



Garden State CLE
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Video Course Evaluation Form

Attorney Name _____

Atty ID number for Pennsylvania: _____

Name of Course You Just Watched _____

Please Circle the Appropriate Answer

Instructors: Poor Satisfactory Good Excellent

Materials: Poor Satisfactory Good Excellent

CLE Rating: Poor Satisfactory Good Excellent

Required: When you hear the bell sound, write down the secret word that appears on your screen on this form.

Word #1 was: _____ Word #2 was: _____

Word #3 was: _____ Word #4 was: _____

What did you like most about the seminar?

What criticisms, if any, do you have?

I Certify that I watched, in its entirety, the above-listed CLE Course

Signature _____ Date _____

GARDEN STATE CLE LESSON PLAN

A 2.0 CLE CREDIT COURSE

FREE DOWNLOAD LESSON PLAN AND EVALUTION

MEANS-TESTING IN CONSUMER BANKRUPTCY

WITH DAWN R. SAN FILIPPO, ESQ.

AND FEATURING

ROBERT RAMSEY, SENIOR INSTRUCTOR

Program Description

Cut through the rumors, myths, mystery and confusion about means-testing issues in consumer bankruptcy. This CLE will teach you how to get your client qualified for Chapter 7 treatment and how to totally comply with the law.

I. INTRODUCTION

II. MEANS TESTING WAS FORMALIZED AND INSTITUTIONALIZED IN 2005

- Aimed by Congress at limiting filings by high wage earners

III. MEANS TEST

- a. Follow along on the Court's website Form 22A
- b. Consumer debts
- c. Family of four with income enough for six
- d. Question to be answered: Does the Presumption Arise?
- e. \$9670 is family of six income from government Tables, updated regularly
- f. Profit and Loss Statements in some cases
- g. Continue filling in the form with information from your client
- h. Line 8: other parties paying money to the Debtor for household expenses

IV. THE INTERPLAY BETWEEN THE MEANS TEST AND SCHEDULES I AND J

V. ATTORNEYS ARE REQUIRED TO DOCUMENT 100% OF FINANCIAL INFORMATION

VI. HOW DO YOU PASS THE MEANS TEST WITH INCOME ABOVE THE THRESHOLD?

- a. Deductions
- b. Living separate and maintaining two households example; if divorcing but living together, the court requires information for both (even if only one is declaring Bankruptcy)
- b. The host uses Best Case Bankruptcy software program
- c. Stripping off of second mortgage in a Chapter 13
- d. Married couples are entitled to claim two vehicles even if they only own one
- e. Mandatory payments for pension loans vs. voluntary contributions
- f. Medical and other expenses
- g. Certain other bills
- h. Charitable contributions

VII. CLIENT DOCUMENTS NEEDED

- a. Two years of tax returns
- b. One year of bank statements
- c. Six months of paystubs
- d. Collection letters
- e. Lawsuits
- f. Credit reports

VIII. FEES

- a. Initial retainer to comply with federal law
- b. Follow the statute

IX. a. Review attached forms with this lesson plan