



Whether you file for Chapter 7 or Chapter 13 bankruptcy, you have to attend a hearing called the 341 Meeting of Creditors to answer questions about the information contained in your bankruptcy paperwork. The meeting of creditors is conducted by the bankruptcy trustee appointment in your case.

WHY DOES THE TRUSTEE ASK YOU QUESTIONS?

When administering your case, the trustee must verify the information disclosed in your bankruptcy paperwork and determine whether you have any property that can benefit the bankruptcy estate.

Prior to your scheduled meeting of creditors, the trustee reviews your bankruptcy petition, schedules, and all supporting documents (such as tax returns and pay stubs). At the hearing, the trustee's job is to have you verify under oath that all of the information you disclosed is correct and ask you questions regarding any discrepancies, errors, or items that don't comply with applicable bankruptcy laws.

WHAT IS THE TRUSTEE LOOKING FOR?

In addition to making sure that your paperwork is accurate and complete, the trustee will be on the lookout for omitted or undervalued assets, undisclosed income, fraudulently transferred property, and any other red flags that can benefit your creditors or indicate abuse of the bankruptcy process.

In general, if you were honest in your paperwork and accurately disclosed all of your income, assets, and expenses, the meeting of creditors will be a short and simple hearing. But keep in mind that lying on your bankruptcy petition, concealing assets, or otherwise committing bankruptcy fraud can lead to denial of your discharge and criminal prosecution.

WHAT QUESTIONS WILL THE CHAPTER 7 TRUSTEE ASK ME?

- Did you meet with an attorney to prepare your paperwork?
- Did you sign the petition, schedules, statements, and related documents?
- Did you read the petition, schedules, statements and related documents before you signed them?
- Are you personally familiar with the information contained in the petition, schedules, statements and related documents?
- Is the information contained in the petition and all accompanying documents true and correct? Are there any errors or omissions that you are aware of at this time?
- Have you identified all of your assets on the schedules? (assets include anything of value including accounts of all kinds, real property no matter if it is located out of the country, or personal property including even clothes and wedding rings).
- Have you listed all of your creditors on the schedules? (creditors include relatives and anyone to whom you owe money)
- Have you previously filed bankruptcy? (generally bankruptcies older than 8 years for Chapter 7 and less for Chapter 13 are fine, but they still need to be disclosed to the Bankruptcy Court and Trustee)
- Is the copy of the tax return your attorney provided to my office before this meeting a true copy of the most recent tax return you filed? (if you have filed a more recent tax return, be sure to give a copy to your attorney a week prior to the meeting, or bring a copy to the meeting if it is even more recent than that).
- Do you have a domestic support obligation such as child support or alimony that you owe another? To whom? You will be asked to fill out a form to provide the claimant's address and telephone number, but do not state it on the record for privacy reasons.
- You will be asked if you are current on your post-petition domestic support obligations?
- Did you review the bankruptcy information sheet (this was provided to you when you signed your papers to file and explains the various types of bankruptcies. There is also a copy of this form in the 341 room if you need to refresh your memory)?
- Have you repaid any debts to family or friends in the last year?

- What is the reason for your bankruptcy filing?
- Identify any ownership interest and mortgages for real estate, even out of the country (all of this should be listed on your petition also)?
- Any transfers (giving or selling) anything to relatives or insiders in the past four years?
- Anyone holding any property for you?
- Have a claim against anyone else such as a slip and fall, car accident, someone owing you money etc.?
- Entitled to life insurance proceeds or an inheritance upon someone's death?
- Are you a beneficiary or trustee of a trust?
- Do you own a business?