

Wendell J. Sherk  
 Attorney at Law  
 (314) 781-3400  
 STLBankruptcy.com

Today's Date	
1. Your Information	Your Name _____ Address _____ Apt _____ City _____ State _____ Zip _____ Phone: _____ Cell: _____ Soc Sec # _____ Date of Birth: _____ e-mail: _____
2. Employment Information	Employer _____ Work Phone: _____
3. Your Spouse's Information <b>(where different from yours)</b>	Spouse's Name _____ Address _____ Apt _____ City _____ State _____ Zip _____ Phone _____ Cell: _____ Sec Sec # _____ Date of Birth _____ e-mail: _____
4. Spouse's Employment	Employer _____ Work Phone: _____
5. Where did you hear about this law firm?	<input type="checkbox"/> Website/Internet <input type="checkbox"/> Prior Work for You <input type="checkbox"/> Referred by a Friend _____ <input type="checkbox"/> Referred by Attorney _____ <input type="checkbox"/> Yellow Pages <input type="checkbox"/> Other _____
6. What other options would you consider?	<input type="checkbox"/> Credit Counseling Services: <input type="checkbox"/> Local Office <input type="checkbox"/> Internet <input type="checkbox"/> Debt Settlement Services <input type="checkbox"/> "Cash-Out" Mortgage <input type="checkbox"/> Sell Assets <input type="checkbox"/> 401(k) Loan <input type="checkbox"/> Borrowing from Family or Friends <input type="checkbox"/> Other _____

WE KNOW TALKING TO A LAWYER IS A TOUGH DECISION.  
 To give you the best advice and to comply with the law, we have to ask a lot of questions.  
 Please do your best to review and answer everything here.

THANK YOU!

**§ 342(b)(2) REQUIRED NOTICE  
FRAUD & 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 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.

**§ 527(a)(2) REQUIRED NOTICE  
NOTICE OF MANDATORY DISCLOSURE TO CONSUMERS WHO CONTEMPLATE FILING 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 all 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; and
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 a criminal sanction.

**INITIAL CONSULTATION AGREEMENT  
(Yes, we're supposed to have a contract to even talk to you.)**

This is for a consultation about debt relief and bankruptcy.  
**It is does not commit you to file bankruptcy or do anything else.**

An initial consultation with Wendell Sherk (the "Attorney") is provided **without charge**. You understand the Attorney is a "debt relief agency," helping people file for relief under the bankruptcy code.

The Attorney will describe the relief and risks of filing for bankruptcy, based on your information. The analysis is only preliminary. More documents and information given to us later may change our recommendations. We will make our best recommendation about your options and if bankruptcy is an appropriate option.

Please understand that the Attorney cannot provide further services or bankruptcy assistance and will not file a bankruptcy until a full Debt Relief Worksheet and separate retainer agreement have been completed. Additional documents and information will be needed from you, and you have to receive a certification and budget analysis from an approved credit counseling agency. In other words, there's a lot more paperwork to do before we can file case.

**The fees and costs will be listed in the separate retainer agreement. If fees are paid pursuant to that proposed retainer, the Firm will be retained for a reasonable period of time to assist you in preparing to file a case.**

I/We have read and understand this Agreement. I/We understand a separate agreement is required for any further services.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Client

\_\_\_\_\_  
Date

\_\_\_\_\_  
Client

# CONFIDENTIAL WORKSHEET

**Please Answer As Best You Can.  
If Not Sure, Write "?" Thank You!**

1. Are any of the following happening or about to happen?  
 Foreclosure?  **Yes**,  **No**. Date: \_\_\_\_\_  
 Repossession?  **Yes**,  **No**. Lawsuit?  **Yes**,  **No** Court Date: \_\_\_\_\_  
 Debt Collector Calls?  **Yes**,  **No**.

2. Have you *ever* filed **any** bankruptcy or Chapter 13 before, even if it didn't complete?  
 **Yes**,  **No**.

3. Do you own a house, condo or any other home?  **Yes**  **No**.  
 What name(s) are on the title: \_\_\_\_\_  
 For your own home:

Approx. Current Value	Total Owed on Mortgages and Home Equity Loans	Monthly Payments	Amount Behind, if any
\$	\$	\$	

When did you buy it? \_\_\_\_\_ Original Purchase Price: \$ \_\_\_\_\_  
 Are any mortgages adjustable?  **Yes**,  **No**. Has any loan modification been done?  **Yes**,  **No**.

Do you own any other houses or real estate?  **Yes**,  **No**.

4. For **every** car, truck or motorcycle your family has, even if paid off, please list the following:

Year	Make & Model	When did you buy it?	Payoff Balance (approx.)	Payment	# of months left (approx)	Payments Behind (if any)
			\$	\$		
			\$	\$		
			\$	\$		

- (a) Have you paid the sales tax on all the vehicle(s)?  **Yes**,  **No**.  
 If yes, was it in the last 90 days?  **Yes**,  **No**.
- (b) Do you have **full coverage insurance** on the vehicle(s)?  **Yes**,  **No**.

5. If you own *anything* shown below, please check the box.  
 Pension/Retirement/IRA     Life Insurance     College Savings Plans  
 Inheritances     Trusts     Stocks/Bonds     Business

6. Where do you bank? \_\_\_\_\_  **Don't have an account**.  
 Do you owe the same institution any money?  **Yes**,  **No**.

7. Is there anyone you ought to – or could – sue or have a claim against for *anything*, (including personal injury, worker's compensation, disability, discrimination) or anything that could or should be paid to you by someone else?  **Yes**,  **No**.

8. Other than your car and house, what other secured debts do you owe? (A secured debt is like for furniture or appliances where, if you don't pay, they come and take it away.)

Lender	Amount Owed	What did you buy or put up for the loan?	When was the money borrowed?
	\$		
	\$		

9.(a) Please *estimate* the total amount of the following debts, **we just need an estimate for now.**

Back Taxes	IRS: \$ _____ State: \$ _____ Property: \$ _____	For Year(s): _____ For Year(s): _____ For Year(s): _____
Back Child Support/Alimony	\$	Paid To: _____
Divorce Settlement Debt	\$	Owed To: _____
Student Loan(s)	\$	Owed To: _____

Credit/Charge Cards	\$	Signature Loans	\$
Medical or Doctor Bills	\$	Friends/Family Loans	\$
Old Repossessions or Foreclosure Balances	\$	Mail Order Accounts	\$
Business Debts	\$	Payday Loans	\$
Fines/Restitution	\$	Back Utilities/Phone	\$
Bad Checks	\$	Back Rent	\$
Other	\$	Other	\$

(b) Give us a *general idea* how much of your debt was for the following expenses:

Charges on credit cards in the last 6 months	\$	Balance Transfers from one card to another in 6 months	\$
Travel	\$	Entertainment	\$
Gambling	\$	Jewelry	\$
Gifts	\$	Cash advance on cards overall	\$

10. Are any debts co-signed by anyone **or** did you co-sign for someone else?  **Yes**,  **No**.  
If yes, what debts:

11. Even if you think they are wrong, are there any other people or businesses who *might* say you owe them or make a claim of any kind against you, **now or in the future**, that you have not included so far?  **Yes**,  **No**. Please describe briefly.

12. If you owed money to friends or relative in the last year, were you able to pay it back yet?  **Yes**,  **No**. If you borrowed money on their credit, have you been able to pay that back yet?  **Yes**,  **No**.

13. Have you given or sold anything to someone else in the last 4 years worth over \$1,000?  **Yes**,  **No**.

14. What is your **INCOME**

	YOU	YOUR SPOUSE
Average Income	\$	\$
How often are you paid? (Pick one)	<input type="checkbox"/> Weekly <input type="checkbox"/> Twice/Mon (15 <sup>th</sup> & 30 <sup>th</sup> ) <input type="checkbox"/> Every 2-weeks <input type="checkbox"/> Monthly <input type="checkbox"/> Commission/Other <input type="checkbox"/> Year	<input type="checkbox"/> Weekly <input type="checkbox"/> Twice/Mon (15 <sup>th</sup> & 30 <sup>th</sup> ) <input type="checkbox"/> Every 2-weeks <input type="checkbox"/> Monthly <input type="checkbox"/> Commission/Other <input type="checkbox"/> Year
How long have you worked for this employer?		
Job Title/Description		

15. Does your household have any other regular income or contributions from anyone?

**Yes**,  **No**. If so, from where and how much?

Do you own your own business or are you self-employed?  **Yes**,  **No**.

16. How many people live in your household? \_\_\_\_\_ Are there any relatives you provide support to who do not live with you?  **Yes**,  **No**. If yes, who is it and how much do you give them?

17. Do you have kids or other dependents living with you, even part-time?

**Yes**    **No**, how many? \_\_\_\_\_ Age(s): \_\_\_\_\_

18. Have you filed **all** of your state and federal tax returns?  **Yes**,  **No**.

If not, which returns are not filed?

How much was your last refund? \$ \_\_\_\_\_ When did you get it?

19. Have you lived outside Missouri in the last 2 years?  **Yes**,  **No**. If so, where? \_\_\_\_\_

20. Is there anything else you think we should know about your situation so that we can provide you with the best possible legal advice? If so, please note it here and/or on the back.

**FOR OFFICE USE ONLY**

Analysis: 7 11 13 J	Liquidation: Asset No Asset	AF:	FF:	CC Agency:
Ch. 13 Analysis	Plan Pay \$                      Period:	CC:	DE:	
IOC: B H W I	Date	Atty/Para:		BSG:

## **PLEASE REVIEW THIS AS WELL**

### **§ 527(b) MANDATORY NOTICE IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES**

If you decide to seek bankruptcy relief, you can represent yourself, you can hire an attorney to represent you, or you can get help in some localities 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. Although bankruptcy can be complex, many cases are routine. 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 the Bankruptcy Code and 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, documents called a Petition, Schedules and Statement of Financial Affairs, as well as in some cases a Statement of Intention need to be prepared correctly and filed with the bankruptcy court. You will have to pay a filing fee to the bankruptcy court. Once your case starts, you will have to attend the required first meeting of creditors where you will be questioned by a court official called a "trustee" and, much more rarely, 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. A creditor is not permitted to coerce you into reaffirming your debts. It may not be in your best interest to reaffirm a debt.

If you choose to file a chapter 13 case in which you repay your creditors what you can afford over 3 to 5 years, you may also want help with preparing your chapter 13 plan and with the confirmation hearing on your plan which, if held, will be 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 in most cases, you will only be concerned with chapter 7 and chapter 13.

Your bankruptcy case may also involve litigation. You are generally permitted to represent yourself in litigation in bankruptcy court, but only attorneys, not bankruptcy petition preparers, can give you legal advice.