

IMPORTANT INFORMATION ABOUT YOUR CHAPTER 7 CASE

341 Meeting of Creditors- You must attend a meeting conducted by the Trustee appointed to your case, either Mr. John Luster or Mr. John Hodge. This meeting will be held in room G34, located in the basement of the Federal Courthouse, 300 Fannin Street, approximately four to six weeks after you file your bankruptcy. You will be notified by the Court and by our office of the exact date and time of the meeting. This meeting could possibly last two hours. The Trustee will mail you a questionnaire that must be filled out prior to the hearing. He may also ask you to take to the hearing copies of bank statements. Have these documents available.

One of the attorneys with our firm will meet you at the meeting. The most likely attorneys who will be there to represent you at the meeting are Mr. Patrick Hennessy or Mr. David Welch. The attorneys in the firm are listed at the end of this document.

*** YOU MUST TAKE YOUR SOCIAL SECURITY CARD AND PHOTO ID - You must present a picture identification to enter the building, and Trustee will request to see your social security card.

*** DO NOT TAKE a cell phone, pocket knife, or anything else that the Marshals may consider potentially dangerous. They will not allow you into the building with them.

***The Trustee will probably ask you to mail to him a copy of you next year's Federal and State Tax Returns (the paperwork) the same day you file the returns. He may be entitled to a portion of your next year's tax refund (the money), but he is not entitled to retain any of your Earned Income Credit (EIC). If you fail to timely mail a copy of your tax returns, he may try to keep all of your tax refund. Do not forget to mail a copy of your tax refunds. It is your responsibility.

Questions normally asked by the Chapter 7 Trustee:

1. Name, address, social security number.
2. Are you familiar with the paperwork filed by your attorney (petition, statements and schedules)?
3. Did you sign them?
4. Did you read everything before you signed the documents?
5. Is everything true to the best of your knowledge?
6. Did you list all of your creditors (people you owe money to)?
7. Did you list all of your property and possessions (things you own, including vehicles, real estate, and other personal property)?
8. Are there any errors or omissions that you are aware of?
9. Has any of the information changed since you filed your bankruptcy?
10. Have you filed a bankruptcy in the last 8 years?
11. Do you have any personal injury claims or any other claims/lawsuits pending?

The Trustee may ask you questions specific to your bankruptcy documents. Answer the questions truthfully, and answer yes or no if you can. If you do not know the answer to a question, then say “I don’t know” - do not guess.

The Trustee does not represent you and cannot help you answer questions. Do not volunteer any information that he does not specifically request. Do not ask the Trustee any questions. Your attorney can assist and advise you when necessary. It is your duty to cooperate with the Trustee to administer whatever assets that is property of the estate and to provide documents and records he requests that are in your possession or control.

Proper dress to wear at the Courthouse:

You may wear everyday business clothing to the 341 Meeting. Do not wear shorts or a hat.

Where to park:

Usually you can find a space at a parking meter within two blocks of the Courthouse. There are some handicapped spots that may be available. Alternatively, you can park in the parking lot across from the Greyhound Bus Station on Fannin Street and Edwards Street.

Chapter 7 is called the “liquidation” bankruptcy. In other words, you give up non-exempt, unencumbered (not mortgaged) assets in exchange for cancellation of liability on most debts. Debts such as taxes less than 3 years old, student loans, child support, alimony, loans made without the intent to repay, personal injuries caused by an intentional act or while under the influence of alcohol or drugs, are examples of debts that may not be discharged.

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