# Mont. LBF 33. MATERIALS REQUIRED TO BE DELIVERED TO TRUSTEES BEFORE THE § 341(a) MEETING OF CREDITORS.

# [11 U.S.C. § 521, Fed. R. Bankr. P. 4002 and Mont. LBR 2003-5(b)]

MATERIALS FOR TRUSTEES

The debtor must provide copies of the following documents and materials to the appropriate panel or standing trustees (and to the U.S. Trustee, if requested) at least seven days before the first date set for the debtor’s § 341(a) meeting of creditors. If the debtor fails to provide these documents and materials, the trustee may continue the meeting of creditors until a later date, at which time the debtor and debtor’s attorneys will be required to attend again in order to respond to inquiries related to such documents and materials; or, at the trustee’s discretion, the trustee or U.S. Trustee may seek dismissal or conversion of a debtor’s bankruptcy for failure to provide these documents and materials timely or may seek an order compelling the debtor to provide such materials.

The debtor must also provide a copy of this form to the trustee, which must be completed appropriately to reflect the documents and materials the debtor is and is not providing. The debtor must respond to each request with only one of the following four choices:

 A = Attached NA = Not Applicable

NP = Applicable but not in the debtor’s possession DNE = Applicable but does not exist

Leave no blank items.

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| --- | --- | --- | --- |
|  |  |  | Tax Returns: Copies of the debtor’s state and federal tax returns (including returns for any corporation, partnership, or other entity in which the debtor holds an interest) or tax return transcripts for the most recent two tax years ending immediately before the commencement of the bankruptcy and for which the debtor filed a return, including any attachments (or written statement that the documentation does not exist if filing a Chapter 7 bankruptcy).  |
|  |  |  | Documents for Real Property: Copies of the following documents for each parcel the debtor has an ownership interest in, had an ownership interest within two years before filing bankruptcy, or which the debtor intends to transfer or surrender following the bankruptcy filing. |

 Trust Indenture, Contract for Deed or Mortgage (with proof of recording)

 Homestead Declaration (with proof of recording)

 Appraisal (or most recent year’s county tax assessment statement)

 Loan Status (most recent month’s loan statement)

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | Documents for Personal Property: Provide the following for each item of personal property pledged as collateral to secure a debt, including those assets which the debtor transferred or surrendered within two years before filing bankruptcy or which the debtor intends to transfer or surrender following the bankruptcy filing. |

 Promissory Note, Security Agreement, or Retail Installment Contract

 Proof of Perfection (e.g., UCC-1, with proof of filing)

 Loan Status (most recent month’s loan statement)

 Appraisal (or proof of Fair Market Value, if possible)

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | Vehicle and Other Titles or Registrations: Provide for each vehicle, trailer, ATV, motorcycle, RV, boat, personal watercraft, snowmobile, airplane, and other titled property.  |

 Certificate of Title

 Appraisal (or blue book valuation or other internet valuation)

 Loan Status (most recent month’s loan statement)

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | Mobile Homes: |

 Promissory Note, Security Agreement, and Other Loan Documents

 Certificate of Title

 Homestead Declaration (with proof of recording)

 Loan Status (most recent month’s loan statement)

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | IRA or Pension Plans: Most recent monthly or quarterly statements reflecting account balances; and copy of 401(k) or other plans, if applicable. |
|  |  |  | Banking Information: Copies of statements for all bank, credit union, money transfer and cash apps (e.g., PayPal, Zelle, Venmo), or other financial institution checking, savings, money market, mutual fund, brokerage, and other depository and investment account statements for the ninety days before the bankruptcy filing and reflecting all account balances as of the date of filing. |
|  |  |  | Business Information: Provide for any business that the debtor operated within the two years before the bankruptcy filing: |

 Copy of Most Recent Balance Sheet

 Copy of Most Recent Profit and Loss Statement

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | Divorce: If the debtor divorced within two years before the bankruptcy filing, provide copies of the divorce decree and any marital settlement agreement. |

DATED this \_\_\_\_ day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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Debtor

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Joint-Debtor

[The debtor must provide this form to the trustee but is not required to file it with the Court.]