

# John C. Menszer, Attorney and Counselor at Law

A LIMITED LIABILITY COMPANY

830 Union Street, Suite 301, New Orleans, LA 70112 504-528-2424 jmlaw@lawproplus.com

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**PLEASE PRINT OUT AND BRING WITH YOU TO YOUR INITIAL INTERVIEW.**

## CLIENT INFORMATION SHEET:

Today's Date \_\_\_\_\_

Your Name: \_\_\_\_\_ SSN: \_\_\_\_\_

Spouse's Name: \_\_\_\_\_ SSN: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Mailing Address (if different): \_\_\_\_\_

Have you resided at the above address for 180 days or more: Yes \_\_\_\_\_ No \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

Indicate if you are: Single \_\_\_ Married \_\_\_ Separated \_\_\_ Divorced \_\_\_ Widowed \_\_\_

No. of Dependents at home: \_\_\_\_\_ Their ages are: \_\_\_\_\_

Any Dependents not at home ie. full time students who will be over 19 and under 24 at the end of this calendar year? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, which school: \_\_\_\_\_

Have you ever filed for bankruptcy (Chpt. 7 or Chpt. 13) before:

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, when: \_\_\_\_\_

Do you own your home? \_\_\_\_\_ Rent? \_\_\_\_\_

Are you current with filing your Federal and State income tax returns for the last four years?

Yes \_\_\_\_\_ No \_\_\_\_\_ If not, were you required to file: Yes \_\_\_\_\_ No \_\_\_\_\_

If not, which years have you not filed: Federal \_\_\_\_\_ State \_\_\_\_\_

Do you owe the IRS: Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, Amt. owed \$ \_\_\_\_\_

Do you owe the State: Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, Amt. owed \$ \_\_\_\_\_

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Do you owe past due child support or alimony? Yes \_\_\_ No \_\_\_

Is the support or alimony court ordered? Yes \_\_\_ No \_\_\_  
If yes, the amount owed \$ \_\_\_\_\_

Do you owe any student loans? Yes \_\_\_ No \_\_\_ Amt. owed \$ \_\_\_\_\_

Have any lawsuits been filed against you: Yes \_\_\_ No \_\_\_

If yes, who filed the lawsuit against you: \_\_\_\_\_

Any judgments against you: Yes \_\_\_ No \_\_\_

Are your wages being garnished: Yes \_\_\_ No \_\_\_

## ASSETS AND DEBTS:

What Real Estate do you own?

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Address or Property Description

What do you think it is worth? \$ \_\_\_\_\_

If there is a mortgage or mortgages against it please fill out the following:

Lender: \_\_\_\_\_

Monthly Note: \_\_\_\_\_

Loan Balance: \_\_\_\_\_

Are you behind on the payments: Yes \_\_\_ No \_\_\_

If yes, how many months: \_\_\_\_\_ And how much behind: \$ \_\_\_\_\_

If behind, has a foreclosure been filed: Yes \_\_\_ No \_\_\_ If yes, date of sale: \_\_\_\_\_

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(Real Estate continued)

If there is a second mortgage on the property, please fill out the following:

Lender: \_\_\_\_\_

Monthly Note: \_\_\_\_\_

Loan Balance: \_\_\_\_\_

Are you behind on the payments: Yes \_\_\_ No \_\_\_

If yes, how many months: \_\_\_\_\_ And how much behind: \$ \_\_\_\_\_

=====

Do you own any other Real Estate?

\_\_\_\_\_

Address or Property Description

What do you think it is worth: \$ \_\_\_\_\_

If there is a mortgage or mortgages against it please fill out the following:

Lender: \_\_\_\_\_

Monthly Note: \_\_\_\_\_

Loan Balance: \_\_\_\_\_

Are you behind on the payments: Yes \_\_\_ No \_\_\_

If yes, how many months: \_\_\_\_\_ And how much behind: \$ \_\_\_\_\_

If there is a second mortgage please fill out the following:

Lender: \_\_\_\_\_

Monthly Note: \_\_\_\_\_

Loan Balance: \_\_\_\_\_

Are you behind on the payments? Yes \_\_\_ No \_\_\_

If yes, how many months: \_\_\_\_\_ And how much behind: \$ \_\_\_\_\_

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USE MORE PAPER IF NEEDED

What cars, trucks, motorcycles, or boats do you own:

\_\_\_\_\_  
Vehicle 1 Make and Model Year

If there is a mortgage on the vehicle please fill out the following:

Lender: \_\_\_\_\_

Monthly Note: \_\_\_\_\_

Payoff Balance: \_\_\_\_\_

Are you behind on the payments: Yes \_\_\_ No \_\_\_

If yes, how many months: \_\_\_\_\_ And how much behind: \$ \_\_\_\_\_

Has your vehicle been threatened with seizure or been seized: Yes \_\_\_ No \_\_\_

How much is the Vehicle worth: \_\_\_\_\_ What is the mileage (if known): \_\_\_\_\_

=====  
What cars, trucks, motorcycles, or boats do you own:

\_\_\_\_\_  
Vehicle 2 Make and Model Year

If there is a mortgage on the vehicle please fill out the following:

Lender: \_\_\_\_\_

Monthly Note: \_\_\_\_\_

Payoff Balance: \_\_\_\_\_

Are you behind on the payments: Yes \_\_\_ No \_\_\_

If yes, how many months: \_\_\_\_\_ And how much behind: \$ \_\_\_\_\_

Has your vehicle been threatened with seizure or been seized: Yes \_\_\_ No \_\_\_

How much is the Vehicle worth: \_\_\_\_\_ What is the mileage (if known): \_\_\_\_\_

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What cars, trucks, motorcycles, or boats do you own:

Vehicle 3 Make and Model \_\_\_\_\_ Year \_\_\_\_\_

If there is a mortgage on the vehicle please fill out the following:

Lender: \_\_\_\_\_

Monthly Note: \_\_\_\_\_

Payoff Balance: \_\_\_\_\_

Are you behind on the payments: Yes \_\_\_ No \_\_\_

If yes, how many months: \_\_\_\_\_ And how much behind: \$ \_\_\_\_\_

Has your vehicle been threatened with seizure or been seized: Yes \_\_\_ No \_\_\_

How much is the Vehicle worth: \_\_\_\_\_ What is the mileage (if known): \_\_\_\_\_

===== USE MORE PAPER IF NEEDED =====

Our bank accounts are: Checking \_\_\_ Savings \_\_\_ at Bank Name \_\_\_\_\_

Our bank accounts are: Checking \_\_\_ Savings \_\_\_ at Bank Name \_\_\_\_\_

Have you inherited any property? Yes \_\_\_ No \_\_\_ If yes, describe:

=====Why do we ask the following questions? *In Louisiana you inherit* =====  
===== *at the time of death, even if no legal proceedings have been filed.* =====

Are your parents still alive?

Father: Yes \_\_\_ No \_\_\_ Mother: Yes \_\_\_ No \_\_\_

Are your spouse's parents alive:

Father: Yes \_\_\_ No \_\_\_ Mother: Yes \_\_\_ No \_\_\_

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Do you have any lawsuits of any kind pending against anyone or any company?

Yes \_\_\_ No \_\_\_ If yes, describe the lawsuit:

List any additional assets you have:

## INCOME AND EXPENSES

(Your Gross Income is what you make before deductions are taken out. Your Net Income is your take home pay.)

Your Gross Income is:

\$ \_\_\_\_\_ You are paid: weekly \_\_\_ bi weekly \_\_\_ monthly \_\_\_

Your Net Income is:

\$ \_\_\_\_\_ You are paid: weekly \_\_\_ bi weekly \_\_\_ monthly \_\_\_

Spouse's Gross Income is:

\$ \_\_\_\_\_ You are paid: weekly \_\_\_ bi weekly \_\_\_ monthly \_\_\_

Spouse's Net Income is:

\$ \_\_\_\_\_ You are paid: weekly \_\_\_ bi weekly \_\_\_ monthly \_\_\_

Any other monthly income:

\_\_\_\_\_ \$ \_\_\_\_\_  
Description: Amount:

\_\_\_\_\_ \$ \_\_\_\_\_  
Description: Amount:

Last year our total income for the year was \$ \_\_\_\_\_ for 20 \_\_\_\_\_

The year before that our total income for the year was \$ \_\_\_\_\_ for 20 \_\_\_\_\_

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YOUR MONTHLY EXPENSES (Please estimate to the best of you knowledge):

If you and your spouse are living separately but are filing bankruptcy together, monthly expenses for both parties need to be listed:

Rent or mortgage payment: \$ \_\_\_\_\_

Electricity Bill and Gas: \$ \_\_\_\_\_

Water: \$ \_\_\_\_\_

Telephone and Cell Phones: \$ \_\_\_\_\_

Cable Bill: \$ \_\_\_\_\_

Food: \$ \_\_\_\_\_

Clothing and Grooming: \$ \_\_\_\_\_

Laundry and Dry Cleaning: \$ \_\_\_\_\_

Medical, Prescriptions, Dental (estimate monthly): \$ \_\_\_\_\_

Car Payments (All Vehicles): \$ \_\_\_\_\_

Car Insurance (All Vehicles): \$ \_\_\_\_\_

Other Insurance (Not Payroll Deducted):

Type: \_\_\_\_\_ \$ \_\_\_\_\_

Child Support (Not Payroll Deducted): \$ \_\_\_\_\_

Daycare: \$ \_\_\_\_\_

Taxes (Not Payroll Deducted): \$ \_\_\_\_\_

Transportation (Gas, Oil, Repairs, Bus fare): \$ \_\_\_\_\_

Other (Please List):

Type: \_\_\_\_\_ \$ \_\_\_\_\_

Type: \_\_\_\_\_ \$ \_\_\_\_\_

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## PLEASE BRING WITH YOU TO YOUR APPOINTMENT:

TWO OR MORE OF YOUR PAYCHECK STUBS \_\_\_\_\_  
LAST FEDERAL AND STATE TAX RETURNS \_\_\_\_\_  
LATEST STATEMENTS FROM CREDITORS \_\_\_\_\_  
MORTGAGE AND LOAN STATEMENTS \_\_\_\_\_  
LAST BANK STATEMENTS \_\_\_\_\_  
PAPERS CONCERNING LAWSUITS, \_\_\_\_\_  
AND ALIMONY OR CHILD SUPPORT \_\_\_\_\_

Please note "Creditors" include Finance Companies, Medical Bills, Credit Cards, Credit Union Loans, Personal Loans, Lawsuits, Judgments, Traffic Tickets, Etc.

## PLEASE CALL JOHN C. MENSZER AT 504-528-2424 FOR AN APPOINTMENT.

We are a debt relief agency. We help people file for bankruptcy relief under the bankruptcy code.

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## PLEASE READ AND BRING WITH YOU THE FOLLOWING NOTICES TO YOUR INITIAL APPOINTMENT.

THE NOTICES ARE DESIGNED TO INFORM YOU WHAT TO EXPECT AT YOUR INITIAL CONSULTATION AND TO EDUCATE YOU ABOUT THE BANKRUPTCY PROCESS.

I intend to make an appointment or have had an appointment concerning an initial consultation with John C. Menszer, L.L.C. (The "Firm"). I was advised that the Firm is a debt relief agency as defined in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 ("BAPCPA"), and that it helps people file for relief under the bankruptcy code.

There is no charge for the initial consultation. The Firm provides the following services at the free initial consultation:

A description of the relief available, the benefits and the risks of filing for bankruptcy under sections 7, 11, 12 and 13 of the Bankruptcy Code. An analysis, based on the information and documents provided by me of my income, expenses, assets and debts, whether it appears that bankruptcy may be an appropriate option for me or a recommendation of other possible alternatives to bankruptcy.

I have been informed and agree that the Firm will not provide any services or bankruptcy assistance to me at the time of the initial consultation, other than specifically stated in this Agreement. It is understood by me that the Firm will not provide any other legal services to me and will not file a bankruptcy for me until a Bankruptcy Employment Contract has been signed both by both me and by a representative of the Firm and unless and until the Bankruptcy Questionnaire has been completed, all documents and information requested have been provided, and I have received a certification and budget analysis from an



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approved credit counseling agency and all fees required by the Firm to be paid prior to filing my Bankruptcy have been paid.

## BAPCPA REQUIRED NOTICE NO. 1 (§ 342(b)(1) and 527(a)(1) of the Bankruptcy Code) PURPOSES, BENEFITS AND COSTS OF BANKRUPTCY

This discussion is intended only as a brief overview of the types of bankruptcy. You should not decide whether or not to file for bankruptcy relief solely on this information. Bankruptcy law is complex, and there are many considerations that must be taken into account in making the determination whether or not to file. Anyone considering bankruptcy is encouraged to make a decision only after seeking the advice and assistance of an experienced bankruptcy attorney.

When a person is discharged in bankruptcy, he or she is relieved from liability for most debts incurred before the bankruptcy was filed and protected from future collection of those debts. The purpose of bankruptcy is to give you a "fresh start," and the bankruptcy code is interpreted by the Courts to give effect to these words.

### Types of Bankruptcy

The Bankruptcy Code is divided into chapters. The chapters that usually apply to consumers are Chapter 7, where most or all of your debt is wiped out, and Chapter 13, which involves a repayment plan.

In most cases, once you file your case, the "Automatic Stay" immediately goes into effect. The Automatic Stay means that a bankruptcy filing automatically stops, or stays, and brings to a halt most lawsuits, repossessions, foreclosures, evictions, garnishments, attachments, utility shut-offs, and debt collection harassment. Generally, creditors cannot take any further action against you or your property without permission from the Bankruptcy Court.

Chapter 7: Chapter 7 is designed for people who are having financial difficulties and are not able to repay their debts.

Under the changes to the Bankruptcy Code that took effect October 17, 2005, you can usually qualify for a Chapter 7 if your average gross monthly income for the last six months is below your state's Median Income, your gross income less certain expenses is below your state's Median Income, or you can show "special circumstances" that would allow you to qualify for Chapter 7. The filing fee for a Chapter 7 is \$299.00.

Under Chapter 7, you can usually exempt, or keep, most or all of your assets under Louisiana law, or, if you have not lived in Louisiana for the past two years, under the state's exemption law that applies to your case. Most retirement accounts and pensions are also exempt. Secured property, normally your car and house, may not have any net equity, in which case you can keep it as well. The Trustee liquidates most non-exempt property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.

Once your Chapter 7 case is over, you receive a Discharge. The discharge prevents your creditors from taking any steps to try to collect their unsecured debt. They cannot call you, write you, sue you, or take any steps that could be considered an attempt to collect its debt. If you want to keep property that has a lien on it, you must keep your payments current, and may be required to reaffirm your debt. Some debts

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can not be discharged. Typical examples are child support, alimony, and other domestic support obligations, some taxes, student loans, criminal restitution, and debts for death or personal injury caused by operating vehicles while intoxicated with alcohol or drugs.

**Chapter 13:** Chapter 13 is a valuable tool that lets you catch up overdue mortgage or car payments, taxes and domestic support obligations. It also applies where you have the ability to repay some or all of your debts over time. You must have less than \$307,675 in unsecured debt (such as credit cards and doctor's bills) and less than \$922,975 in secured debt (such as mortgages and car loans) to qualify for Chapter 13. The filing fee for a Chapter 13 is \$274.00.

Under Chapter 13, you keep all of your property, both exempt and non-exempt, as long as you resume making your regular payments on secured debt and keep current under the repayment plan that you propose. A repayment plan can last for up to five years. After finishing your payments, most of your unsecured debts are discharged.

**Chapter 11:** Chapter 11 is designed primarily for business reorganization, but is also available to consumer debtors. Its provisions are quite complex. In the vast majority of cases, Chapter 11 is unnecessary and too expensive for most consumer debtors. The filing fee for Chapter 11 is \$1,039.00.

**Chapter 12:** Chapter 12 lets family farmers repay their debts over a period of time, and is in many ways similar to a Chapter 13. The filing fee for a Chapter 12 is \$239.00.

**Credit Counseling:** Reputable credit counselors can advise you on managing your money and your debts. They may also be able to develop a plan to repay your debts. Unfortunately, many credit counselors are not reputable and charge high fees and contributions that will cause you to fall deeper into debt and damage your credit rating. Furthermore, many misrepresent their non-profit status and/or their affiliations with religious or charitable organizations, and are little more than collection agents for the credit card companies.

Under the changes to the Bankruptcy Code that took effect October 17, 2005, you are required to take two short credit counseling courses, one before you file bankruptcy, and one after you have filed. We will refer you to a reputable credit counselor who has been approved by the United States Trustee Department for these courses.

**BAPCPA REQUIRED NOTICE NO. 2 (§ 527(a)(2) of the Bankruptcy Code)**

**NOTICE OF MANDATORY DISCLOSURE TO CONSUMERS WHO CONTEMPLATE FILING BANKRUPTCY**

1. All information that the assisted person is required to provide with a petition thereafter during a case under this title is required to be complete, accurate and truthful.
2. All assets and all liabilities are required to be completely and accurately disclosed in the documents filed to commence the case, and the replacement value of each asset as defined in section 506 must be stated in those documents where requested after reasonable inquiry to establish such value.
3. Current monthly income, the amounts specified in section 707(b)(2) and, in a case under chapter 13 of this title, disposable income (determined in accordance with section 707(b)(2)), are required to be stated after reasonable inquiry; and
4. Information that an assisted person provides during their case may be audited pursuant to this title, and that failure to provide such information may result in dismissal of the case under this title or other

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sanction, including a criminal sanction.

## BAPCPA REQUIRED NOTICE NO. 3 (§ 342(b)(2) of the Bankruptcy Code) FRAUD & CONCEALMENT PROHIBITED

If you decide to file bankruptcy, it is important that you understand the following:

1. Some or all of the information you provide in connection with your bankruptcy will be filed with the bankruptcy court on forms or documents that you will be required to sign and declare as true under penalty of perjury.
2. A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury in connection with a bankruptcy case shall be subject to fine, imprisonment, or both.
3. All information you provide in connection with your bankruptcy case is subject to examination by the Attorney General.

## BAPCPA REQUIRED NOTICE NO. 4 (§ 527(b) of the Bankruptcy Code) IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES

If you decide to seek bankruptcy relief, you can represent yourself, you can hire an attorney to represent you, or you can get help in some localities from a bankruptcy petition preparer who is not an attorney. THE LAW REQUIRES AN ATTORNEY OR BANKRUPTCY PETITION PREPARER TO GIVE YOU A WRITTEN CONTRACT SPECIFYING WHAT THE ATTORNEY OR BANKRUPTCY PETITION PREPARER WILL DO FOR YOU AND HOW MUCH IT WILL COST. Ask to see the contract before you hire anyone.

The following information helps you understand what must be done in a routine bankruptcy case to help you evaluate how much service you need. Although bankruptcy can be complex, many cases are routine. An attorney can help guide you through this intricate process, making it easier and less stressful for you.

Before filing a bankruptcy case, either you or your attorney should analyze your eligibility for different forms of debt relief available under the Bankruptcy Code and which form of relief is most likely to be beneficial for you. Be sure you understand the relief you can obtain and its limitations. To file a bankruptcy case, documents called a Petition, Schedules and Statement of Financial Affairs, as well as in some cases a Statement of Intention need to be prepared correctly and filed with the bankruptcy court. You will have to pay a filing fee to the bankruptcy court. Once your case starts, you will have to attend the required first meeting of creditors where you will be questioned by a court official called a "trustee" and, much more rarely, by creditors.

If you choose to file a chapter 7 case, you may be asked by a creditor to reaffirm a debt. You may want help deciding whether to do so. A creditor is not permitted to coerce you into reaffirming your debts. It may not be in your best interest to reaffirm a debt.

If you choose to file a chapter 13 case in which you repay your creditors what you can afford over 3 to 5 years, you may also want help with preparing your chapter 13 plan and with the confirmation hearing on your plan which, if held, will be before a bankruptcy judge.

If you select another type of relief under the Bankruptcy Code other than chapter 7 or chapter 13, you will want to find out what should be done from someone familiar with that type of relief. However, please be

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advised that in most cases, you will only be concerned with chapter 7 and chapter 13.

Your bankruptcy case may also involve litigation. You are generally permitted to represent yourself in litigation in bankruptcy court, but only attorneys, not bankruptcy petition preparers, can give you legal advice.

## ACKNOWLEDGMENT OF RECEIPT OF REQUIRED FORMS TO BE SIGNED AT THE INITIAL INTERVIEW

I acknowledge that I have received from John C. Menszer, L.L.C., a copy of all of the following documents:

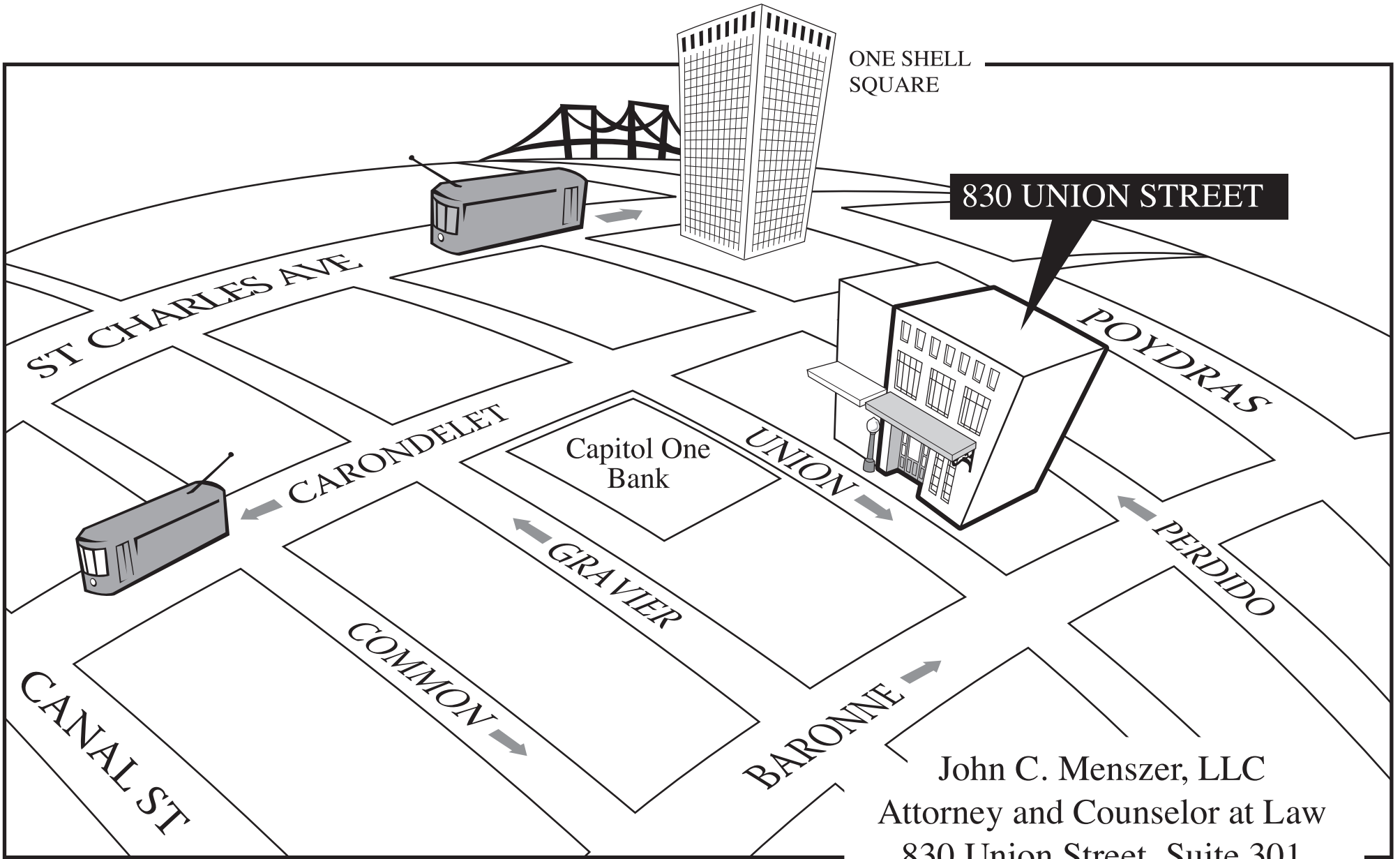
1. Consultation Agreement
2. Notice Mandated By Section 342(b)(1) and 527(a)(1) of the Bankruptcy Code
3. Notice Mandated By Section 527(a)(2) of the Bankruptcy Code
4. Notice Mandated By Section 527(b) of the Bankruptcy Code
5. Notice Mandated By Section 342(b)(2) of the Bankruptcy Code

If my spouse was not present when I received a copy of these notices, I hereby also acknowledge receipt of said notices on behalf of my spouse, and promise to provide my spouse with either a copy of these notices or the opportunity to read and review the copy I received.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Prospective Client

\_\_\_\_\_  
Prospective Co-Client (if present)



ONE SHELL  
SQUARE

**830 UNION STREET**

Capitol One  
Bank

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830 Union Street, Suite 301  
New Orleans, LA 70112  
504-528-2424