

**PRESENTED AT**

15th Annual Consumer Bankruptcy Practice

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**Do This, Don't Do That: Advice from the Chapter  
7 Trustees**

**Moderator:**  
**Hon. Tony M. Davis**

**Panelists:**  
**Christopher R. Murray**  
**Jose C. Rodriguez**  
**Daniel J. "Corky" Sherman**  
**Mark A. Weisbart**

# **DO THIS, DON'T DO THAT: ADVICE FROM THE CHAPTER 7 TRUSTEES**

## **I. Creditor Meeting & Why Schedules and Statements Matter (Jose C. Rodriguez)**

Remember, the Schedules and Statements tell a story about the financial history of debtors; where they are coming from; where they are at and what got them here; where they want to be. Trustees and the general public have access to the story and can see whether the story hangs together (or not). The debtors want to get out of the bankruptcy system ASAP. You want to do your part in presenting the story a complete and accurate report concerning assets and liabilities. The Trustee wants to determine if the case is a no asset case or an asset case

### **A. 341 Meeting – Please DO:**

- Send over the 341 documents (most recently filed tax return with all schedules; bank statement as of date of filing; last 60-days of paystubs) as soon as possible. Some folks from S.A. send them over as soon as they file and get the trustee appointed.
- Bring Social Security card to the Meeting.
  - When providing SSN, remember the alternatives (Taxpayer Identification Number; government office generated documents with SSN; Form W-2s; Form 1099s).
- Bring Picture ID to the Meeting.
- Provide DSO information; the 341 requires the trustee to ask in all cases whether the debtors are subject to DSO.
  - Why do we care?
    - We are required to send a DSO notice of the bankruptcy filing to the DSO recipient and the state child support office handling the case (if name and address of DSO recipient is not scheduled trustee will send a request for name and address of DSO recipient, please provide name and address if available to debtor)
    - We are required to send a second DSO notice to the DSO recipient and the state child support office handling the case after the entry

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## Title search: Do This, Don't Do That: Advice from the Chapter 7 Trustees

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15<sup>th</sup> Annual Consumer Bankruptcy Practice session  
"Red Flags Everywhere!: Chapter 7 Trustee Panel"