security number will not be visible to parties in interest, but they will be able to search for your bankruptcy case using your social security number. Your employer's name will not be displayed.

Information regarding claims filed in your bankruptcy case, including the identity of the claimant, the type of claim (e.g. priority, secured, unsecured), and the amount of the claim.

A history of all payments you make to the Chapter 13 Trustee in your bankruptcy case, including the date and amount of each payment.

A history of all disbursements made by the Chapter 13 Trustee in your bankruptcy case, including the date of the disbursement, payee and amount.

You may review, without charge, the above information about your Chapter 13 case that is posted on the internet for parties in interest.

The internet address where your information is posted is <http://www.13datacenter.com>, which is operated by the National Data Center, Inc. ("NDC"). If you believe the information about your case is inaccurate, please contact the Chapter 13 Trustee's office to report the error. Do not contact the NDC with questions about your bankruptcy case.

IF YOU HAVE QUESTIONS REGARDING THE ABOVE INFORMATION, PLEASE CALL THE TRUSTEE'S OFFICE AT (602) 277-3776.



Internal Revenue Service

210 East Earll Drive
MS 5014 PX
Phoenix, AZ 85012

Information Sheet - **FEDERAL TAXES**

If you need :

- Forms – call 1-800-829-3676 or access the web at www.irs.ustreas.gov
- Transcripts, statement of accounts, or W-2s – Submit **FORM 4506-T**
- Immediate confirmation that you are filing a return – **take it to the Phoenix address listed above.**

If you are listing the IRS as a creditor – the creditor address is –

**IRS
P.O.Box 21126
Philadelphia, PA 19114**

YOU HAVE NOT FILED YOUR STATE TAX RETURN(S)
YOUR CASE WILL BE DISMISSED

If outstanding tax returns are not filed prior to the first meeting of creditors, the Arizona Department of Revenue shall 1) seek a court order requiring the filing of the return(s) 2) seek the dismissal/conversion of your bankruptcy and/or 3) object to your bankruptcy plan.

In order to determine if you are required to file an original tax return or an amended tax return, consult the tax booklet for the tax period(s) in question.

I. IF YOU ARE REQUIRED TO FILE:

If you did not file and have all necessary information, prepare and submit your signed return to: (even if you live outside the Phoenix Area)

Arizona Department of Revenue
1600 W. Monroe, Room 720
Phoenix, Arizona 85007
Attn: Bankruptcy/Litigation Section

Be sure to attach any required copies of Federal Schedules, 1099's and W2's

If you have already filed the required return(s), submit a copy to the above listed address, even if you live outside the Phoenix area. For questions call (602) 716-7806.

II. IF YOU BELIEVE YOU ARE NOT REQUIRED TO FILE:

Submit an AFFIDAVIT signed under penalty of perjury, notarized, and dated, stating the reasons why you are not required to file returns. You are required to keep current as to your tax return(s) and liability(ies) that come due after your filing bankruptcy. Failure to do so shall result in dismissal/conversion of your case.

In the affidavit, list income from all sources, both taxable and non-taxable for each year. Send the signed, notarized affidavit to the above-listed address.

III. IF YOU NEED ADDITIONAL INFORMATION TO FILE YOUR RETURN(S):

W'2s OR 1099 – Contact your Employer(s)
If not received, contact the IRS

FORMS: Contact ADOR Licensing: (602) 542-4260

PRE-RECORDED INFORMATION: Call (800) 845-8192 (in-state only)

INTERNET WEB SITE ADDRESS: www.azdor.gov