

DATE: \_\_\_/\_\_\_/\_\_\_ HOW DID YOU HEAR ABOUT US? \_\_\_\_\_

Have you, your spouse, ex-spouse, co-signer, or any family member been represented by Robert R. Rexrode? Yes \_\_\_ No \_\_\_

Marital Status: Married \_\_\_ Single \_\_\_ Divorced \_\_\_ Separated \_\_\_ Widowed \_\_\_

NAME: \_\_\_\_\_ SSN: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ DOB: \_\_\_\_\_

SPOUSE'S NAME: \_\_\_\_\_ SSN: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ DOB: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_ Zip: \_\_\_\_\_ COUNTY: \_\_\_\_\_

HOME PHONE: ( ) \_\_\_\_\_ - \_\_\_\_\_

HUSBAND'S CELL: ( ) \_\_\_\_\_ - \_\_\_\_\_ HUSBAND'S E-MAIL: \_\_\_\_\_

WIFE'S CELL: ( ) \_\_\_\_\_ - \_\_\_\_\_ WIFE'S E-MAIL: \_\_\_\_\_

HOW WOULD YOU PREFER TO BE CONTACTED BY OUR OFFICE? \_\_\_\_\_

Person we may contact to reach you in an emergency: \_\_\_\_\_ Relationship: \_\_\_\_\_

Home Number: \_\_\_\_\_ Cell: \_\_\_\_\_

DEPENDANTS: TOTAL NUMBER OF PEOPLE IN YOUR HOUSEHOLD: \_\_\_\_\_

Son \_\_\_\_\_ Daughter \_\_\_\_\_ Age \_\_\_\_\_

Son \_\_\_\_\_ Daughter \_\_\_\_\_ Age \_\_\_\_\_

Son \_\_\_\_\_ Daughter \_\_\_\_\_ Age \_\_\_\_\_

Son \_\_\_\_\_ Daughter \_\_\_\_\_ Age \_\_\_\_\_

HUSBAND'S OCCUPATION: \_\_\_\_\_ HOW LONG? \_\_\_\_\_

EMPLOYER: \_\_\_\_\_ WORK PHONE NO: ( ) \_\_\_\_\_ - \_\_\_\_\_ Ext. \_\_\_\_\_

WIFE'S OCCUPATION: \_\_\_\_\_ HOW LONG? \_\_\_\_\_

EMPLOYER: \_\_\_\_\_ WORK PHONE NO: ( ) \_\_\_\_\_ - \_\_\_\_\_ Ext. \_\_\_\_\_

**PLEASE ANSWER YES or NO TO THE FOLLOWING**

Have you ever filed bankruptcy before? Yes \_\_\_ No \_\_\_

Have you lived in Tennessee for the last 180 days? Yes \_\_\_ No \_\_\_

Have you live outside Tennessee during the last 2 years? Yes \_\_\_ No \_\_\_

Have you filed tax returns for the past 3 years? Yes \_\_\_ No \_\_\_

(if you were required to file)

**PLEASE ESTIMATE THE BALANCES OWED ON THE FOLLOWING**

1. Taxes Owed: IRS \$ \_\_\_\_\_ State \$ \_\_\_\_\_ Property \$ \_\_\_\_\_

2. Student Loans: \$ \_\_\_\_\_

3. Back Child Support: \$ \_\_\_\_\_

4. Spousal Support (Alimony) \$ \_\_\_\_\_

5. Outstanding NSF checks (non-sufficient funds) \$ \_\_\_\_\_

**SECURED DEBTS**

**REAL ESTATE or MOBILE HOME:** Yes \_\_\_ No \_\_\_ County's TAX Appraised Value of Property \$ \_\_\_\_\_

1st Mtg. Payment \$ \_\_\_\_\_ per mo. Balance \$ \_\_\_\_\_ Behind: Yes \_\_\_ No \_\_\_

Name of Mortgage Holder: \_\_\_\_\_

2nd Mtg. Payment \$ \_\_\_\_\_ per mo. Balance \$ \_\_\_\_\_ Behind: Yes \_\_\_ No \_\_\_

Name of Mortgage Holder: \_\_\_\_\_ Do you have any additional mortgages? Yes \_\_\_ No \_\_\_

Address of any property listed in your name that is NOT your residence: \_\_\_\_\_

I do not own any land -> I rent \_\_\_\_\_ (OR) I do not own any land - I am buying under an Installment Land Contract \_\_\_\_\_

**VEHICLES:** (Car or Pickup)

1. Year:\_\_\_\_\_ Make:\_\_\_\_\_ Model:\_\_\_\_\_ Buying\_\_\_\_\_ Leased\_\_\_\_\_ Paid for\_\_\_\_\_  
 Resale Value \$\_\_\_\_\_ Monthly Payment \$\_\_\_\_\_ Balance Owed \$\_\_\_\_\_ Behind: Yes\_\_\_ No\_\_\_

2. Year:\_\_\_\_\_ Make:\_\_\_\_\_ Model:\_\_\_\_\_ Buying\_\_\_\_\_ Leased\_\_\_\_\_ Paid for\_\_\_\_\_  
 Resale Value \$\_\_\_\_\_ Monthly Payment \$\_\_\_\_\_ Balance Owed \$\_\_\_\_\_ Behind: Yes\_\_\_ No\_\_\_

3. Year:\_\_\_\_\_ Make:\_\_\_\_\_ Model:\_\_\_\_\_ Buying\_\_\_\_\_ Leased\_\_\_\_\_ Paid for\_\_\_\_\_  
 Resale Value \$\_\_\_\_\_ Monthly Payment \$\_\_\_\_\_ Balance Owed \$\_\_\_\_\_ Behind: Yes\_\_\_ No\_\_\_

**Any Recreational Vehicles, Motorcycles, Boats, or Other Vehicles:** Yes\_\_\_ No\_\_\_

1. What Type of Vehicle: \_\_\_\_\_ Own\_\_\_\_\_ Leased\_\_\_\_\_  
 Resale Value \$\_\_\_\_\_ Monthly Payment \$\_\_\_\_\_ Balance Owed \$\_\_\_\_\_ Behind: Yes\_\_\_ No\_\_\_

2. What Type of Vehicle: \_\_\_\_\_ Own\_\_\_\_\_ Leased\_\_\_\_\_  
 Resale Value \$\_\_\_\_\_ Monthly Payment \$\_\_\_\_\_ Balance Owed \$\_\_\_\_\_ Behind: Yes\_\_\_ No\_\_\_

**OTHER SECURED LOANS (Such as Rent-To-Own, Heat Pump, Time Share, Burial Property)**

<u>Name of Company</u>	<u>Mo. Payment</u>	<u>Balance Owed</u>	<u># of Pmts. Behind</u>
_____	\$ _____	\$ _____	_____
_____	\$ _____	\$ _____	_____

**UNSECURED DEBTS**

We need to know about ALL your debts, even if disputed or written off, including credit cards, charge accounts, medical, dental, personal loans, bad checks, auto accidents, etc. List the estimated total you owe in each category below. (You will be required to provide actual creditor names, addresses, balances and account numbers later.)

<u>TYPE OF DEBT</u>	<u>DATE MOST RECENTLY USED</u>	<u>ESTIMATED TOTAL AMOUNT DUE</u>
All Credit Cards:	_____	_____
All Hospital/Medical Bills:	_____	_____
All Personal Loans:	_____	_____
All Loans from Family Members:	_____	_____
All Loans from Friends:	_____	_____
All Bad Checks:	_____	_____
All Pay Day/Cash Advance Loans:	_____	_____
All Bills from Accident(s):	_____	_____
All Money owed Attorney(s):	_____	_____

Do you have any lawsuits filed against you? Yes\_\_\_ No\_\_\_  
 Do you have any judgments against you? Yes\_\_\_ No\_\_\_  
 Are your wages now being garnished? Yes\_\_\_ No\_\_\_  
 If so, by whom have they been garnished? \_\_\_\_\_  
 What Court was the lawsuit filed in? \_\_\_\_\_ Docket No. \_\_\_\_\_

Do you have a foreclosure pending (land)? Yes\_\_\_ No\_\_\_  
 Has a foreclosure **SALE** date been set? Yes\_\_\_ No\_\_\_ Date **SALE** set \_\_\_\_/\_\_\_\_/\_\_\_\_

Are you or your spouse self-employed, a business (co-)owner, or receiving 1099's for income earned: Yes: \_\_\_\_\_ No: \_\_\_\_\_

Have you or your spouse received any bonuses from employers in the last 6 months? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Have you or your spouse been unemployed or suffered a reduction in wages in the last 6 months? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Have you or your spouse received any payments from insurance companies in the last 6 months? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Have you or your spouse given any money to relatives/friends/co-workers in the last year? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Have you or your spouse received or become eligible to receive any inheritances in the last 6 months? Yes: \_\_\_\_\_ No: \_\_\_\_\_

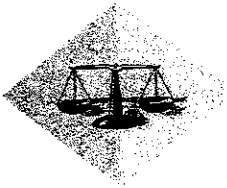
### **INCOME and EXPENSES**

#### Income:

Your Total Monthly Gross (Before Deductions) .....	\$ _____
Spouse's Total Monthly Gross (Before Deductions) .....	\$ _____
Any Other Monthly Income: _____ .....	\$ _____
(including people living with you) .....	\$ _____
 TOTAL MONTHLY INCOME .....	 \$ _____

#### Expenses:

Rent/Mortgage .....	\$ _____
Homeowners Assn./Space Rent Payments	
Utilities:	
Electricity & Gas \$ _____	
Water \$ _____	
Phone \$ _____	
Cable \$ _____	
Other \$ _____	
TOTAL UTILITIES .....	\$ _____
Cell Phone .....	\$ _____
Internet Service .....	\$ _____
Food and Household .....	\$ _____
Clothing (Including Haircuts, Personal Grooming, etc.) . . .	\$ _____
Laundry and Cleaning .....	\$ _____
Newspapers, Magazines, Books, School Books, etc. . . . .	\$ _____
Medical, Dental, Medicines .....	\$ _____
Insurance:	
Auto Insurance \$ _____	
Health Insurance \$ _____	
Life Insurance \$ _____	
Homeowners/Renters \$ _____	
TOTAL INSURANCE .....	\$ _____
Auto Operating Costs (gas, oil, maintenance) .....	\$ _____
Child Support or Spousal Support (alimony) .....	\$ _____
Child Care .....	\$ _____
Automobile Payments:	
1st Auto Payment \$ _____	
2nd Auto Payments \$ _____	
TOTAL AUTOMOBILE PAYMENTS .....	\$ _____
Other Installment Payments:	\$ _____
	\$ _____
TOTAL OTHER INSTALLMENTS PAYMENTS .....	\$ _____
Other Living Expenses .....	\$ _____
Charitable Contributions .....	\$ _____
 TOTAL MONTHLY EXPENSES	 \$ _____



# ROBERT R. REXRODE ATTORNEY-AT-LAW

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Paralegal  
Susan Long

Robert R. Rexrode, Esq.

## INITIAL CONSULTATION AGREEMENT AND REQUIRED NOTICES

Please Note: These documents and disclosures are required by legislation adopted by Congress in 2005, after intense lobbying by the credit card industry. In our opinion, they are designed to scare and intimidate good people who have had bad things happen to them, and need a fresh start. These Notices are based on the false assumption that all people who consider bankruptcy relief are dishonest. Please rest assured- so long as you meet the requirements set forth under the law, you are entitled to debt relief and a fresh start. We can guide you through all requirements of filing for bankruptcy, so long as you provide us accurate and complete information.

Today, I had an initial consultation with the law firm of *Robert Rexrode*. I was advised that the law firm is a debt relief agency as defined in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA), and that the law firm helps people file for relief under the bankruptcy code.

There is no charge for the initial consultation. The following services are provided at the initial consultation:

A description of the relief available, the benefits and the risks of filing for bankruptcy under sections 7, 11, 12, and 13 of the Bankruptcy Code.

An analysis, based on the information and documents provided by me, if any, of my income, expenses, assets, and liabilities. This analysis is only preliminary, since the law firm does not have all of the information and documents that will be required to fully evaluate my situation.

If it has appeared from this analysis that bankruptcy may be an appropriate remedy for me, a discussion of the information and documents I will need to provide to the law firm. If it has appeared from today's analysis that bankruptcy may not be an appropriate remedy for me, a discussion of other possible alternatives.

I have been informed and agree that the law firm will not provide any services or bankruptcy assistance to me at this time, other than specifically stated in this Agreement. It is understood that the law firm will not provide any other legal services to me and will not file bankruptcy for me unless and until the Bankruptcy Questionnaire has been fully completed, all documents and information requested have been provided, and I have received a certification and budget analysis from an approved credit counseling agency. Should I wish the law firm to provide additional services, including the filing of bankruptcy, I will sign a separate retainer agreement detailing such services and their cost.

### BAPCPA REQUIRED NOTICE NO. 1 (§ 342(b)(1) and 527(a)(1) OF THE BANKRUPTCY CODE) PURPOSES, BENEFITS AND COSTS OF BANKRUPTCY

This discussion is intended only as a brief overview of the types of bankruptcy. You should not decide whether or not to file for bankruptcy relief solely on this information, Bankruptcy law is complex, and there

are many considerations that must be taken into account in making the determination whether or not to file. Anyone considering bankruptcy is encouraged to make a decision only after seeking the advice and assistance of an experienced bankruptcy attorney.

The origins of bankruptcy, and forgiveness of debts in general, can be traced back to biblical underpinnings. Specifically, Leviticus 25 introduces the "Jubilee Year," which is directly parallel to our modern American bankruptcy construct: the "Fresh Start." Bankruptcy is a legal way to relieve the burdens of overwhelming debt. In many situations bankruptcy is the only way to keep your house from foreclosure, your car from repossession, your possessions from auction and creditors from making your life miserable.

When a person is discharged in bankruptcy, he or she is relieved from liability for most debts incurred before the bankruptcy was filed and protected from future collection of those debts. The purpose of bankruptcy is to give you a "fresh start."

## **Types of Bankruptcy**

The Bankruptcy Code is divided into chapters, the chapters that usually apply to consumers are Chapter 7, where most or all debts are wiped out completely with no repayment plan, and Chapter 13, which involves a repayment plan.

In most cases, once you file your case, the "Automatic Stay" immediately goes into effect. The Automatic Stay means that a bankruptcy filing automatically stops, or stays, and brings to a halt most lawsuits, repossessions, foreclosures, evictions, garnishments, attachments, utility shut-offs, and debt collection harassment. Generally, creditors cannot take any further action against you or your property without permission from the Bankruptcy Court.

**Chapter 7:** For Consumers having financial difficulty who are unable to meet creditor repayment demands.

Under the changes to the Bankruptcy Code which took effect October 17, 2005, you can usually qualify for Chapter 7 if your average gross monthly income for the last six months is below your state's "Median Income," your gross income less certain expenses is below your state's Median Income, or you can show "Special Circumstances" that would allow you to qualify for Chapter 7. The Filing Fee for Chapter 7 is now \$299.00.

Under Chapter 7, you can usually "exempt," or keep, most or all of your assets under Tennessee Law, or if you have not lived in Tennessee for the past two years, under the state's exemption law that applies to your case. Most retirement accounts and pensions are also exempt. Secured property, normally your car and house, may not have any net equity, in which case you can maintain possession of those as well. The Trustee liquidates most non-exempt property and uses the proceeds to pay creditors according to priorities of the Bankruptcy Code.

Once a Chapter 7 case is complete, you receive a Discharge. The Discharge makes it unlawful for creditors take any steps to collect unsecured debts included in bankruptcy. They cannot call you, sue you, or take any action which could be considered an attempt to collect a debt! If you want to keep property that has a lien on it, you must keep your payments current, and you will be required to "Reaffirm" the debt. Some debts can not be discharged in bankruptcy. Typical examples are child support, alimony, and other domestic support obligations, some taxes, student loans, fraud, criminal restitution, and debts resulting from the death or personal injury caused by operating a vehicle while intoxicated with alcohol or drugs.

**Chapter 13:** For Consumers with the ability to enter into a meaningful repayment plan.

Chapter 13 is a valuable tool that allows consumers to catch up on overdue mortgage or car payments, taxes, and domestic support obligations. It also applies where you have the ability to repay some or all debts over time. You must have less than \$307,675 in unsecured debt (such as credit cards and doctor's

bills) and less than \$922,975 in secured debt (such as mortgages and car loans) to qualify for chapter 13. The filing fee for chapter 13 is \$274.00.

Under chapter 13, you keep all property, both exempt and non-exempt, as long as you resume making regular payments on secured debt and keep current under the repayment plan that you propose. A repayment plan can last for up to five years. After finishing your payments, most unsecured debts are discharged.

**Chapter 11:** Designed primarily for business reorganization, but is also available to consumers. It's provisions are quite complex. In the majority of cases, chapter 11 is unnecessary and too expensive for most consumer debtors. The filing fee for chapter 11 in most cases is \$1,039.00.

**Chapter 12:** Designed to allow "Family Farmers" to repay debts over a period of time, and is in many ways similar to chapter 13. The filing fee for Chapter 12 is \$239.00

**Credit Counseling:** Reputable and honest credit counselors, although rare, can advise you on organizing your money and debts. They may also be able to develop a plan to help you manage debts. Unfortunately, many credit counselors are not reputable and charge high fees and contributions that will cause you to fall deeper into debt and damage your credit rating. Furthermore, many misrepresent their non-profit status and/or their affiliations with religious or charitable organizations, and are little more than collection agents for credit card companies.

Under the changes to the Bankruptcy Code which took effect October 17, 2005, you are now required to take two short credit counseling courses, one before you file bankruptcy, and one after you have filed. We will refer you to a reputable credit counselor who has been approved by the United States Trustee for such courses.

**BAPCPA REQUIRED NOTICE NO. 2 (§ 527(a)(2) OF THE BANKRUPTCY CODE)  
NOTICE OF MANDATORY DISCLOSURE TO CONSUMERS WHO CONTEMPLATE BANKRUPTCY**

1. All information that the assisted person is required to provide with a petition thereafter during a case under this title is required to be complete, accurate, and truthful.
2. All assets and liabilities are required to be completely and accurately disclosed in the documents filed to commence the case, and the replacement value of each asset as defined in Section 506 must be stated in those documents where requested after reasonable inquiry to establish such value.
3. Current monthly income, the amounts specified in section 707(b)(2) and, in a case under chapter 13 of this title, disposable income (determined in accordance with section 707(b)(2)), are required to be stated after reasonable inquiry.
4. Information that an assisted person provides during their case may be audited pursuant to this title, and that failure to provide such information may result in dismissal of the case under this title or other sanction, including criminal prosecution.

**BAPCPA REQUIRED NOTICE NO. 3 (§ 342(b)(2) OF THE BANKRUPTCY CODE)  
FRAUD AND CONCEALMENT PROHIBITED**

If you decide to file bankruptcy, it is important that you understand the following:

1. Some or all of the information you provide in connection with your bankruptcy case will be filed with the bankruptcy court on forms or documents that you will be required to sign and declare as true under penalty of perjury.
2. A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury in connection with a bankruptcy case shall be subject to fine, imprisonment, or both.
3. All information you provide in connection with your bankruptcy case is subject to examination by the Attorney General.

**BAPCPA REQUIRED NOTICE NO. 4 (§ 521(b) OF THE BANKRUPTCY CODE)  
IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES**

If you decide to seek bankruptcy relief, you can hire a qualified attorney to represent you, or you can represent yourself (act as your own attorney throughout the legal process) by seeking assistance from a bankruptcy petition preparer who is not an attorney. **THE LAW REQUIRES AN ATTORNEY OR BANKRUPTCY PETITION PREPARER TO GIVE YOU A WRITTEN CONTRACT SPECIFYING WHAT THE ATTORNEY OR BANKRUPTCY PETITION PREPARER WILL DO FOR YOU AND HOW MUCH IT WILL COST.** Ask to see the contract before you hire anyone.

The following information helps you understand what must be done in a routine bankruptcy case to help you evaluate how much service you need. An attorney can help guide you through this intricate process, making it easier and less stressful for you.

Before filing a bankruptcy case, either you or your attorney should analyze your eligibility for different forms of debt relief available under Bankruptcy Code and evaluate which form of relief is most likely to be beneficial for you. Be sure you understand the relief you can obtain and its limitations. To file a bankruptcy case, the Petition, Schedules, and Statement of Financial Affairs, as well as Statement of Intention, Statement of Related Cases (in some jurisdictions), and Certification of Master Mailing List, must be prepared, completed correctly, and filed with the Bankruptcy Court. Once your case begins, you will have to attend the required "first meeting of creditors" where you will be questioned under oath by a court appointed official called a "trustee," and in rare cases, by creditors.

If you choose to file a chapter 7 case, you may be asked by a creditor to "reaffirm" a debt. You may want help deciding whether to do so. It is unlawful for a creditor to coerce you into reaffirming your debts. In certain instances, it may be in your best interest to reaffirm a debt.

If you choose to file a chapter 13 case in which you repay creditors over a period of time, you may also want help preparing your chapter 13 plan and addressing the Court at the confirmation hearing which is held before a bankruptcy judge.

If you select another type of relief under the Bankruptcy Code other than chapter 7 or chapter 13, you will want to find out what should be done from someone familiar with that type of relief. However, please be advised that the vast majority of consumer bankruptcy cases are filed under chapter 7 or chapter 13.

Some bankruptcy cases may also involve litigation. Consumers are generally permitted to represent themselves personally in litigation in bankruptcy court including trials.

**Please Note:** Only attorneys can give you legal advice; it is unlawful for bankruptcy petition preparers or paralegals to give legal advice.

**ACKNOWLEDGEMENT OF RECEIPT**

I acknowledge that I have received from Robert R. Rexrode, a copy of each of the following documents:

1. Consultation Agreement
2. Notice Mandated by Sections 342(b)(1) and 527(a)(1) of the Bankruptcy Code
3. Notice Mandated by Sections 527(a)(2) of the Bankruptcy Code
4. Notice Mandated by Sections 342(b)(2) of the Bankruptcy Code

I further acknowledge that I have been advised by Robert Rexrode. That they *proudly* engage in the business of helping people file for bankruptcy relief and start fresh under Title 11 of the United States Code, and will continue to do so after October 17, 2005 as a *federally designated Debt Relief Agency*.

If my spouse was not present when I received a copy of these notices, I hereby also acknowledge receipt of said notices on behalf of my spouse, and promise to provide my spouse with either a copy of these notices or the opportunity to read and review the copy I received.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Prospective Client

\_\_\_\_\_  
Prospective Co-Client (if present)