

# Katie Johnson PLLC

Attorney at Law  
106 E. Main Street ~ P.O. Box 136  
Beresford, SD 57004  
605-763-8013  
Katie.johnsonlaw@gmail.com

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**Sent via E-Mail & U.S. Mail**

Re: Bankruptcy Representation

Dear

Thank you for contacting me to discuss representing you in a Bankruptcy Proceeding. The following is a Bankruptcy Information Sheet for your completion as well as my business card for your reference. I have included in this letter the information I will need to prepare the bankruptcy documents.

Please provide the following:

Full Legal Name of Debtor: \_\_\_\_\_

Maiden name of Debtor: \_\_\_\_\_

Complete Mailing Address: \_\_\_\_\_

\_\_\_\_\_

County of Residence: \_\_\_\_\_

Debtor #1 Contact Number: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Previous Bankruptcy Filings: \_\_\_\_\_

\_\_\_\_\_

**ATTORNEY'S FEE, SALES TAX AND COSTS:**

With regard to my attorney fees, tax and costs, I require a Bankruptcy Retainer Fee of \$2,145.50 be deposited in my Trust Account before filing the Bankruptcy Petition. That amount is calculated as follows:

Attorney's Fee:	\$1,700.00
6&½% SD Sales Tax	110.50
Postage & Photocopy Expense	10.00
Credit Report	33.00
Bankruptcy Filing Fee	<u>335.00</u>
Total Retainer Required	\$ 2,188.50

Payment arrangements can be set up before the bankruptcy is prepared but the Bankruptcy Court requires verification that the full amount has been paid before filing the case. No Petition will be filed until payment in full is received.

**INFORMATION TO PROVIDE:**

\_\_\_\_\_ 1 year of paycheck stubs. (I need at least 6 months. Usually your employer can provide these if you do not have them.)

\_\_\_\_\_ Certification of completion of Credit Counseling that has been done within 180 days before filing. If this is not done within that time frame the Court will dismiss the action and a filing fee of \$335.00 will need to be paid before refiling. There is a cost for this which varies. It can be completed online or in person at the following websites: Debthelper.com, Ypside.com, [www.acdcas.com](http://www.acdcas.com), and pioneercredit.com/register and in person at Luther social services in Sioux Falls.

\_\_\_\_\_ Copies of any leases or contracts for use or purchase of vehicles and home or real estate loans.

\_\_\_\_\_ Legal description of any real property.

\_\_\_\_\_ Itemized list of household goods with what they are worth. This is not what you paid but what you could sell the property for. Please add any additional personal property NOT already listed. This list needs to include **everything you own** even if you do not believe it is worth anything. If you live with a significant other their property and income needs to be included. Please make sure that you list who owns what property if not owned jointly.

TYPE OF PROPERTY	DESCRIPTION	AMOUNT/ VALUE
1. Cash on hand	Cash on hand  Pre-Paid Debit Cards	\$  \$
2. Checking, savings, or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives	All Bank Accounts (List below)	\$  \$  \$  \$  \$
3. Security Deposits	All Security Deposits (List below)	\$  \$  \$  \$

4. Household goods and furnishings, include audio, video, and computer equipment	All Tools	\$
	All Exercise Equipment	\$
Provide details	Kitchen Wares	\$
	Couch	\$
	Computer	\$
	Lawnmower	\$
	Gaming Systems ( WII, Play Station, etc.)	\$
	Bedroom Sets	\$
	Recliners/ chairs	\$
	Refrigerator and Stove	\$
	Table and Chair Set	\$
	All TV Sets (# )	\$

	Vacuums	\$
	Washer/ Dryer	\$
	DVD Collection (# )	\$
	Other Furniture	
5. Books, pictures, and other art objects, antiques, stamp, coin, record, tape, CD, and other collections or collectibles (Please list separately)		\$  \$  \$
6. Wearing apparel	All Clothing	\$

7. Furs and jewelry (Please list separately)		\$  \$
8. Additional Property          Vehicles (list year, make, model, mileage, condition)	Additional Property: (Please list separately)	\$          \$

Under South Dakota Bankruptcy Laws, you have the following exemptions when filing a Chapter 7 Bankruptcy in South Dakota:

- Single - \$5,000.00 worth of personal property can be exempted
- Single & head of household - \$7,000.00 worth of personal property can be exempted
- Married & filing joint bankruptcy - \$12,000.00 worth of personal property can be exempted

Any amounts of personal property over the above exemptions can be ordered to be repaid to the Bankruptcy Trustee in a Chapter 7 Filing. Personal property which may cause a repayment to the Trustee include:

- Income tax refunds
- Earned & accrued wages
- Accrued & not paid vacation time
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**PLEASE PROVIDE:**

\_\_\_\_\_ List of all creditors with balances, account numbers, current addresses and telephone numbers. Copies of billing statements, account statements, etc. should be provided as well.

\_\_\_\_\_ Names and ages of any person living in your household. If they are children, I also need to know who claims them on tax returns.

\_\_\_\_\_ If a creditor needs to be added after filing the Court imposes a \$30 fee. You will need to pay this fee before the creditor is added. If the creditor is not added they will not be discharged.

\_\_\_\_\_ If an item of property is forgotten and needs to be amended and added an additional fee will be charged based on the number of creditors and the time it takes to make the amendment. You will be responsible for this fee if you did not tell me about an item of property.

\_\_\_\_\_ A current bank account statement for the date of filing and current bank account balances for the day of filing and 3 months of bank account statements

\_\_\_\_\_ The last account statements you have from IRA's or retirement.

\_\_\_\_\_ Previous 2 year's tax returns

\_\_\_\_\_ Any other names you have went by (i.e. maiden, previous married, etc.)

\_\_\_\_\_ Any addresses you have had in the past 3 years.

\_\_\_\_\_ Go to <https://sdtreasurer.gov/unclaimedproperty> and search the names of the parties filing to make sure there are no unclaimed funds there. If there are let me know.

**PLEASE PROVIDE A LISTING OF YOUR MONTHLY EXPENSES**

List your monthly expenses below. If you and your spouse are filing together but do not live together attach a separate list of spouse's monthly expenses.

Rent or Mortgage (include lot rented for mobile home)	\$
Are real estate taxes included in Mortgage? If not, list here	\$

Is property insurance included in Mortgage? If not, list here	\$
Electricity and heating fuel	\$
Water and sewer	\$
Telephone	\$
Other utilities (specify)	\$
Home maintenance (repairs and upkeep)	\$
Food	\$
Clothing	\$
Laundry and dry cleaning	\$
Medical and Dental	\$
Transportation (NOT including car payments)	\$
Recreation, clubs, entertainment, newspapers, magazines	\$
Charitable contributions	\$
Insurance (NOT deducted from wages or included in mortgage payments)	\$
Homeowners or renters	\$
Life	\$
Health	\$
Auto	\$
Other insurance (specify)	\$
Taxes (NOT deducted from wages or included in mortgage) SPECIFY type of taxes	\$



Alimony, maintenance, support you pay	\$
Installment payments (auto)	\$
Other installment payments (specify)	\$
Expenses from business, profession, farm operation	\$
Other expenses (specify)	\$

\_\_\_\_\_ A list of any payments made by you to anyone over \$600 within the last 90 day.

\_\_\_\_\_ A list of **any** payments to family members in the past year.

\_\_\_\_\_ A list of any businesses you have had ownership interest in for the past 10 years.

\_\_\_\_\_ A list of any property transfers in the past 120 days

\_\_\_\_\_ Any gifts of over \$200 in the past year if so list

\_\_\_\_\_ Any trusts created in the past 10 years if so list

\_\_\_\_\_ Any owner ship of a safe deposit box if so list.

\_\_\_\_\_ Any gambling losses, if so list.

\_\_\_\_\_ Any closed financial account for the past year if so list.

\_\_\_\_\_ Any lawsuits you have been involved in for the past year.

\_\_\_\_\_ Review of the Bankruptcy Information Sheet.

\_\_\_\_\_ Copies of a judgment report from the clerk of courts for South Dakota. \$15 per person needs to be reimbursed if I obtain those.

**PLEASE NOTE THIS IMPORTANT INFORMATION:** If you have judgments and those need to be taken off your record the process for this is more time consuming. A Judgment Removal Application must be filed in each and every county where you have a Judgment against you. The cost for Judgment removal is not included in the fee you paid to me originally. My charges for judgment removal are as follows:

- Attorney's Fee \$ 250.00
- 6 ½% SD Sales Tax 16.25
- Cost to obtain certified copy of Bankruptcy Order of Discharge 11.00
- Certified Mail Charges (estimated) 10.00
- Estimated Total for Judgment Removal \$ 287.25

It is very important that you provide me with all asset and creditor information as well as addresses for all creditors. Please provide any requested information in a timely manner. If we have to add information after the Petition is filed, there is an additional filing fee to the Bankruptcy Court which will be billed to you and you will be expected to pay. I cannot stress to you the importance of compiling all requested information in a timely manner.

Please contact me with any questions or comments. I look forward to working with you.

Best regards,

*/s/ Katie Johnson*

Katie Johnson

KJ:jo  
Enclosure