

Sample Questions – 341 Meeting of Creditors

The following is a list of questions that should be expected to be asked by the Trustee overseeing the meeting. The purpose of his questions ensure the accuracy of the petition and ensure the debtor is a good candidate for bankruptcy. The Trustee is also looking for assets that may not be listed in the petition or undervalued in the petition.

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? (If so, the trustee must obtain the case number and the discharge information to determine the debtor(s) discharge eligibility.)
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 to me the claimant's address and telephone number, but do not state it on the record.
10. Have you read the Bankruptcy Information Sheet provided by the United States Trustee?

SAMPLE GENERAL QUESTIONS (To be asked when deemed appropriate.)

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. 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?

4. 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 anyone'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)

5. 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?

6. Have you made any large payments, over \$600, to anyone in the past year?

7. 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.

8. 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?

9. When you filed your petition, did you have:

a. any cash on hand?

b. any U.S. Savings Bonds?

c. any other stocks or bonds?

d. any Certificates of Deposit?

e. a safe deposit box in your name or in anyone else's name?

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?

11. Are you the owner of any cash value life insurance policies?

If yes: State the name of the company, face amount of the policy, cash surrender value, if any, and the beneficiaries.

