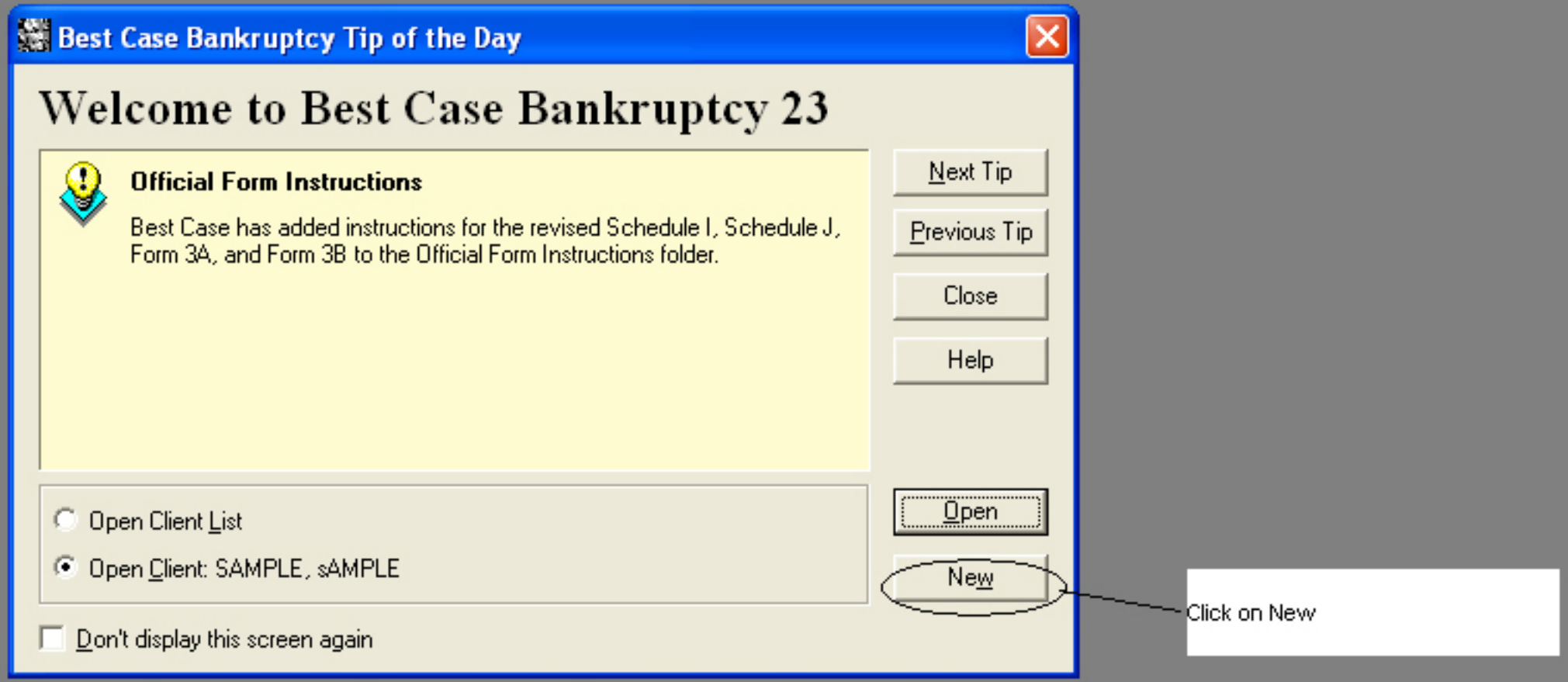
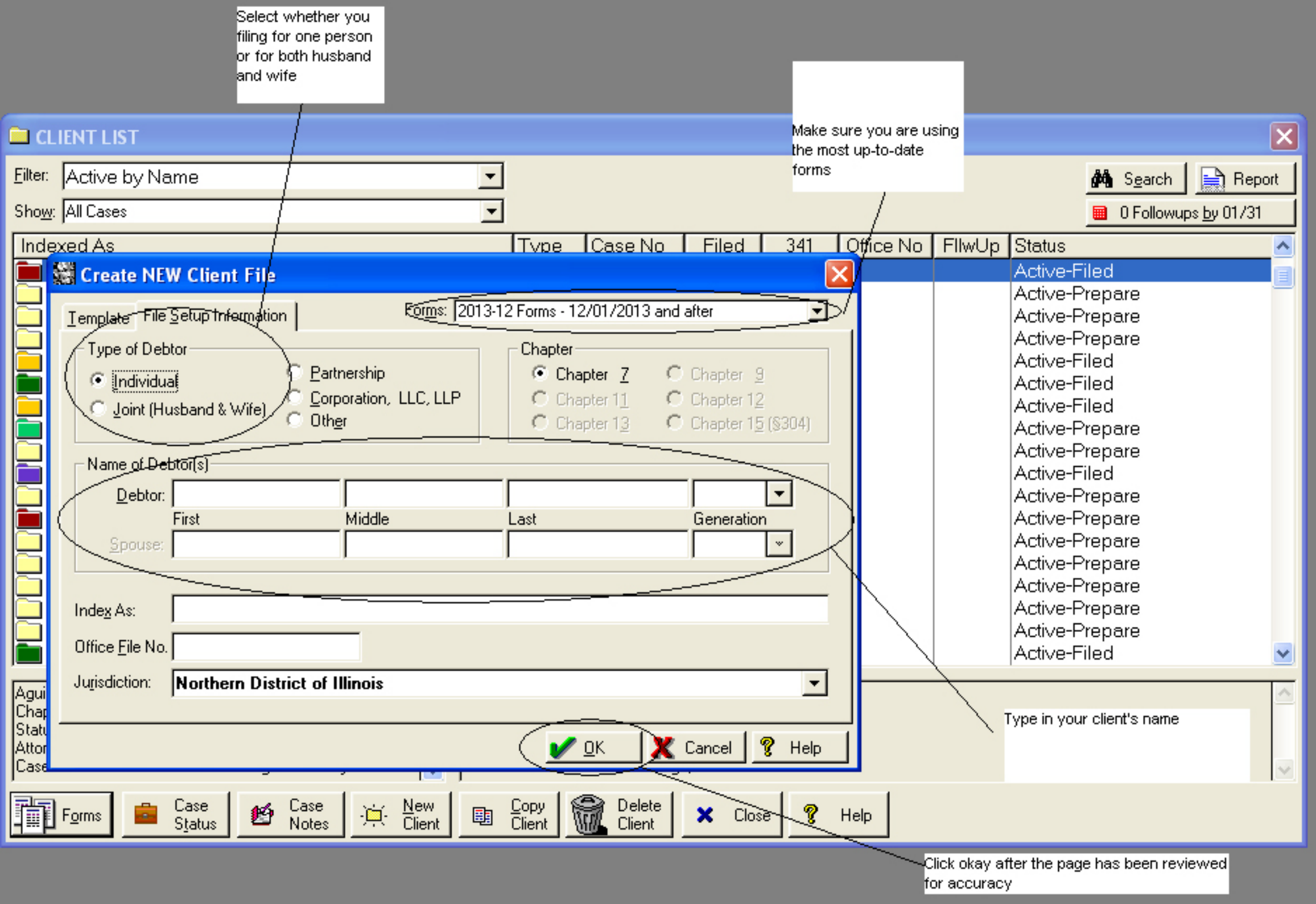

Best Case Bankruptcy Tip of the Day
Welcome to Best Case Bankruptcy 23
Official Form Instructions
Best Case has added instructions for the revised Schedule I, Schedule J, Form 3A, and Form 3B to the Official Form Instructions folder.
Next Tip
Previous Tip
Close
Help
Open Client List
Open Client: SAMPLE, sAMPLE
Open
New
Don't display this screen again
Click on New


Select whether you filing for one person or for both husband and wife
Make sure you are using the most up-to-date forms
CLIENT LIST
Filter: Active by Name
Show: All Cases
Search
Report
0 Followups by 01/31
Indexed As
Type
Case No
Filed
341
Office No
FllwUp
Status
Active-Filed
Active-Prepare
Active-Prepare
Active-Prepare
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Active-Prepare
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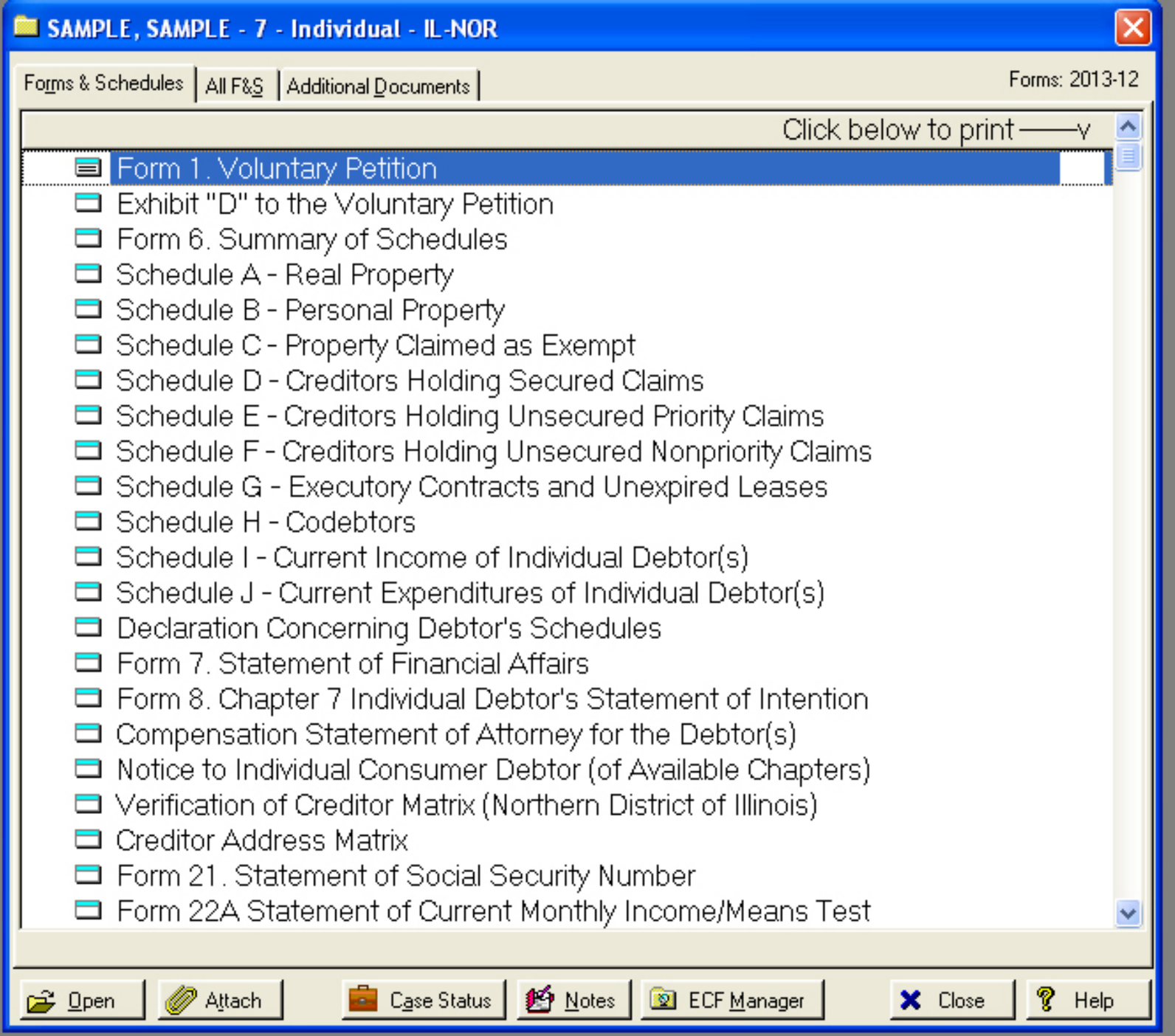
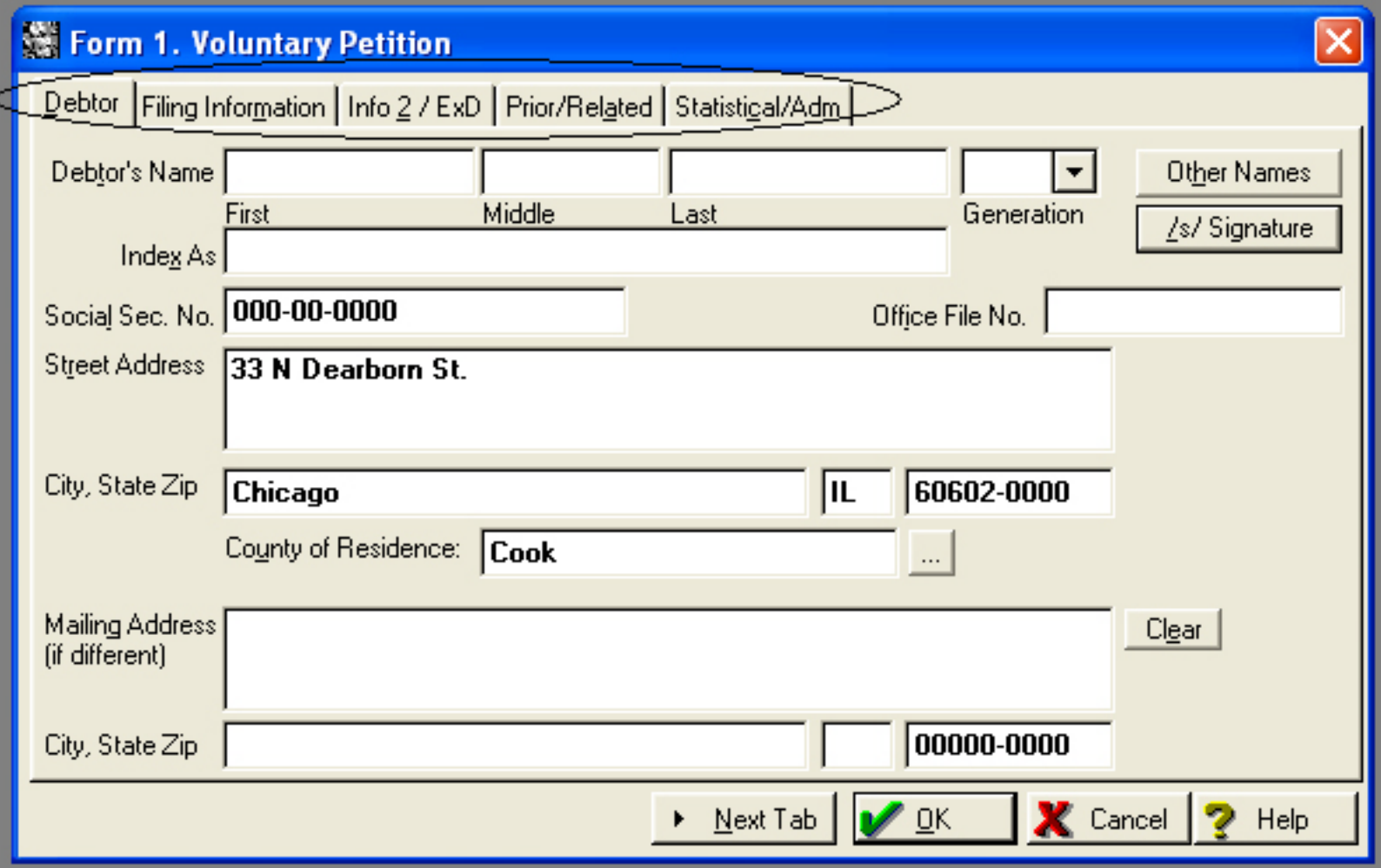
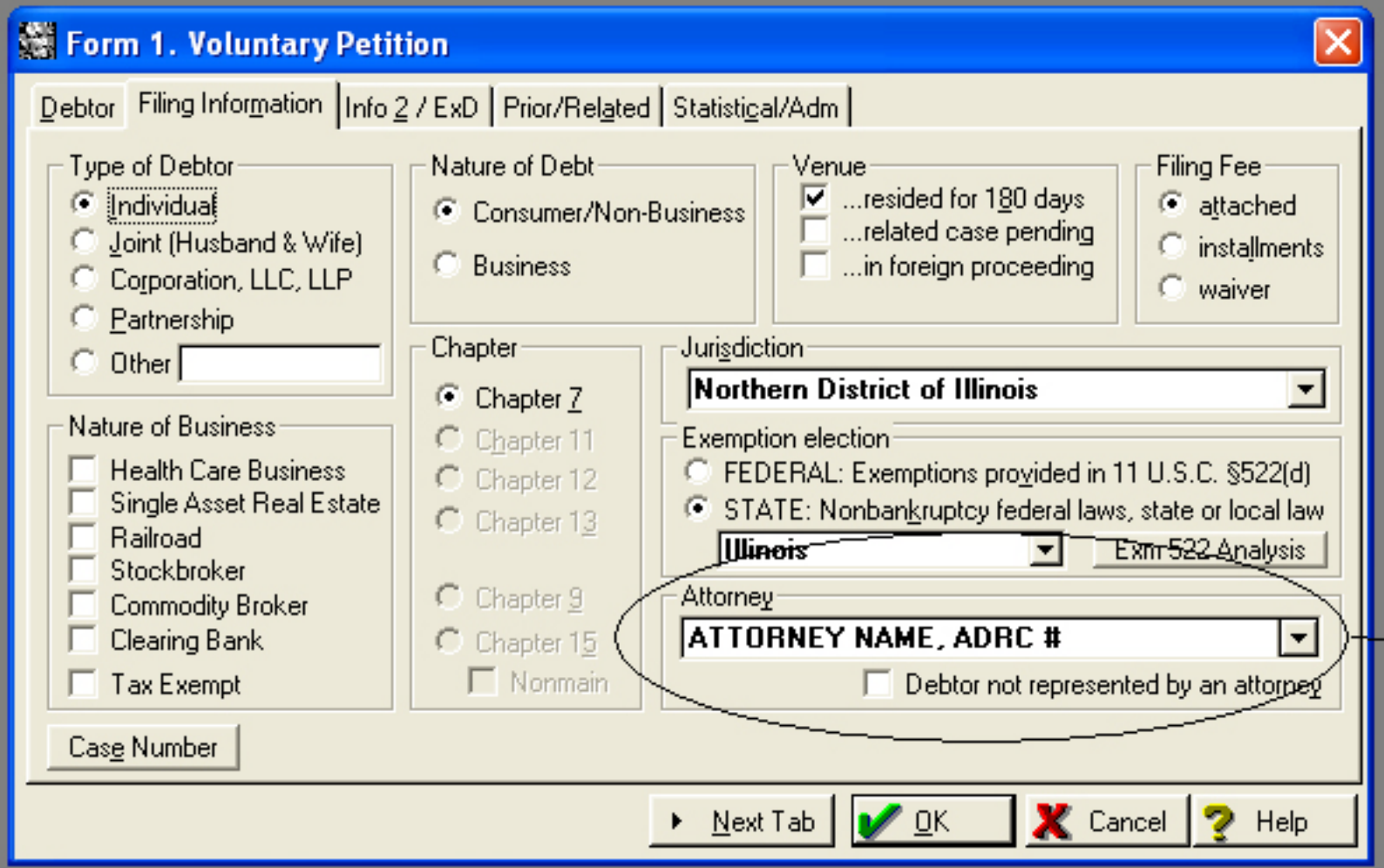
Active-Prepare
Active-Prepare
Active-Prepare
Active-Prepare
Active-Filed
Create NEW Client File
Template
File Setup Information
Forms: 2013-12 Forms - 12/01/2013 and after
Type of Debtor
Individual
Joint (Husband & Wife)
Partnership
Corporation, LLC, LLP
Other
Chapter
Chapter 7
Chapter 9
Chapter 11
Chapter 12
Chapter 13
Chapter 15 (§304)
Name of Debtor(s)
Debtor:
Spouse:
First
Middle
Last
Generation
Index As:
Office File No.
Jurisdiction: Northern District of Illinois
OK
Cancel
Help
Type in your client's name
Forms
Case Status
Case Notes
New Client
Copy Client
Delete Client
Close
Help
Click okay after the page has been reviewed for accuracy

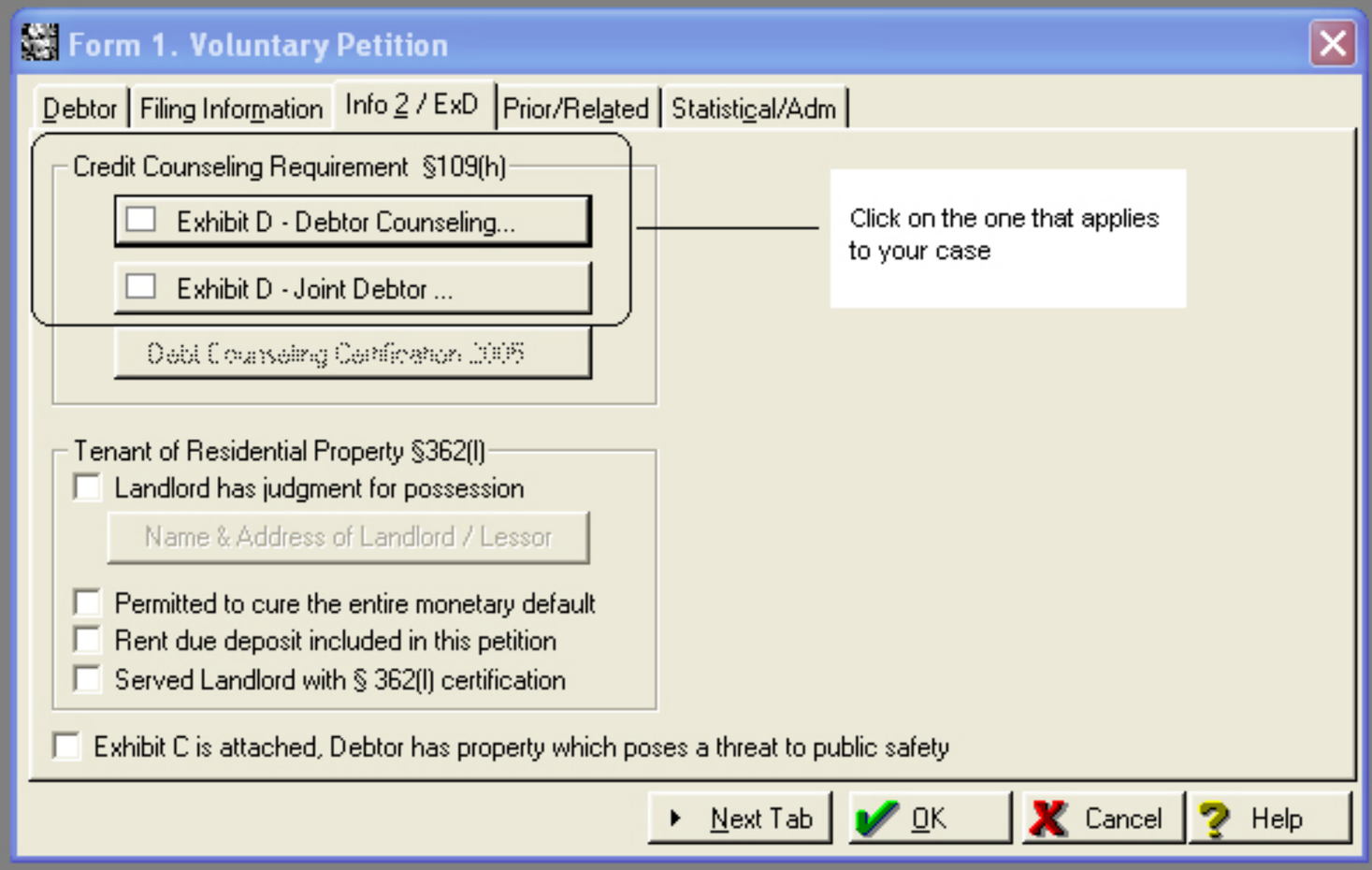
This page includes all of the forms and schedules you will need to prepare a Chapter 7 bankruptcy petition.



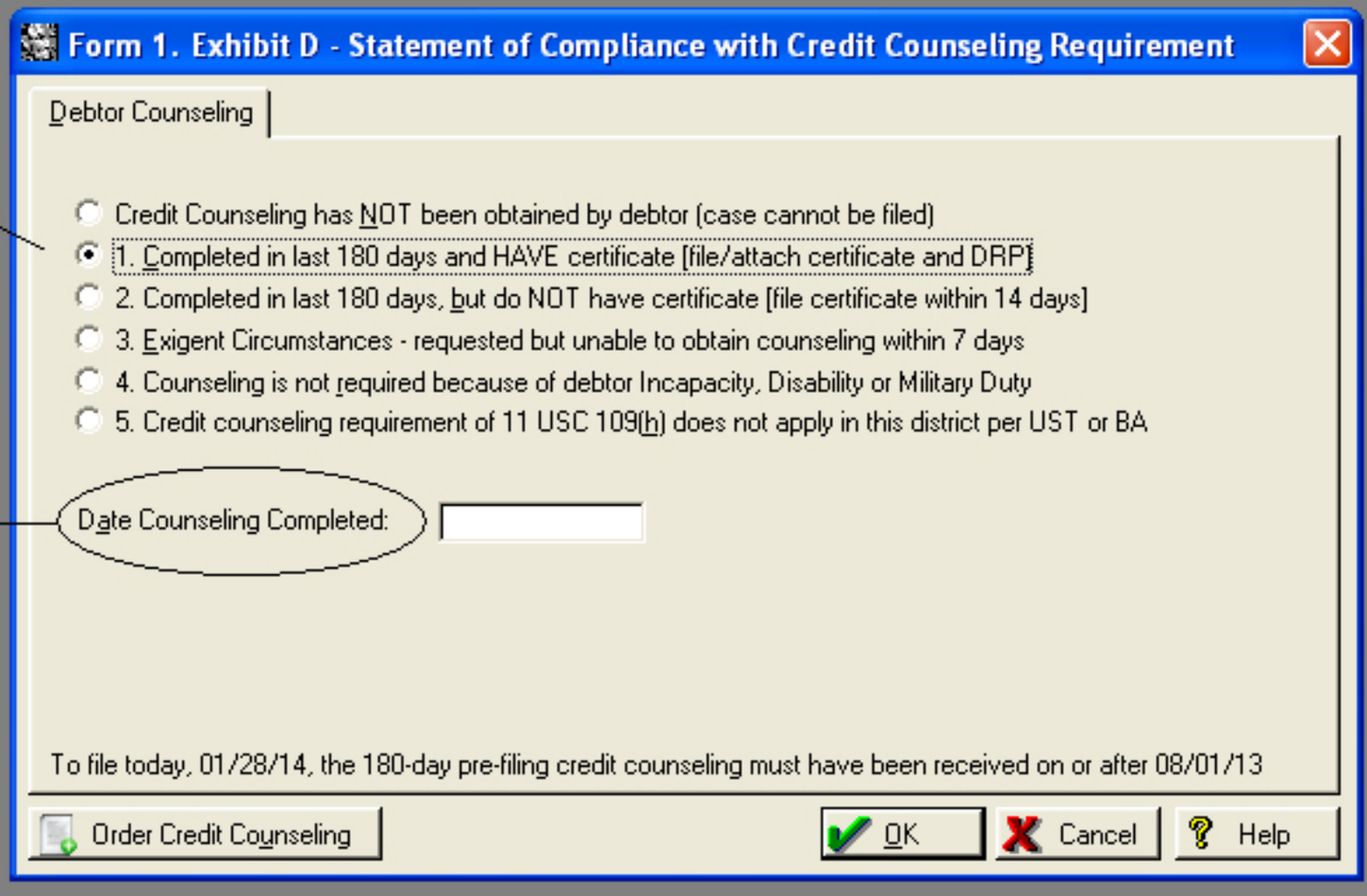
Most forms will have multiple tabs. Make sure to click each tab to ensure that all required information is filled out.




Form 1. Voluntary Petition
Debtor
Filing Information
Info 2 / ExD
Prior/Related
Statistical/Adm
Type of Debtor
Individual
Joint (Husband & Wife)
Corporation, LLC, LLP
Partnership
Other
Nature of Debt
Consumer/Non-Business
Business
Venue
...resided for 180 days
...related case pending
...in foreign proceeding
Filing Fee
attached
installments
waiver
Nature of Business
Health Care Business
Single Asset Real Estate
Railroad
Stockbroker
Commodity Broker
Clearing Bank
Tax Exempt
Chapter
Chapter 7
Chapter 11
Chapter 12
Chapter 13
Chapter 9
Chapter 15
Nonmain
Jurisdiction
Northern District of Illinois
Exemption election
FEDERAL: Exemptions provided in 11 U.S.C. §522(d)
STATE: Nonbankruptcy federal laws, state or local law
Illinois
Exm 522 Analysis
Attorney
ATTORNEY NAME, ADRC #
Debtor not represented by an attorney
Case Number
Next Tab
OK
Cancel
Help
Type in your Name and ARDC #

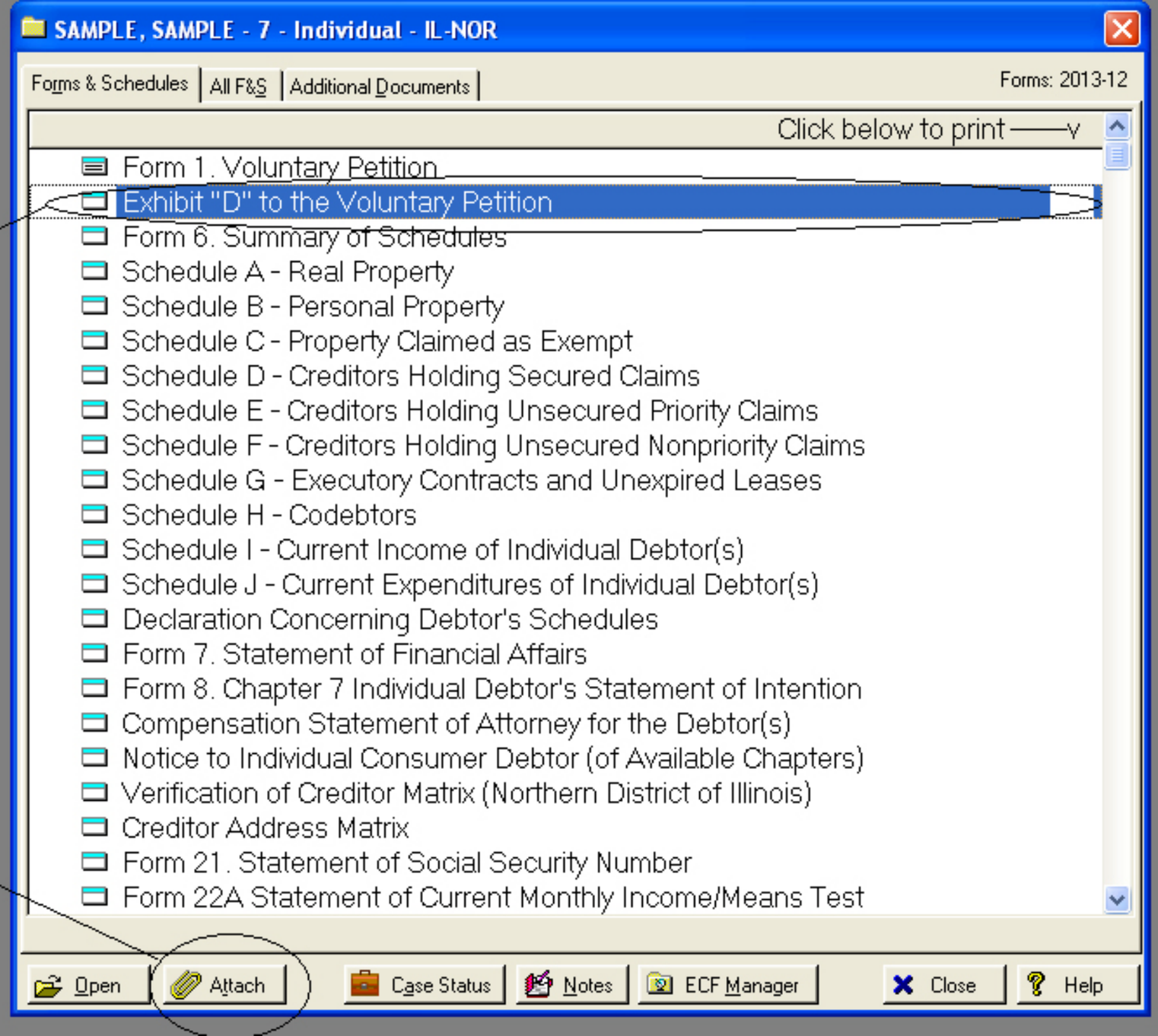


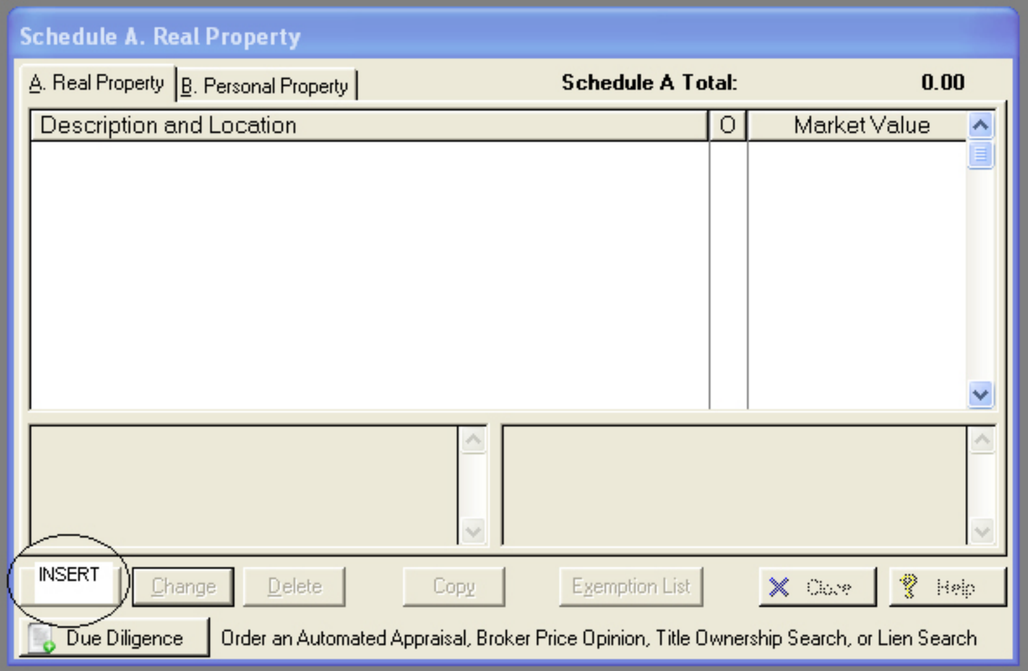
Select the option that applies to your case.

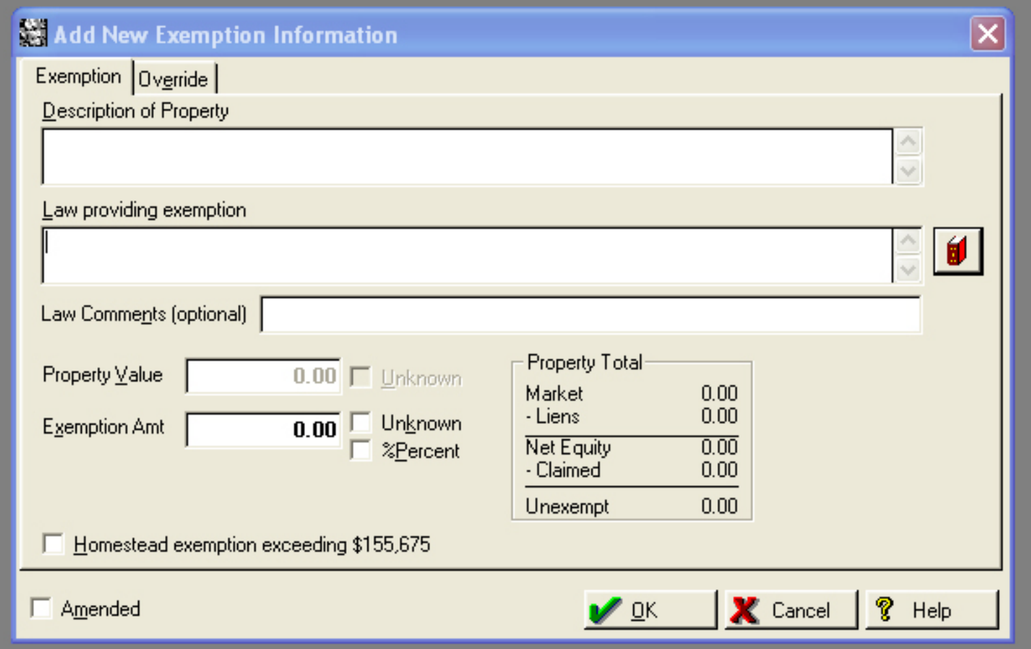


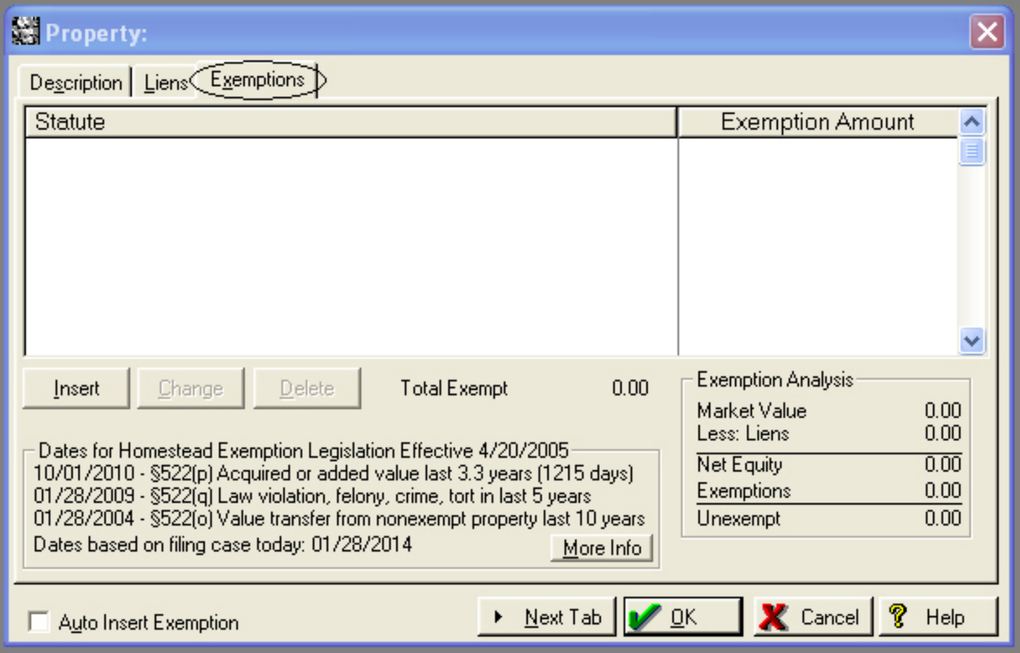
If client already completed counseling, insert date completed here.

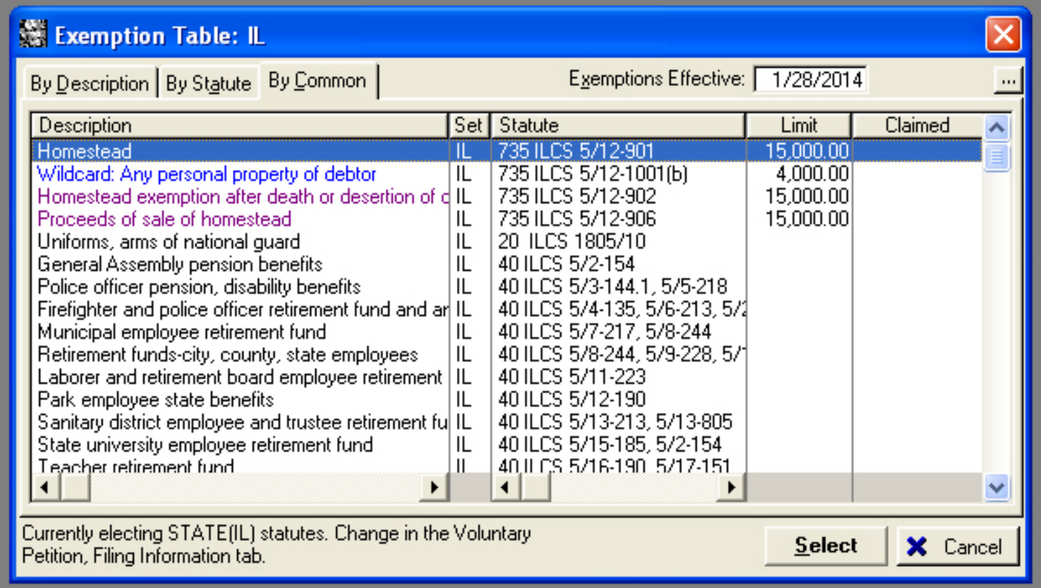
Exhibit D: Once your client completes the pre-filing credit counseling course and you will receive a copy of their certificate, scan the certificate and save it on the computer as "CCC.pdf in C:\ECF\Debtor's name. In Best Case, put your cursor on "Exhibit D" so that it is highlighted. Scroll down to the bottom of the screen and click "Attach." Click "Insert" and choose "Existing PDF File" from the drop down list. Find the CCC.pdf file in the C: Drive and chose it. Check the appropriate box so that the document appears "After Form."





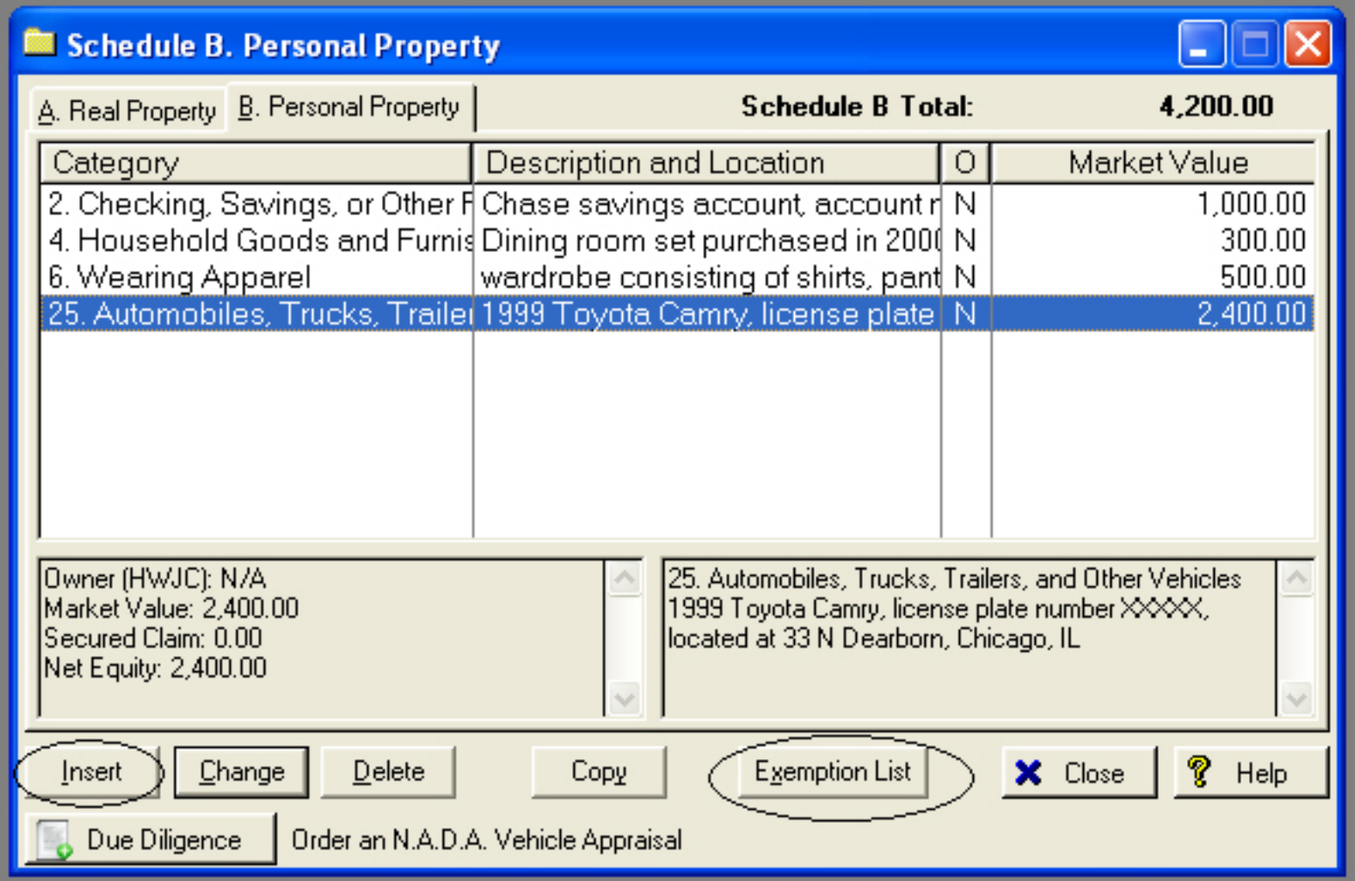






Schedules A through C: Client's Assets. This is where your work comes in. These schedules must be filled out carefully and with thought. Everything your client owns must be listed in either Schedule A (Real property) or Schedule B (personal property). Everything your client has interest in will equal the bankruptcy estate.

Schedule A: Real Property. If there is no real property then either type in "NONE" or leave this form blank. If your client does have real property then you will need to determine its value. If applicable, remember to select the "homestead exemption."



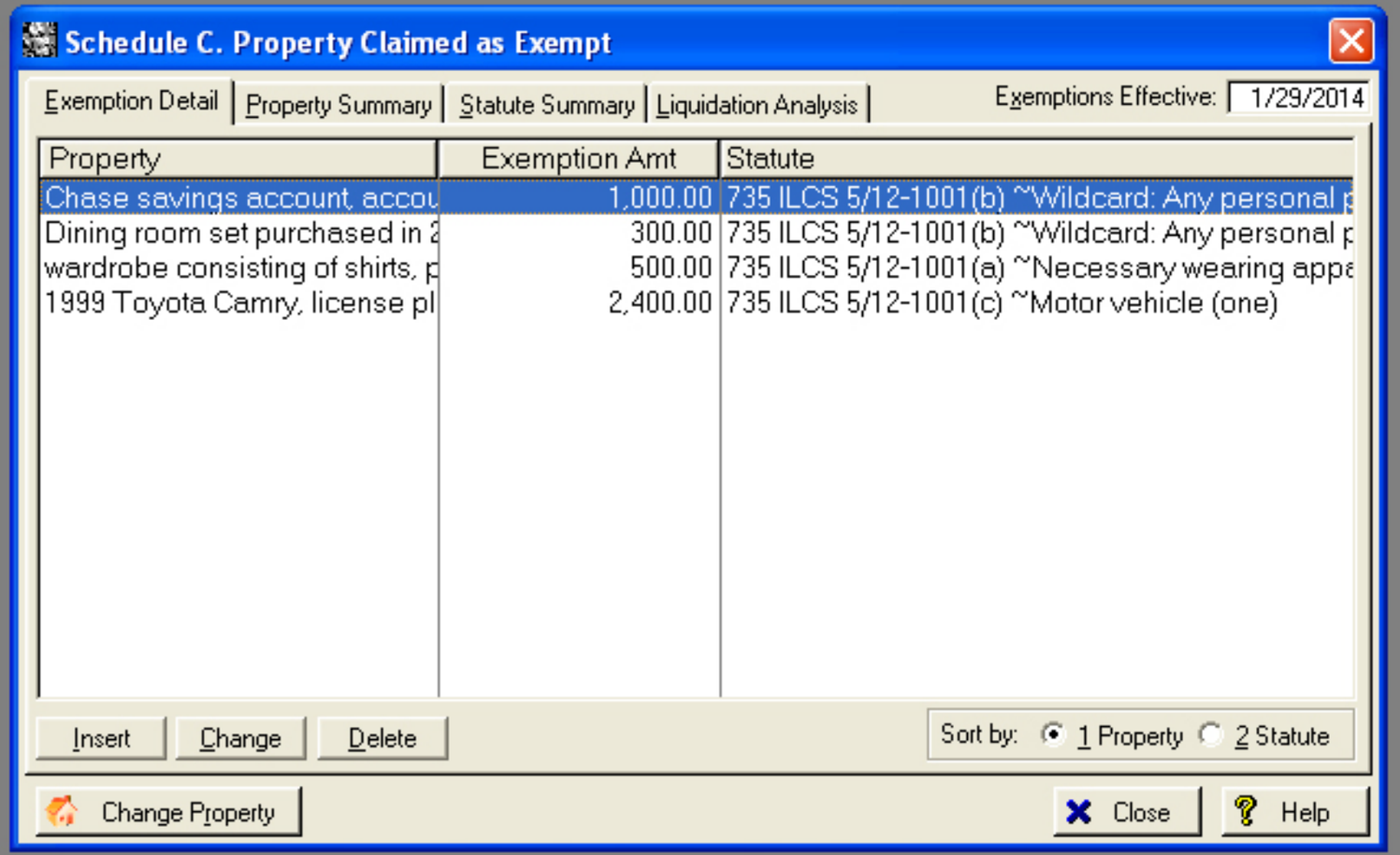
Schedule B: This schedule is used to list all of your client's personal property. When determining the value of the property, clients will often state the price they paid for their furniture and electronics. Suggest to them that they should consider the price their belongings would fetch late in the afternoon on the second rainy day at a neighborhood garage sale. That is probably a more accurate estimate of the property's actual value. For vehicles, check the Kelly Blue Book Any pending or potential causes of actions should be included in this schedule.

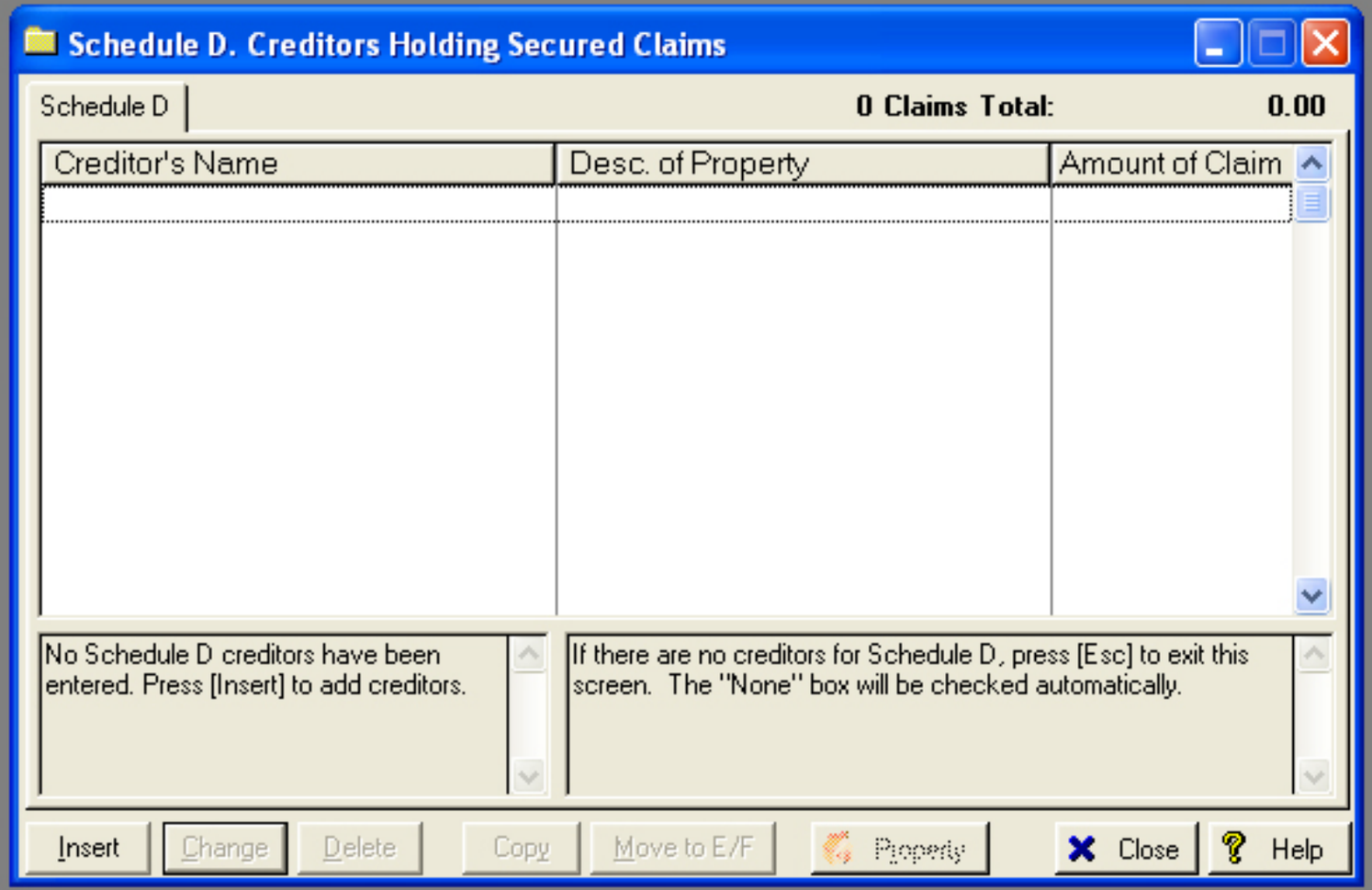
Schedule C: Property Claimed as Exempt. This Schedule is why you must carefully value your client's personal property. Your client gets to keep exempt property -- if the client's belongings are equal to or less than the allowed exemptions; the Bankruptcy Trustee will not claim those items for the bankruptcy estate.

On the other hand, the Trustee is supposed to carefully review these schedules. The Trustee's job is to collect all non-exempt assets for distribution to the creditors. He or she will be on the lookout for fraud, or under-valuation of property. Make sure your client's valuation is reasonable and sustainable.

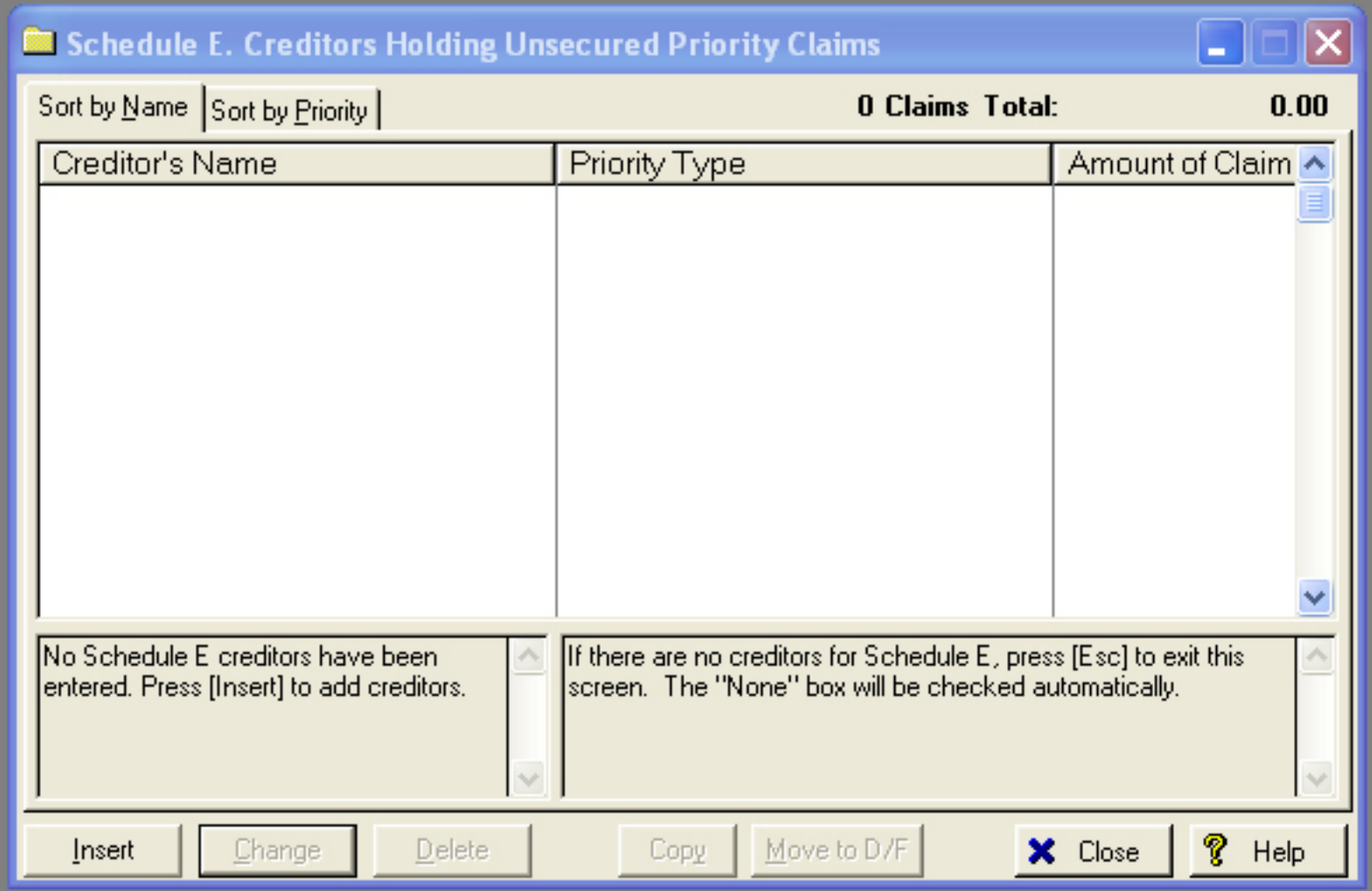
Schedule C lists all the exemptions you selected to be applicable to your client's property. Review this schedule thoroughly to ensure that all applicable exemptions have been selected.

Property exemptions for bankruptcies filed in Illinois are governed by the Illinois Code of Civil Procedure, 735 ILCS 5/12 - Parts 9 and 10. If your client's property falls substantially above these exemptions, you may want to consider an alternative to a Chapter 7, such as a Chapter 13 or a non-bankruptcy settlement.





Schedule D creditors are those holding security interests or liens on the debtor's property. Secured debts include: mortgages, car loans, real property taxes, water bills (only if your client actually owns the property), property held by a pawn broker, IRS liens, and when a citation to discover assets has been issued. If your client does not have any secured debts, the "NONE" box will be checked automatically.



Schedule E includes priority creditors of unsecured debts such as taxing bodies (unless taxes were due more than three years after filing), child support (non-dischargeable) alimony (maintenance), and those with employee or consumer deposit claims against your client.

Schedule F. Creditors Holding Unsecured Nonpriority Claims

Schedule F | By Amount — 0 Claims Total: 0.00

Creditor's Name	Acct #	Consideration	Amount of Claim

No Schedule F creditors have been entered. Press [Insert] to add creditors.

If there are no creditors for Schedule F, press [Esc] to exit this screen. The "None" box will be checked automatically.

Insert | Change | Delete | Copy | Move to D/E | Find Acct# | Close | Help

TO INSERT A CREDITOR CLICK "INSERT" & THE BOX BELOW WILL APPEAR. AFTER ALL THE INFORMATION IS FILLED OUT, CLICK ON THE "OKAY' BUTTON.

FILL AS MUCH OF THIS OUT AS YOU CAN.

Unsecured Creditor Information: Accounts

Creditor Information | Codebtors | Add'l Notice | Notes / POC

Creditor Name
Street Address
City, State Zip — 00000-0000
Account No.
Date Incurred
Consideration
Claim Amount 0.00 Unknown

Do Not Print/Total on Sch F
Exclude from Mailing Matrix
Add to CCL
H, W, J, C: NA
Contingent
Unliquidated
Disputed
Mask on Form
Subject to Setoff

PND Statistics 28 USC§159
- N/A §523(a) Exception
- Student Loan (8)
- Support, Sep, Divorce (15)
- Pension (18)

Amended | Next tab | OK | Cancel | Help

Schedule F is for general unsecured creditors. This is a catch all schedule and includes all debts not included under Schedules D and E including: student oans (list them even though they are most likely non-dischargeable), credit cards, medical bills, repossession fees, welfare overpayments, and co-signed debts. If your client disputes owing a debt, still list the debt and check the box that states "disputed." All unsecured, non-priority debts should be listed in Schedule F including non-dischargeable debts.

Schedule G. Executory Contracts and Unexpired Leases

Contracts and Leases

Name of Other Party	Description of Contract or Lease

No contracts/leases have been entered.
Press [Insert] to add items.

If there are no contracts or leases, press [Esc] to exit this screen.
The "None" box will be checked automatically.

Insert | Change | Delete | Close | Help

Schedule G- Executory Contracts and Unexpired Leases: In Schedule G, you will list your client's pending contracts, including oral and signed leases. An executory contract is a contract in which both parties still have obligations remaining like cell phone contracts and employment contracts. Schedule G does not include terminated contracts and leases. If your client does not have any executory contracts or unexpired leases, then the "None" box will be checked automatically. It is recommended that any party listed on Schedule G also be listed on Schedule F.

Contract/Lease Information

Contract/Lease

Other Party: **Accounts**

Address:

City, State Zip: 00000-0000

Add CCL

Exclude from Mailing Matrix

Intention
- None
- Assume
- Reject

List Lease on Form 8

Description of Contract or Lease and Nature of Debtor's Interest

Amended

OK | Cancel | Help

Schedule H. Codebtors

Codebtors

Codebtor	Comment	Creditor

No codebtors have been entered. Press [Insert] to add codebtors.

If there are no codebtors, press [Esc] to exit this screen. The "None" box will be checked automatically.

Insert | Change | Delete | Address Change | Close | Help

Schedule H requires listing all of the debtor's co-debtors, joint obligors and guarantors. Co-debtors are any other person who is also responsible for your client's debt but is not filing a joint bankruptcy with your client. It is recommended that any party listed on Schedule H also be listed on Schedules D, E, or F.

Codebtor Information

Codebtor

CODEBTOR

Name

Address

00000-0000

Comment (if any)

CREDITOR

Multi

Name

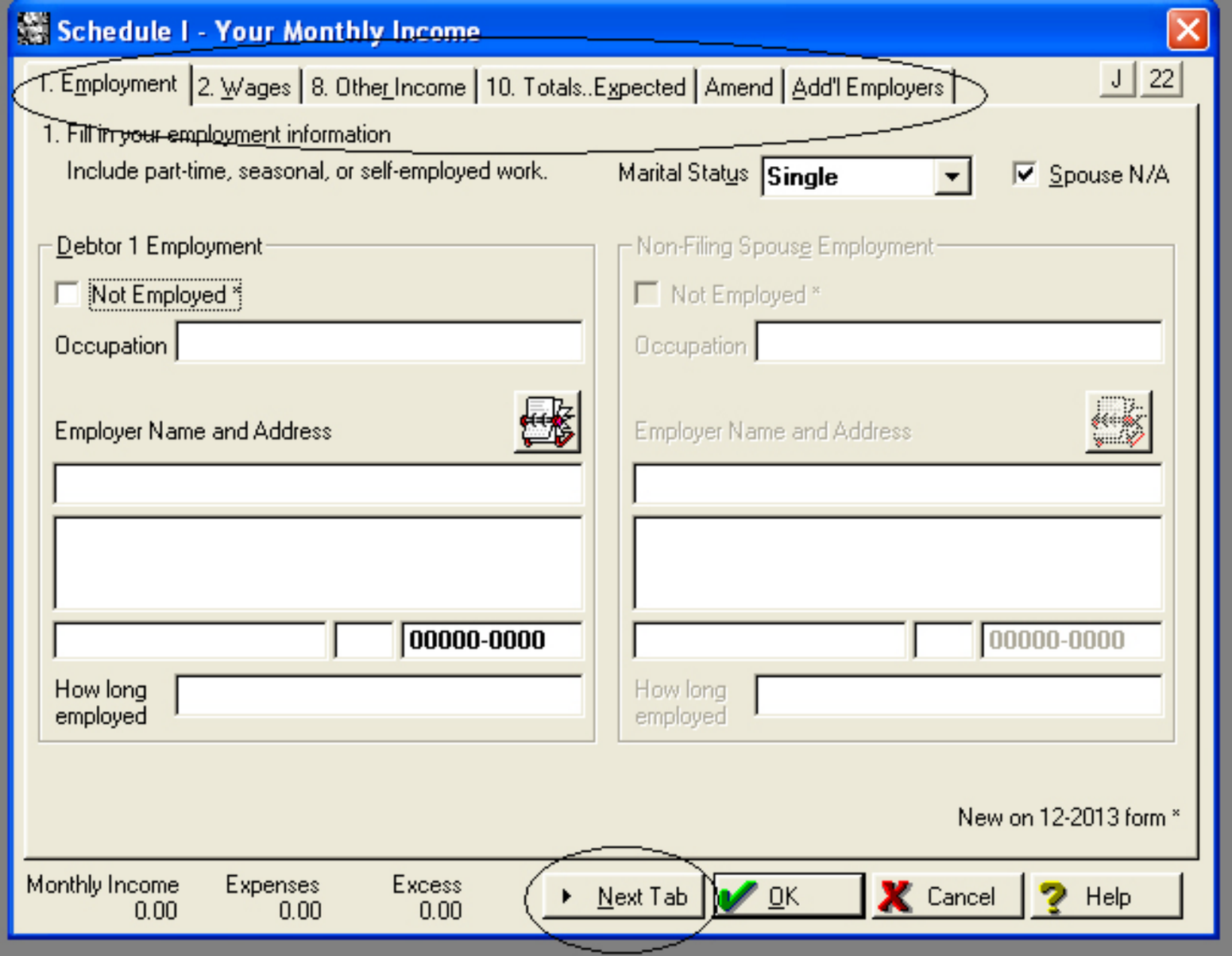
Address

00000-0000

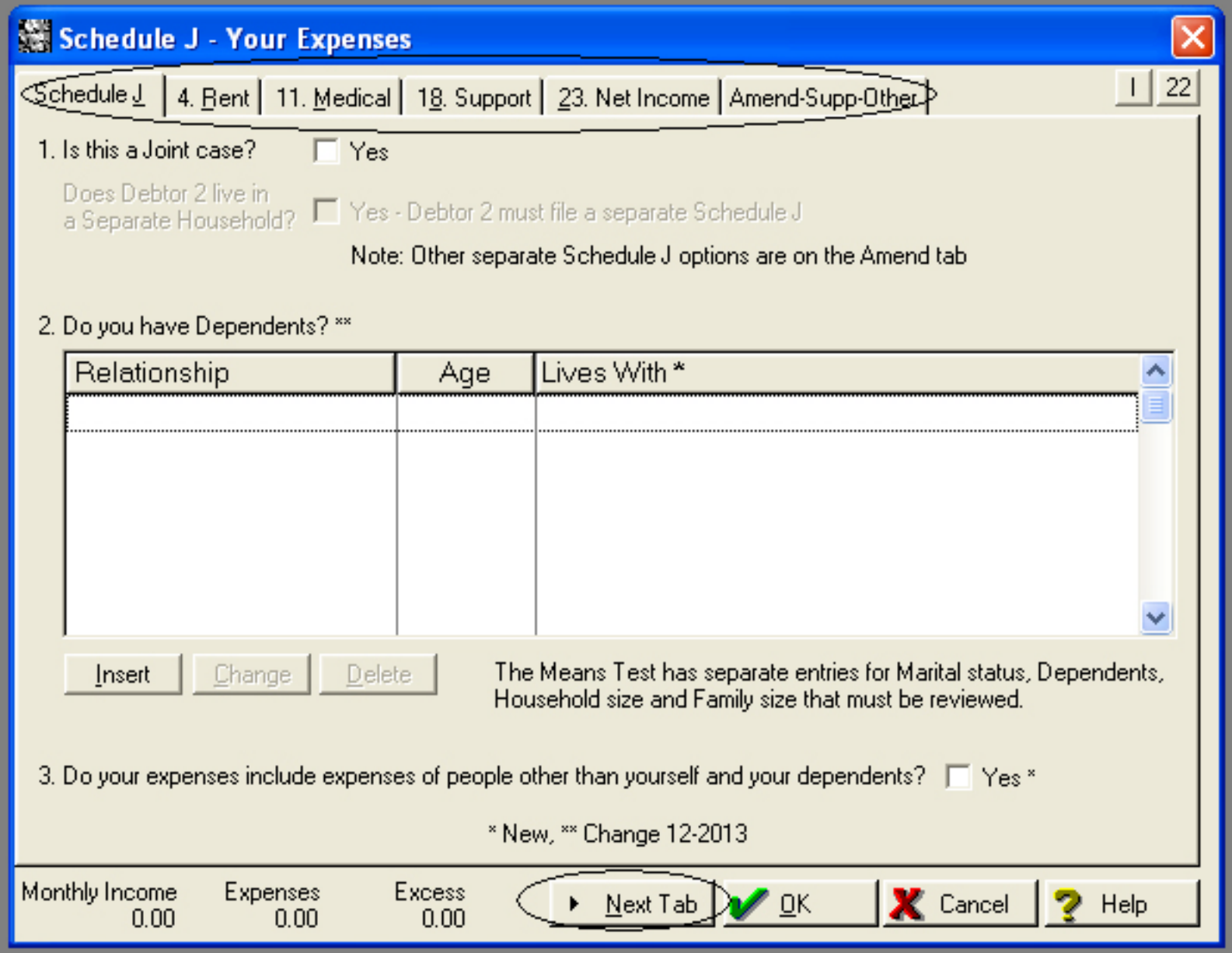
Comment (if any)

Amended | Exclude from Mailing Matrix | OK | Cancel | Help

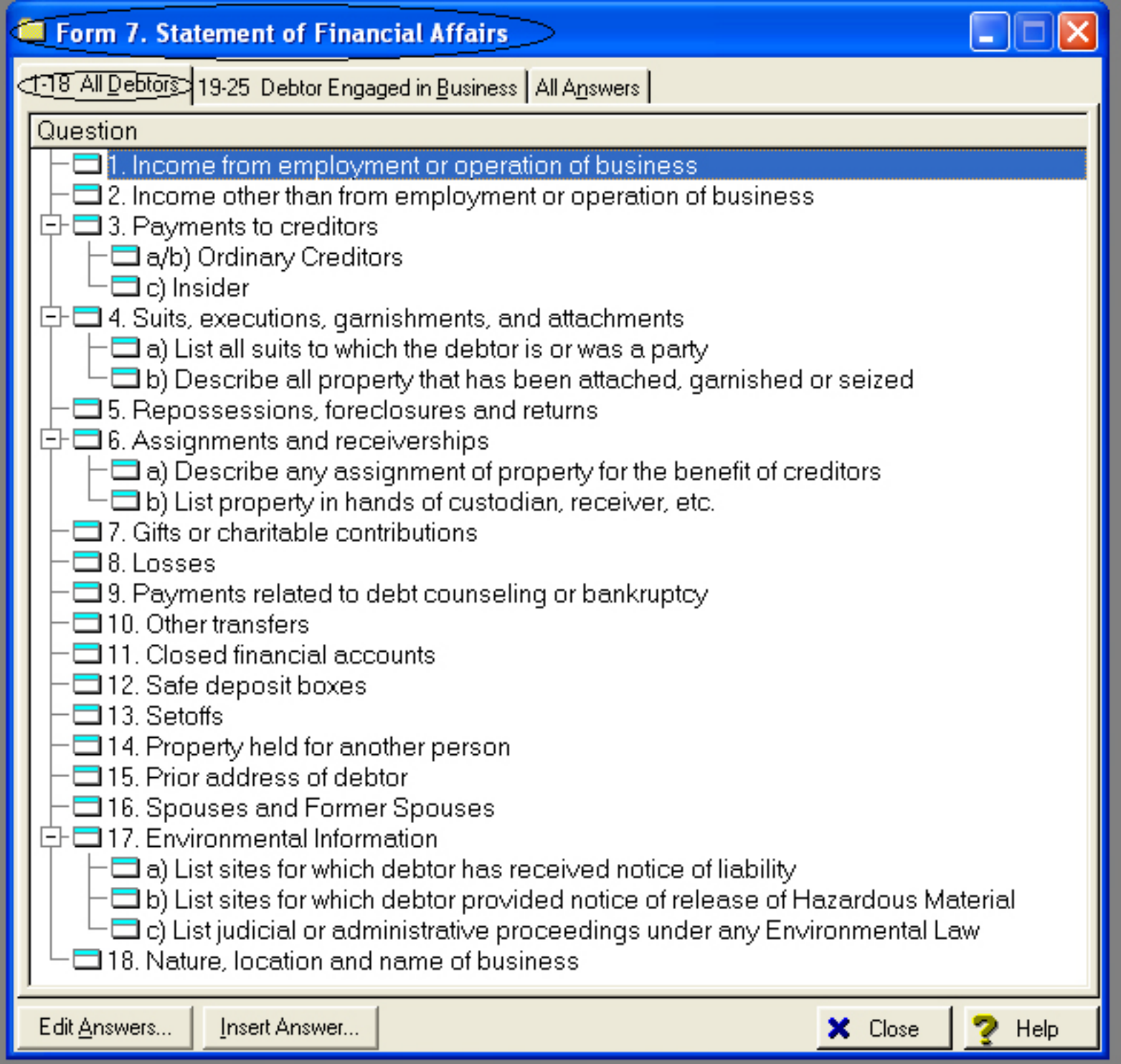
This schedule is used to figure out the debtor's income. There are several tabs to fill out in Schedule I. Under the "Wages" tab include your client and their spouse's income. Cash income must be included as well. Under the "other income" tab there is a box for you to input social security and other government assisted income. All income from whatever source must be disclosed in Schedule I. Food stamps and Section 8 housing vouchers are not considered income; therefore, you do not have to include them in Schedule I. However, if your client receives food stamps or housing vouchers then add this information as an attachment in the end so your client can disclose the amount of food stamps and/or subsidize housing he/she is receiving.



In Schedule J you will list all of your client's current client's basic living expenses. If your client owns a vehicle and he or she is planning on keeping the vehicle, then the monthly car payments should be listed. Basically all the monthly expenses your client will continue to incur if his or her bankruptcy is granted should be included in Schedule J. There are multiple tabs in Schedule J, click on all of them ensure all necessary information is included.

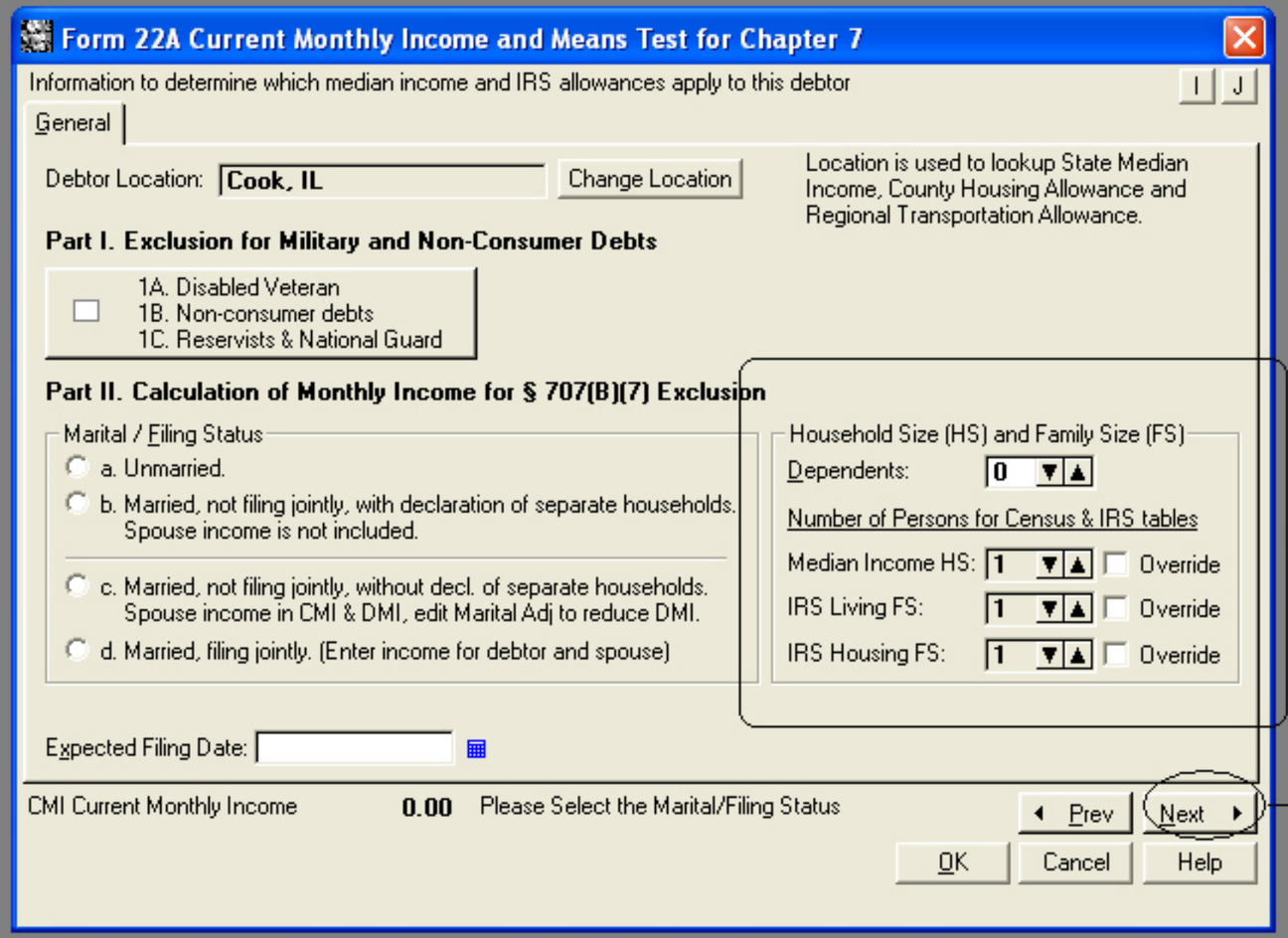


The Statement of Financial Affairs is a questionnaire regarding your client's prefiling transfers and financial history. This should be filled out completely and accurately. Questions 1 through 18 are for all debtors to answer. Your client only has to answer questions 19 through 25 if he or she owns a business.



Statement of Current Monthly Income/Means Test: The purpose of this test is to test whether your client can really afford to pay his or her debts and should be filing a Chapter 13 bankruptcy or whether he or she cannot afford his or her debts and is correct in filing a chapter 7 bankruptcy.

n Step 1, calculate your client's 6 month average income. Do not include your client's social security benefits, governmental unemployment benefits, foster care benefits, and cash assistance from government (Tan Ex) in this calculation. Do include all of the debtor's income as well as the spouse's income in this Form. The program will then compare your client's income with the median income for the state of Illinois. A debtor with income below the median income will qualify for a chapter 7 bankruptcy.



Make sure this information is accurate.

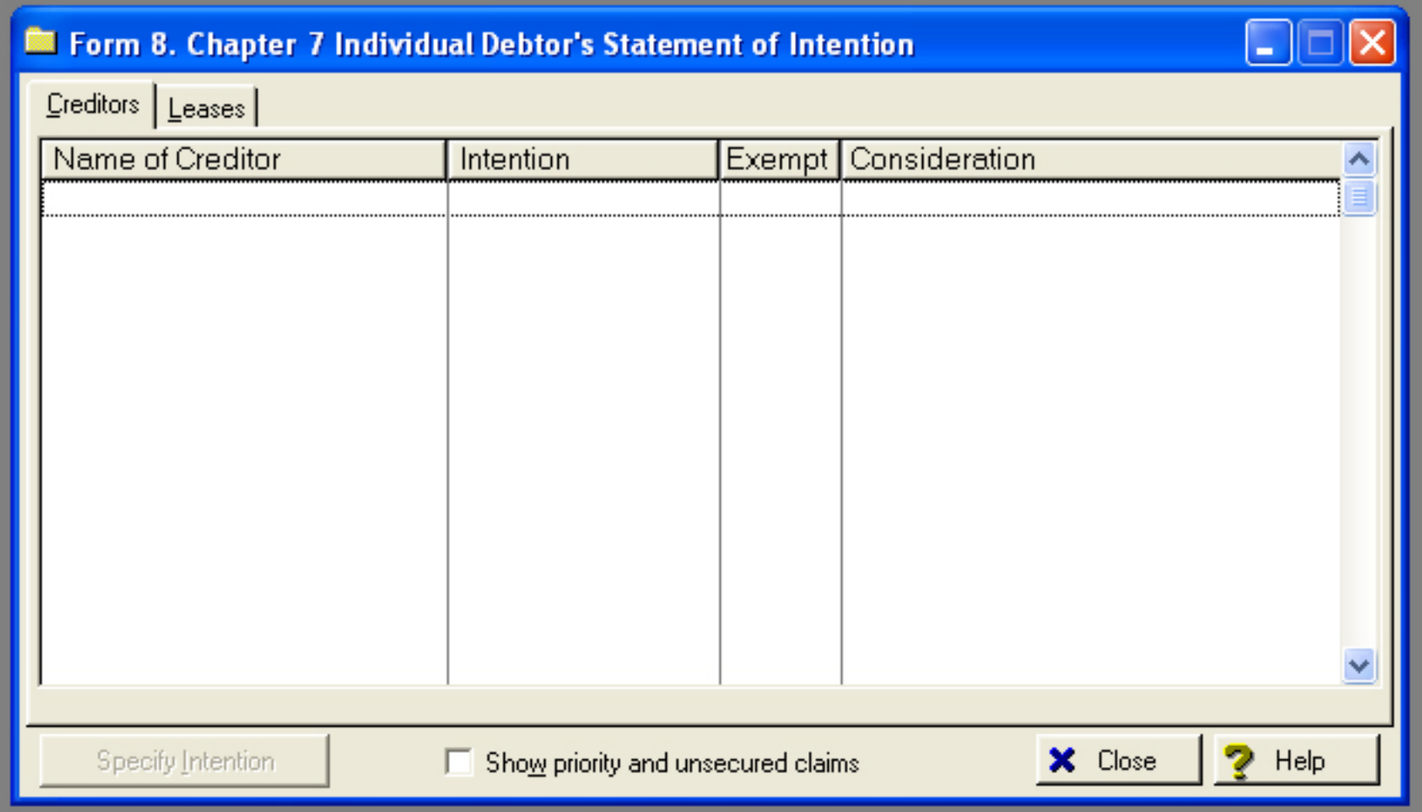
Income will be filled out in on the next page. If your client qualifies for Chapter 7, a smiley face will appear. If not, a frowny face will appear. If there is a frown face, contact CVLS.

Form 8: Chapter 7 Individual Debtor's Statement of Intention- This form is filled out only if your client has secured debts. The purpose of the Statement of Intention is to tell the creditor what your client would like to do with his or her property subject to security interests or liens. He or she can choose to keep the property by redemption or reaffirmation or can choose to surrender the property. For example, your client must declare whether he or she intends to reaffirm a car contract, attempt to redeem the automobile or surrender it to the creditor.

Explanation of redemption and reaffirming a debt:

Redemption: Your client has the opportunity when filing for bankruptcy to pay the creditor the value of the collateral. He or she will either pay the current value of the property or the current amount owed. He or she has to pay this amount in one lump sum.

Reaffirm the debt: Reaffirming the debt means that the bankruptcy likely will not affect the creditor at all. Your client agrees to the terms of the creditor that was originally agreed to; as if your client never filed for bankruptcy. The risk of reaffirming a debt is that your client is still responsible for the full value of the loan, regardless of what happens to the property. Pursuant to 11 USC 524(c)(1), reaffirmation agreements must be signed by both parties (your client and the creditor) and approved by the Court prior to the entry of discharge in order to be enforceable. There is a form agreement on the Bankruptcy Court's website: http://www.ilnb.uscourts.gov/.



SAMPLE, SAMPLE - 7 - Individual - IL-NOR

Forms & Schedules | All F&S | Additional Documents | Forms: 2013-12

Click below to print

- Form 8. Chapter 7 Individual Debtor's Statement of Intention
- Compensation Statement of Attorney for the Debtor(s)
- Notice to Individual Consumer Debtor (of Available Chapters)
- Verification of Creditor Matrix (Northern District of Illinois)
- Creditor Address Matrix
- Form 21. Statement of Social Security Number
- Form 22A Statement of Current Monthly Income/Means Test
- Local Forms
  - Declaration Re: Electronic Filing (Initial Filing) January 2012
  - Declaration Re: Electronic Filing (Post Petition) January 2012
  - Certificate of Service (ILN local form)
  - Request for Hearing on Dismissal (ILN local form)
  - Declaration Re: Electronic Filing - DISK Filing (ILN local form)
  - Certification of Relatedness (ILN local form)
  - Affidavit Evidencing Compliance with General Rule 39
  - Declaration Re: Electronic Filing ~Pre 2012 (ILN local form)
- Form 23 Financial Management
- Reaffirmation and Redemption
- Amendments and Supplements
- Business and Corporate
- Applications, Notices, Motions and Orders
- Service and Letters

Open | Attach | Case Status | Notes | ECF Manager | Close | Help

This is the "ATTACH" button.

Declaration Re: Electronic Filing: This document signifies that your client authorizes you to electronically file the Bankruptcy Petition. This declaration also signifies that the all of the information provided in the petition is correct. Your client needs to sign this document. CVLS recommends having your client sign this document AFTER you have thoroughly reviewed the entire bankruptcy petition with your client. Once signed, scan the signed form, and save it on your computer as "Declaration" in C:\ECF\Debtor's name. In Best Case, put your cursor on Declaration Re: Electronic Filing (ILN local form) so that it is highlighted. Click "Attach" at the bottom of the screen. Then click "Insert" and choose "Existing PDF File" from the drop down. Find your client's singed Declaration and select it. Click on the box that states "Replaces Form."

QuickForm Options

This is a QuickForm. Information that has already been entered in Best Case will be merged into the document and you may edit it and add any additional information.

Options

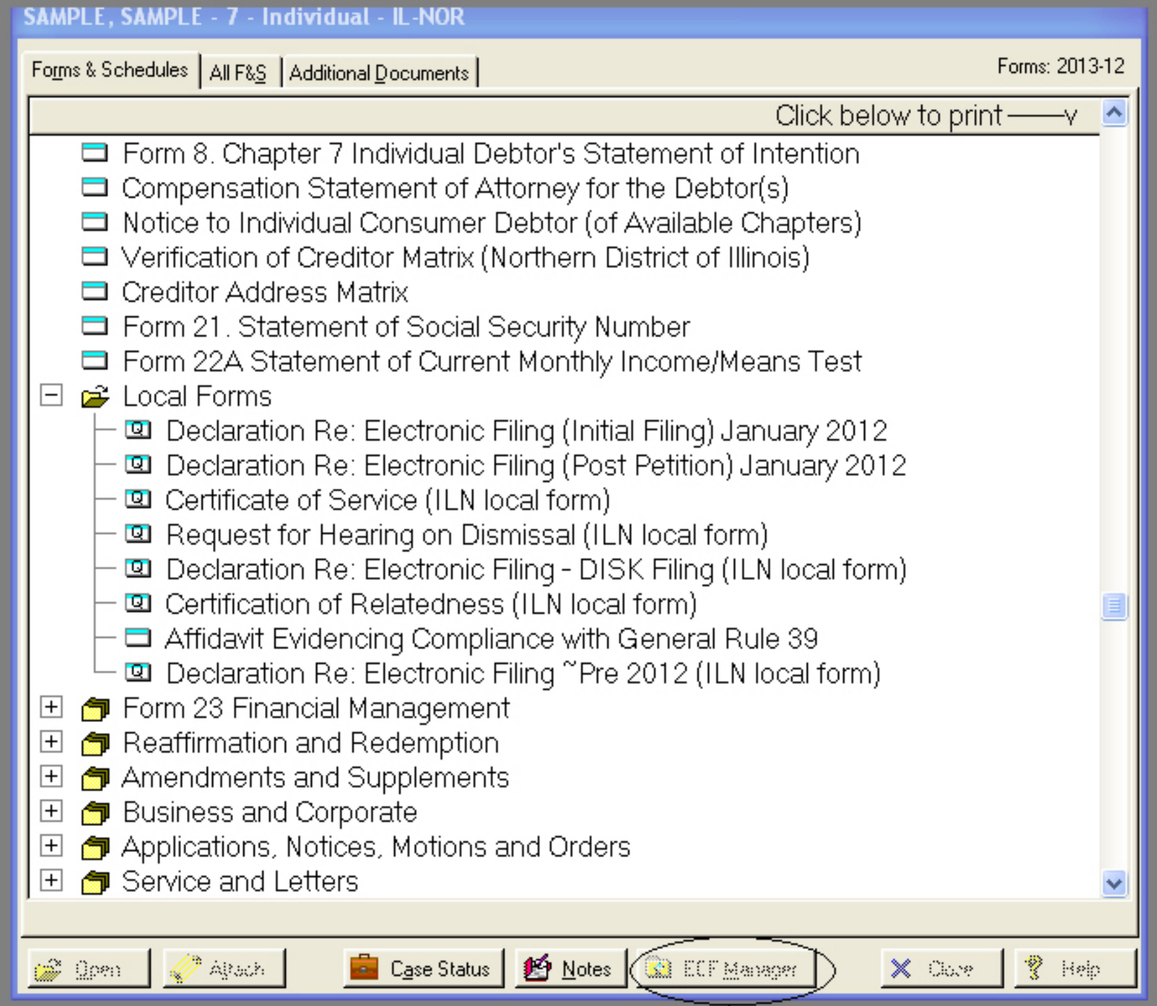
- [x] Print date on signature lines
- [x] Print "/s/ <name>" on signature lines (electronic filing)
- [x] Mask Debtor Social Security Number

Mask Creditor Account Numbers: Mask Individual Claims as Indicated on Schedules

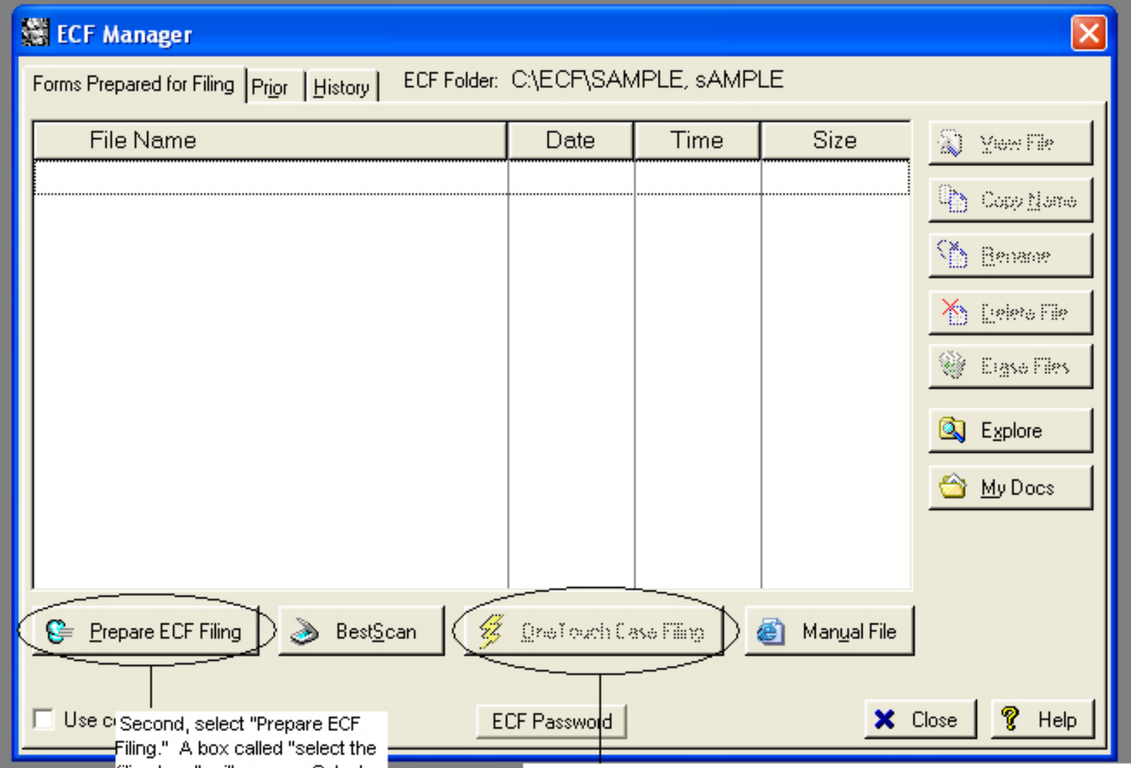
OK | Cancel | Help

This screen will appear after you click on Declaration Re: Electronic Filing on the home page.

Instructions for e-filing the Petition- First, Click on "ECF Manager," which is located on the bottom of the screen. Next click on "Prepare ECF Filing." Finally, click on "One Touch Case Filing."



First, Select "ECF Manager"



Second, select "Prepare ECF Filing." A box called "select the filing type" will pop up. Select "Complete Petition" and then click the "NEXT" button. A "ready to prepare ECF filing" box will pop up. Click on "prepare filing."

Lastly, select "one touch case filing." Best Case will do all the work, you just need to sign into the website with your login and password and pay the $306.00 filing fee by credit card at the end, unless there is a fee waiver. Best Case will remind you if the Declaration for Electronic Filing or Credit Counseling Certificate is not attached properly. Just make sure NOT to touch anything while Best Case does its magic.