



NOT YOUR ORDINARY LAW FIRM.
AND PROUD OF IT

Anastasia Karson, WA & ID
Dennis Wallace (1947 – 2007)

Congratulations – we are about to work together to take the financial stress out of your life. It is incredibly important that we have a good working relationship so that we can have the smoothest petition process for your bankruptcy. A few things to remember:

1. Whenever you have a question, please call *our* office. If you have an attorney in another matter, chances are they are not a bankruptcy attorney. Asking a personal injury attorney about your bankruptcy is like asking a podiatrist to check out your teeth. Please call us.
2. We understand that this is a difficult, and maybe embarrassing, experience. We understand. However, this does not mean that we don't need documentation about your finances. Bank statements will be reviewed and questions will be asked. This is for your protection. There is a small tiny place in the world where someone cares how often you buy coffee; it is not here.
3. My job is to find things you may have forgotten to disclose or chose to not disclose because you don't think it matters. First, please don't "choose" what you disclose. That will get you fired instantly. If you forget to disclose information and I discover it, please remember that you did not disclose it, so I will have to ask you a series of questions that will help me understand your ownership or situation. I am not going through your information to be nosy. I am going through your information thoroughly to protect you. Continuing to deny information, or failure to provide requested information, will get you fired immediately.
4. Bankruptcy is confusing. There are no shortcuts. There are no options to omit any information. When asked about information, please do not get defensive. We are not asking for our personal amusement, but rather to complete your petition accurately and efficiently.
5. If we suggest you take specific actions prior to filing (closing a bank account, changing a direct deposit, providing specific information for review, checking on the status of a loan), it is imperative that you do so. Failing to do those things may result in you having a bank account frozen or finding out too late that your credit card is secured by your vehicle.
6. ALWAYS REMEMBER: This is our work. We take pride in it. We are here to protect you. We are not trying to pry into your life for fun. We are trying to help you. Tensions can get high and sometimes we may need to take a step back and a breath. That's okay. This is hard.

WALLACE & KARSON LAW OFFICE, PLLC
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PROCESS FOR FILING BANKRUPTCY WITH WALLACE & KARSON LAW OFFICE, PLLC

1. You will be asked for your email address or provided our address to come pick up a “bankruptcy packet”. This is that packet, along with the included questionnaire and documents. Please fill it out in its entirety.
2. Gather all of the required documents and information. When you have it completed, or taken steps to order documentation required that has not arrived, come to the office. There is no appointment for this time. Bring all of the required paperwork with you. The best days to do so are Monday and Tuesday.
3. “Required paperwork” is just that. It means it is 100% required to prepare a bankruptcy petition. Delay in providing required paperwork will result in a delay in your case preparation. The paperwork being requested of you should be required by *any* bankruptcy attorney to prepare the most complete petition possible. Malia is available Mondays and Tuesdays to go through your paperwork. There is no charge for this session unless paperwork must be retrieved and printed at the office, or your session requires extra attention for preparation. The charge for this is \$25 per debtor. Avoid this charge by bringing copies of taxes, bank statements, paystubs, etc.
4. When you have provided all of the required information to the office, your file will go to the attorney, who will then prepare a consultation based on all provided information. Anastasia believes that you should be given your options, be able to ask questions of you for clarification, and have a meaningful consultation. Because you do so much before your consultation, you will be aware of what you want to ask the attorney. We provide as much information to you before you come to your consultation, but we provide help as you prepare for your consultation. Do not be nervous to call and ask for assistance if you need it.
5. Your consultation will last anywhere from a half-hour to an hour and a half, depending on your circumstances. At this time, you’ll be able to answer any of Anastasia’s questions to help her better understand your position. You’ll be free to ask questions for your better understanding of the process and how your case will go. It is very common to know the direction, chapter, goals, timeline, and have all questions answered during your consultation. There is no charge for this consultation. A second consultation is \$50 per half hour.
6. After your consultation, you will return to the front office to review and sign your retainer, provide your picture ID, and make payment. It is preferred to retain the attorney for \$100.00. After you have retained the attorney, you will have the ability to tell creditors to call to verify that you have representation. This will stop many creditors from calling, but it is not guaranteed.
7. A “checklist” containing a rough draft of your petition and instructions/definitions will be created for your case. There is a date by which the checklist is due; please do not ignore the dates of your bankruptcy timeline. It causes undue stress for all parties. It does require work and your signatures. **Do not return a blank checklist. It is a dead giveaway that you did not read any instructions.** You will automatically be moved to the following month and will be subject to a hold-over fee. Your rough draft is highlighted, a staff member will have gone over the checklist with you, and you are free to call with questions.
8. Your returned, completed, checklist and rough draft of your petition are created into your final drafts of a petition. You **must** sign the petition in the office or in front of a notary. If filing jointly, you do not need to sign together.
9. **YOU ARE NOT PROTECTED FROM FORECLOSURE, GARNISHMENT, JUDGMENT, OR ANY OTHER ACTIONS UNTIL YOUR BANKRUPTCY CASE IS FILED. MEETING WITH THE ATTORNEY AND PREPARING ROUGH DRAFT DOCUMENTS IS NOT FILING FOR BANKRUPTCY. WHEN YOU RECEIVE A CASE NUMBER AND A COPY OF YOUR PETITION, YOU WILL KNOW YOUR CASE HAS BEEN FILED.**
10. You must provide **current** paystubs and the **date of filing** bank statements for **all** financial accounts listed in your petition **until we tell you to stop providing them**, even if the balance has not changed. Failure to do so can result in your case being dismissed.

REQUIRED DOCUMENTS FOR FILING BANKRUPTCY

Pay stubs	Six (6) months of all current job paystubs, plus any going forward until filing. Final paystub from any job that was not ended in the last six months. Unemployment distribution, short term disability, long term disability, Social Security, DFAS, all go here.
Bank Statements	ANY financial account that your name is on, as an owner or co-signer. Checking, savings, Certificates of Deposit, retirement accounts. If your name is ON it, it IS considered YOUR property. THREE MONTHS FOR EACH ACCOUNT.
Lawsuits	Family law, garnishment, criminal law, civil law. ANY LAWSUITS in which you are currently engaged or have a judgment against you.
Mortgage Statement	This is required for accurate determination of your mortgage under the exemptions.
Car Statements	This is required for accurate determination of your balance under the exemptions.
Court Forms	Child support, spousal maintenance, residential schedule is all required if there are children of the marriage.
Insurance Documents	Any insurance policies – term, whole life, short term disability, funeral insurance, etc. and list the beneficiary . Please bring declaration page.
Foreclosure papers	If you are in default on your mortgage and want to file a Chapter 13 to save your home, you must provide the foreclosure papers, default papers, and a <u>CURRENT</u> mortgage statement.

*IF YOU ARE MARRIED AND FILING SINGLY, PLEASE PROVIDE INFORMATION FOR BOTH PARTIES. *

SUBSTANTIAL CHANGE IN CIRCUMSTANCE AFTER CONSULTATION

I, _____, understand that my financial circumstances and/or a major change has occurred since my pre-petition paperwork was prepared and my consultation. This includes, but is not limited to:

1. Inheritance
2. Transfer of property or money
3. Separation of spouses
4. Loss of Employment
5. Change of Employment
6. Additional dependents in the home
7. Fewer dependents in the home
8. Purchase of significant property

I understand that this may alter some previous information regarding my property, expenses, exemptions, and bankruptcy petition. I understand that the change in circumstances may require me to wait an additional period of time to file my bankruptcy and/or provide additional paperwork. I understand that there is a \$150 hold-over fee that I will be responsible to pay if my pre-petition paperwork or petition has been completed before I informed Wallace & Karson Law Office of any change.

I do affirm that the paperwork provided to Wallace & Karson Law Office subsequent to my life change is the most complete and accurate information available to me. I understand that there may be an additional fee to change a completed petition of \$50.00 if this information is not disclosed after having been given the opportunity to read a draft of my petition.

I understand that a change in my living circumstance may put my best interests at odds with my spouse or business partner, also represented by Wallace & Karson Law Office. I understand that I can file my bankruptcy with another attorney at this time, but no funds will be returned. I wish to continue the professional relationship with Wallace & Karson Law Office until such time that my interests can no longer be served without prejudice to either party. I understand that Wallace & Karson Law Office will withdraw as counsel for both parties in that occurrence.

Dated this _____ of _____, 2019

Signature

Change of Circumstance: _____

**** RETURN THIS FORM TO THE OFFICE IF REQUIRED ****

COMMUNICATIONS AGREEMENT

TELEPHONE CALLS: (509) 326-3600

- If no one answers when you call, please leave a message the first time. Please do not repeatedly call until your call can be answered. Your call will be returned as soon as possible.
- Telephone hours are **Monday – Friday, from 9:00 a.m. until 5:00 p.m.** A message will be returned during the next day that has telephone hours. (A Saturday message will not be answered until Monday.) **We strive to return all calls within 24 hours.**
- Should we call and leave a message, please listen to the message before calling back. It is the policy of the office not to repeat information. “I saw that you called me but I did not listen to the message” will result in you being told to listen to your message and call back with questions, if any.
- While we have a Facebook Messenger active, it is not the preferred method of communication past initial contact. Please either email the office, call, or text (if you have approved text message communication). Google Messenger is similarly an ineffective manner of communication past initial contact.
- Should you have the attorney’s personal phone number or email address, do not use it. *Any* communications regarding your case **must** be directed to an office email address or telephone number. **PERSONAL MESSAGES WILL NOT BE ACKNOWLEDGED.**

EMAIL: malia@wklospokane.com

- We strive to answer emails within 24 hours. To be most effective, please include any documents about which you have a question, a preferred method of return communication, and the best time to call you back (or text, if approved).
- Emails sent after regular hours, **Monday – Friday 9:00 a.m. to 5:00 p.m.** will be answered within the next 24 business hours. (A Saturday email will be responded to on Monday or Tuesday, depending on the nature of the problem).
- Please do not include JPEG images of any documents. They cannot be read.
- Please look into an application on your phones that turns such documents into PDF, making them compatible with court requirements. There are free applications on both Apple and Android.

TEXTING: (509) 703-9882

- This method of communication requires explicit permission. You will be prompted regularly to accept the condition of text communication that it will not be protected by attorney client privilege.
- Texting hours are the same as phone hours, **Monday – Friday, 9:00 am to 5:00 p.m.,** but the attorney will often answer quick issues. Please be respectful of any time outside of the above hours, including time of messaging, length of conversation, and understanding when there is nothing to be done at the moment. This line is checked periodically. No answers will be given when the attorney is in consult.
- Please understand a response may not be given until there is time to address your issue completely.

I, _____, wish and consent to be contacted in the following methods:

Email: _____

Cellphone: _____ Detailed Message: Y / N

Texting: _____ Detailed Message: Y / N

Landline: _____ Detailed Message: Y / N

Alternate contact: _____ NO DETAILED MESSAGE WILL BE LEFT.

The bankruptcy court offers the opportunity for debtors to receive *every* notice that is filed in their case. There are very many filings in every case. An average case will have between 10 – 35 entries. Should you choose, you can receive all of these notices. Often, they are regarding information that may be confusing and cause some anxiety about your case because they are written in legal pleadings. *If you feel this will cause you anxiety, I do not recommend you sign up for electronic noticing.* You **will** receive any motions, pleadings, and other documents that require notice in your case. Singing up for electronic noticing is sort of like asking to see how the sausage gets made.

I would _____ I would not _____ like to sign up for Debtor Noticing through ECF systems.

The following people may pick up paperwork for me:

_____. I understand that no paperwork will be given to anyone but those named after identification has been checked.

Dated: _____

Signature: _____ Print Name: _____

Signature: _____ Print Name: _____

I understand my signature on this page is acceptance of the office communications policies.

***** RETURN THIS FORM TO THE OFFICE *****

WHAT HAPPENS NEXT – AFTER MY FREE CONSULTATION

1. Bankruptcies that are not filed on the office schedule (last week of each month) will be subject to a \$150 “expedite fee,” which requires the preparation of a case on a fast track. This fee will be applied to clients who retain counsel for the *same month* after the 20th of that month, because the preparation will be automatically be on a fast track.
2. A “checklist” will be prepared for your case. It will have two parts: one will be a rough draft of your actual bankruptcy petition and the other has information, deadlines, definitions, and places for me to provide information. Any information that was missing, not provided, or not available at the time of your consultation will need to be disclosed in this checklist.
3. This checklist has a deadline. If you don’t return it by that deadline or provide all documents required to prepare a petition, you will be pushed to the next month, at a charge of **\$150** for requiring the petition to be rewritten in its entirety. Failure to sign the documents will delay filing.
4. It is a good idea to get a credit report before you file to find all possible debts. It has been explained that you can purchase a thorough credit report through Wallace & Karson Law Office (\$50 for one, \$75 for double).
5. **You can prepay for a thorough credit report pulled by Wallace & Karson Law Office and must pay for this service even if I do not retain Wallace & Karson Law Office.**
6. You **must** take a Credit Counseling course and receive a certificate. You **must** take a Personal Financial Management Course after your case is filed.
7. Any real estate may have a judgment or a lien attached to the home. It has been explained that calling the Clerk of the Court or purchasing a title report from a third party will be your responsibility. Liens can only be avoided with Court action, so it is easiest and cheapest to take this extra step up front.

FEES

1. Petitions will not be filed until you have paid the attorney fee in full. You are fully responsible for your filing fee.
2. You must tell Wallace & Karson Law Office *at least one week ahead of filing* that you need to pay your filing fee in installments so that an application can be prepared.
3. You can tell any creditors that contact you after you have paid on the attorney’s fee to call Wallace & Karson Law Office. If you tell them to call the office before you have made payment, the creditor will be told you are not represented.
4. If you pay for a reaffirmation agreement and the company does not provide one, you will receive your fee back at the end of your case.

AFTER FILING

1. Unless you specifically request a paper copy of your petition, you will receive an emailed copy of your filed petition so that you can keep it in electronic format. This is to lessen the risk of losing the documents.
2. Your case number is on the front page of your petition. You to use this need this to obtain your **PERSONAL FINANCIAL MANAGEMENT** certificate. If you do not complete the counseling, you case will be dismissed.
3. Bank statements for any open account on the *day your case was filed as soon as possible* to the office. Failure to provide the documents may result in your case either (1) continued to the next court date, for which you will have to pay \$150 to reschedule the attorney to appear with you, or (2) motioned for dismissal.
4. You must provide any requested documentation to the office as soon as possible. **The office does not have access to your payroll, your taxes, your bank statements, your bills, or any other documents.**

MEETING OF CREDITORS (COURT)

1. You have to appear at ONE court appearance when you file for bankruptcy protection. There may be more appearances if the Trustee and/or the Court deem them necessary. There will be an additional cost for these appearances. Typically, a second appearance is the result of something not being disclosed fully, accurately, or completely withheld.
2. The Trustee at your Meeting of Creditors will ask you a series of yes or no questions (ex: Did you read the petition? Is the signature your own? Do you know of any errors or omissions? Did you fairly value your property?).
3. The Trustee is required to verify your Social Security number and picture ID. Failure to bring these documents will result in your case being either (1) continued to the next court date, for which you will have to pay \$150 to reschedule the attorney to appear with me or (2) motioned for dismissal.

WHAT CAN MAKE THE PROCESS EASIER FOR ME?

1. If you have a question, you need to call the office. You have to remember that every bankruptcy is entirely different from any other case that went before yours. Your case is your own, with your own issues and problems, and my cousin's best friend's sister's bankruptcy is not yours.
2. You have to trust your attorney, be present and active in your bankruptcy preparation, and remember that the information you are being asked to provide *is only in your possession or is limited to your personal ability to obtain it*. Wallace & Karson Law Office, PLLC, does not have possession of your bank statements, tax returns, credit reports, lawsuit paperwork, title reports, paystubs, or any other information that is specific to your case. YOU UNDERSTAND YOU HAVE TO PROVIDE THE INFORMATION.
3. You have to be accurate and honest in my descriptions of property and valuation. You must understand that there are severe penalties and/or jail time that can result from not disclosing information, or inaccurately disclosing information, in your bankruptcy petition. You cannot hide property or information from the attorney, because this only causes problems. You need to remember that you are dealing with the FEDERAL GOVERNMENT and they know more about you than you probably do.
4. You should send emails as often as possible because it will cut down on your personal travel time, reduce your stress about being at the office by closing, and will help to maintain an accurate record of your bankruptcy process.
5. If you need to have someone help me with your case, you will provide that name and number to the attorney. No information will be disclosed or distributed without an identifying name and picture identification.

COMMON ISSUES IN BANKRUPTCY

1. "I forgot to add a creditor." Will wait for a few weeks, make sure that there are no other creditors you forgot to list, and then send the addresses, account numbers, and names of all missed creditors for amendment.
2. You cannot purchase anything of value during my bankruptcy without the court's permission *if I am in a Chapter 13*. If you are in a Chapter 7, you must call your attorney with any questions before you take any action.
3. In a Chapter 13, **my first plan payment is due within 30 days**, which is before my employer will likely get my wage directive. You must watch your paystubs in your first month after filing. If no payment is made by your employer to Mr. Brunner, you will need to make a direct payment using Trustee Financial Services or USPS.

ISSUES AFTER YOU FILE BANKRUPTCY

1. **Your credit score will drop.** With the increase of applications and programs like Credit Sesame and Credit Karma, many people are more interested in their credit reports than ever. **Your credit score will drop when you file bankruptcy.** There will be very little action on your credit report during your case because there is no reason for a creditor to remove an account until your case is complete. At that time, you can challenge the credit report as having included the debt in bankruptcy. Please do not expect that your credit score will immediately increase or that these accounts will come off on their own. That is not the case.
2. **You may need to call your mortgage lender or car lender to ask if they will reinstate your billing.** They are within their rights to refuse to send you statements or report your payment to the credit bureau, unless you signed a reaffirmation agreement on the car. Remember: a reaffirmation agreement for real estate in many states is malpractice, our Judge is not in favor of them, and will likely deny the motion. It is the policy of the office that real estate reaffirmation is not in your best interests. You can take your payment history to another lender and show your positive payment history. You do not need to reaffirm your home, despite what your mortgage company may tell you.

HELPPFUL WEBSITES

1. **www.tfsbillpay.com** – CHAPTER 13 clients can make direct payments in certain situations. This takes approximately 7-10 days to process. It will come directly out of your bank account. **DO NOT MAKE PAYMENTS FROM YOUR BANK ACCOUNT.**
2. **www.ndc.org** – CHAPTER 13 clients can see when each payment posts, where it is distributed, and follow the payment and claim history.
3. **www.waeb.uscourts.gov** – where to find Bankruptcy Rules, Local Rules, Bankruptcy Laws, and Court information for the Eastern District of Washington.
4. **www.id.uscourts.gov** – where to find Bankruptcy Rules, Local Rules, Bankruptcy Laws, and Court information for the District of Idaho.
5. **www.ecmc.org** – how to follow your student loans during the bankruptcy process and what options you have during and after your case.
6. **www.irs.gov** – if you need to download tax transcripts for past years, do so here.