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CHAPTER 13 TRUSTEE  
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## 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, then "you" means both debtors.

**You are require to bring you driver's license or other government issues identification and your social security card the meeting of creditors.**

### **DOCUMENTS**

Complete and return this Questionnaire to the Trustee's office by 10 days **before** your meeting of creditors. **Also, mail a copy of your most recently filed state and federal income tax returns and two recent and consecutive paystubs for each job.**

**WHEN SENDING THESE DOCUMENTS TO THE TRSUTEE, MAKE SURE ALL PERSONALLY IDENTIFIABLE INFORMATION IS REDACTED. THE TRUSTEE WILL RETURN ALL DOCUMENTS NOT PROPERLY REDACTED.**

Except for this Questionnaire, send copies of documents, not originals. If you cannot return the Questionnaire with copies of the returns and paystubs by 10 days before your meeting, bring the Questionnaire and documents to your meeting of creditors. You may have to attend another meeting of creditors if you do not give the Trustee the Questionnaire and documents before or at the meeting. 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 is due thirty days after you filed your petition.** Do not mail any plan payments to the address listed above. Please review the instructions attached to the questionnaire for payment options.

### **DEBTS**

- (1) Do you owe a domestic support obligation, such as child support or spousal maintenance, including money coming due after you filed your case? No \_\_\_\_\_ Yes \_\_\_\_\_
- (2) If you owe a current or past domestic support obligation, child support or spousal maintenance, give the name of the person receiving the payments, mailing address, and telephone number of each person or entity owed
  - (a) \_\_\_\_\_
  - (b) \_\_\_\_\_

**Failure to Provide the Full Mailing Address May Result in Your Meeting to Be Continued.**

**RESIDENCE**

- (3) Did you reside in the State of 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 or in business? (If yes, you must complete a Self-Employment Questionnaire and file monthly business operating statements. The Trustee will give you the form at your meeting of creditors.) No \_\_\_\_\_ Yes \_\_\_\_\_
- (8) If you are employed, did you receive from your employer a bonus of any kind within the past two years (e.g. Christmas, performance, profit sharing)? N/A or No \_\_\_\_\_ Yes \_\_\_\_\_
- (9) If you are employed, do you expect to receive a bonus of any type within the next three years? N/A or No \_\_\_\_\_ Yes \_\_\_\_\_

- (10) If your answer to (8) or (9) is yes, then describe each 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 return list the year and type of return:

\_\_\_\_\_

**ASSETS**

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

(16) If your answer to (16) 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**

The Trustee's office may need to contact you about your case. Please provide your contact information:

**Debtor:**

**Joint Debtor:**

Home Phone: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

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

Debtor Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Joint Debtor Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**EDWARD J. MANEY, CHAPTER 13 TRUSTEE**

**PLEASE READ CAREFULLY UPON RECEIPT - 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.

**THE TRUSTEE OFFERS TWO EASY CONVENIENT METHODS OF AUTOMATED ELECTRONIC PLAN PAYMENTS. Do not make your payments at the U. S. Trustee's office or the Bankruptcy Court Clerks Office.**

**PAYMENT OPTION NUMBER ONE: TFS**

**TFS PROVIDES A SECURED AUTOMATED ONLINE METHOD TO MAKE YOUR 13 PLAN PAYMENTS.**

**GETTING STARTED WITH TFS IS EASY, JUST VISIT [www.TFSBillPay.com](http://www.TFSBillPay.com) AND CLICK ON:**

**SIGNUP TODAY**

**YOU MAY ALSO FIND A LINK TO TFS AT [www.Maney13Trustee.com](http://www.Maney13Trustee.com).**

**PAYMENT OPTION NUMBER TWO: FIFTH THIRD BANK**

**FIFTH THIRD BANK OFFERS AN ePAY CHAPTER 13 PLAN PAYMENT OPTION THAT INCLUDES RECURRING PAYMENTS OR ONE TIME PAYMENTS VIA THE INTERNET OR BY AUTOMATED PHONE SERVICE. INFORMATION CAN BE FOUND AT <https://53.billerdirectexpress.com/ebpp/maney/> OR BY CALLING (855) 907-3128. A LINK MY ALSO BE FOUND AT [www.Maney13Trustee.com/ePay](http://www.Maney13Trustee.com/ePay).**

**Trustee may accept a *MONEY ORDER* or *CASHIER'S CHECK*, however debtors must contact the Trustee's office for permission to make payment by money order or cashier's check. The Trustee does not accept cash or personal checks. Personal checks or cash will be returned. The Trustee will not accept any form of payment brought to the trustee's office.**

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

**MEETINGS YOU MUST ATTEND (MEETING OF CREDITORS)**

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 will 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 years immediately following the year your case was filed. If your case is filed in 2015, the Trustee may require copies of your returns for tax years 2015, 2016, 2017, and 2018, 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. Please review the order confirming your plan to determine if refunds are to be turnover.

## **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. Generally, the 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 [www.NDC.org](http://www.NDC.org) 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 OR VISIT [www.Maney13Trustee.com/FAQ](http://www.Maney13Trustee.com/FAQ).**

**IF YOU HAVE NOT FILED ALL YOUR STATE OR FEDERAL INCOME TAX RETURNS.**

**If you have not filed all your required state and federal income tax returns, your case is in immediate danger of being dismissed.**

**The IRS is located at 4041 N. Central Avenue, Suite 112, Phoenix, Arizona.** If you need forms call 1-800-829-3676 or access the web at [www.irs.gov](http://www.irs.gov). Transcripts, statements of accounts, or W-2s maybe obtained by submitting form 4506-T. For immediate confirmation that you have filed a return, file the return at 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.

**The Arizona Department of Revenue is located at 1600 West Monroe, Room 720, Phoenix, Arizona 85007.** In order to determine if you are required to file an original tax return or an amended return, consult the tax booklet for the tax period(s) in question. File the state returns at the address listed above. Be sure to attach any required copies of Federal Schedules, 1099 and W2s. If you believe that you are not required to file a state tax return, submit an AFFIDAVIT signed under penalty of perjury, notarized, and dated, stating the reason why you are not required to file state returns. In the affidavit, list the income from all sources, both taxable and non-taxable, for each year. Send the signed, notarized affidavit to the address listed above. W-2s and 1099s maybe obtained by contacting the IRS. For state forms contact ADOR Licensing at (602) 542-4260. For pre-recorded information call (800) 845-8192. (In-state only) The Arizona Department of Revenue's web site address is [www.azdor.gov](http://www.azdor.gov).