

Bench/Bar Roundtable  
January 4, 2017 - Vancouver  
Current issues for Chapter 7 Trustee

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1. At the 341 hearings

Please have your clients seated in the hearing room and paying attention to the Trustee's opening remarks at the beginning of every hour. If you need to meet or talk with your clients, please do it before or after the opening remarks. This avoids any misunderstandings and makes the docket more efficient.

2. 4002 documents

Bank statements. Send an entire month's worth of transactions that includes the actual filing date. A simple document showing only the balance on the filing date is not a bank statement. A bank statement that covers the 30-day period that ends 4 or 5 days before the actual filing date does not comply with this requirement. Also, the bank statement needs something that authenticates it so we know it is a real bank statement and not a word document prepared on a computer

Car documents. For cases where the debtor has financed the purchase of a titled asset (car, boat, RV, etc.), Trustees must look at the transaction for a preference. Please provide readable copy of purchase contract, and a copy of the title/registration. Please make sure all dates are legible.

Business cases. Include cases where the debtor is a business entity and also individual cases with a sole proprietorship or single member LLC, etc. If available, please provide:

P and L YTD and full prior year

Bank statements for 90 days pre-filing date

Most recent balance sheet

Last 2 years tax returns with ALL schedules

Any info on retirement plans

3. Other Area of interest

- a. Delay between review and signature by clients and actual filing of case.
  - i. Affects means test, most questions on SOFA, etc.
- b. Attorneys not proof reading drafts of filing before it is signed and filed
  - i. Mixed exemptions, staff notes to attorneys, etc.
- c. Cases with litigation. Once your case has a trustee call or e mail us so we can talk about the case and immediate steps needed to be taken, such as hiring professionals, making an appearance, exemption and property of the estate issues, etc.

