

Meeting of Creditors

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QUESTIONS THE TRUSTEE IS REQUIRED TO ASK YOU AT YOUR BANKRUPTCY HEARING

1. State your name and current address for the record.
2. Please provide your picture ID and Social Security number card for review.
3. Did you sign the petition, schedules, statements, and related documents and is the signature your own? Did you read the petition, schedules, statements, and related documents before you signed them?
4. Are you personally familiar with the information contained in the petition, schedules, statements and related documents? To the best of your knowledge, is the information contained in the petition, schedules, statements, and related documents true and correct? Are there any errors or omissions to bring to my attention at this time?
5. Are all of your assets identified on the schedules? Have you listed all of your creditors on the schedules?
6. Have you previously filed bankruptcy? (Provide trustee with case number and the discharge information to determine discharge eligibility in this case)
7. What is the address of your current employer?
8. Is the copy of the tax return you provided a true copy of the most recent tax return you filed?
9. Do you have a domestic support obligation? To whom? Please provide the claimant's address and telephone number, but do not state it on the record. Are you current on your post-petition domestic support obligations?

Source: Executive Office of U.S. Trustee, Handbook for Standing Trustees, Effective 03/01/06 App C-2

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501 East Polk St., (Timberlake Annex)
Room 100- A, Room 100-B or Room 100-C
Tampa, FL 33602

WHAT TO BRING?

Photo ID (Driver's License, Military ID, Passport), Social Security Card and change for parking meters.

SAMPLE QUESTIONS THE TRUSTEE MAY ASK YOU AT YOUR BANKRUPTCY HEARING

1. Do you own or have any interest whatsoever in any real estate? If owned: When did you purchase the property? How much did the property cost? What are the mortgages encumbering it? What do you estimate the present value of the property to be? Is that the whole value or your share? How did you arrive at that value? If renting: Have you ever owned the property in which you live and/or is its owner in any way related to you?
2. Have you made any transfers of any property or given any property away within the last one year period (or such longer period as applicable under state law)? If yes: What did you transfer? To whom was it transferred? What did you receive in exchange? What did you do with the funds?
3. Does anyone hold property belonging to you? If yes: Who holds the property and what is it? What is its value?
4. Do you have a claim against anyone or any business? If there are large medical debts, are the medical bills from injury? Are you the plaintiff in any lawsuit? What is the status of each case and who is representing you?
5. Are you entitled to life insurance proceeds or an inheritance as a result of someone's death? If yes: Please explain the details. If you become a beneficiary of any one's estate within six months of the date your bankruptcy petition was filed, the trustee must be advised within ten days through your counsel of the nature and extent of the property you will receive. FRBP 1007(h)
6. Does anyone owe you money? If yes: Is the money collectible? Why haven't you collected it? Who owes the money and where are they?
7. Have you made any large payments, over \$600, to anyone in the past year?
8. Were federal income tax returns filed on a timely basis? When was the last return filed? Do you have copies of the federal income tax returns? At the time of the filing of your petition, were you entitled to a tax refund from the federal or state government? If yes: Inquire as to amounts.
9. Do you have a bank account, either checking or savings? If yes: In what banks and what were the balances as of the date you filed your petition?
10. Do you own an automobile? If yes: What is the year, make, and value? Do you owe any money on it? Is it insured?

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TRUSTEE(S) COVERING THE MIDDLE DISTRICT OF FLORIDA- CHAPTER 7 AND 13

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341 MEETING FREQUENTLY ASKED QUESTIONS AND ANSWERS

Will my creditors be there?

Despite its name, a meeting of the creditors, you should know that creditors rarely appear at these meetings. The failure of the creditors to attend the meeting does not affect their right to challenge the discharge in a chapter 7 bankruptcy or to object to a payment plan in chapter 13.

What happens at the meeting?

The meeting is presided over by a trustee. There is no judge, as the meeting is very informal and not the least bit adversarial. The meeting typically lasts about 3 or 4 minutes. It is not unusual for a trustee to hear 20 to 30 cases in a one hour period.

At the meeting, you will be asked to take an oath to tell the truth. Then you will need to state your name and current address for the record. The meeting will be tape recorded so you must speak clearly when answering any questions you are asked by the trustee. You may ask the trustee any questions you want at any time.

In addition to your name and address, the trustee will ask you to verify your social security number, check to see that you saw the petition and schedules before you signed them, make sure that you did in fact sign the documents yourself, question you about your property and the people you owe money to, verify your income and assets, and ask if there have been any significant changes since you filed. If there are any creditors present, they will have an opportunity to ask you questions as well.

