

REQUIRED § 341 MEETING DOCUMENTS FOR CHAPTER 13 TRUSTEE CHRISTOPHER T. MICALE

This document lists the documentation that must be submitted by a debtor in advance of a § 341 Meeting. For specific instructions concerning how to submit such documents, please refer to Document Transmittal Procedures for Chapter 13 Trustee Christopher T. Micale (available at www.ch13wdva.com).

Required Documents To Be Submitted

Pursuant to Fed. R. Bankr. P. 4002, every debtor must make available certain documents for the Trustee's review. Of the documents that may be required, the Trustee requests the following documents in advance of a § 341 meeting:

1. **Proof of Income** for the 2-month period preceding the bankruptcy filing:
 - a. **Pay advices/Pay stubs:** If a debtor was regularly employed as a W2 wage earner in the 2-month period preceding the bankruptcy, such documentation should include, but not necessarily be limited to, at least 5 separate paystubs if paid bi-weekly, and at least 10 separate paystubs if paid weekly;
 - b. **Social Security Income:** If a debtor receives any income from the Social Security Administration, such proof may include, but not be necessarily limited to, a social security award letter spanning the time period in question or bank statements showing benefits paid; and
 - c. **Other Income:** If a debtor is a 1099 payee, receives any pension or retirement account distributions, or any other income of any nature whatsoever, the debtor should provide proof of such income by providing, for example, bank statements showing receipt, monthly financial statements showing retirement plan distributions, or may provide an accounting summarizing receipts for any income, which accounting shall be signed before a notary public as an affidavit.
2. **Tax Return(s):** Under 11 U.S.C. § 521(e)(2), a debtor must provide the Trustee with a copy of the Federal income tax return required for the most recent tax year ending immediately before the commencement of the case and for which a tax return was required. However, a debtor may not have filed such return yet (e.g., cases filed in the early part of a year when returns are just beginning to be prepared) or has neglected to simply file a return when it was due. If the tax return for the most recent tax year ending immediately before the commencement of the case has not been filed yet, a debtor should provide the Trustee with the tax return for the most recent tax period which was actually filed and promptly upon filing the most recent tax return, transmit a copy of same to the Trustee. Every tax return submitted to the Trustee should contain with it all schedules and worksheets.

In addition to the foregoing, the Trustee requests that additional documentation be submitted:

1. **Tenancy by the Entirety Documentation:** *If* a debtor claims an exemption pursuant to 11 U.S.C. § 522(b)(3)(B) by holding property in a tenancy by the entirety, the Trustee requests a copy of the document of ownership demonstrating existence of such tenancy by the entirety (e.g., real estate deed, brokerage account agreement, investment custodial agreement).
2. **Trustee Authorization Form:** Upon receipt of notice of the initiation of a Chapter 13 case, the Trustee mails the debtor an authorization to release information to the debtor's address of record. The Trustee requests such form to be completed and returned in a timely fashion.
3. **Trustee Questionnaire:** Upon receipt of notice of the initiation of a Chapter 13 case, the Trustee mails the debtor a questionnaire to the debtor's address of record. The Trustee requests such form to be completed and returned in a timely fashion.

Timeline for Submitting Documents

All required documents requested in advance of a 341 meeting should be transmitted electronically not less than seven (7) days prior to a scheduled 341 meeting date, but may be provided sooner.