

IMPORTANT NOTICE TO INDIVIDUAL DEBTORS
Regarding Individual Debtor's Duty to Provide Documentation

The Clerk's Office of the United States Bankruptcy Court for the District of New Mexico provides this notice to individual debtors. Failure to follow the directions in this notice to provide the required documentation is grounds for dismissal of your case. If you are an individual debtor (and this applies to both debtors in a joint petition), you must provide the following to your case trustee as directed by law.

(1) Copies of Payment Advices. Pursuant to court order,¹ you shall provide to your case trustee copies of all payment advices or other evidence of payments you received from any employer within 60 days before the date of the filing of the petition [11 U. S. C. § 521(a)(1)(B)(iv); Fed R Bankr. P. 4002(b)(2)(A)]. In a joint petition, this requirement applies to each debtor. **Copies of payment advices must be delivered to your case trustee not later than 7 days before the date first set for your meeting of creditors. DO NOT FILE THESE DOCUMENTS WITH THE COURT.**

(2) Copy of Federal Income Tax Return. Pursuant to 11 U. S. C. § 521(e)(2)(A)(ii) and Fed R. Bankr. P. 4002(b)(3), you shall provide to your case trustee a copy of your most recent Federal income tax return or a transcript of your most recent federal income tax return or a written statement that the document does not exist. In a joint petition, this requirement applies to each debtor. **The copy or transcript of the tax return or the statement that the tax return does not exist must be delivered to your case trustee not later than 7 days before the first date set your meeting of creditors. DO NOT FILE THESE DOCUMENTS WITH THE COURT.**

FAILURE TO TIMELY PROVIDE COPIES OF THESE DOCUMENTS TO YOUR CASE TRUSTEE MAY RESULT IN DISMISSAL OF YOUR CASE.

If your case is dismissed, you will lose the filing fee you paid, and your creditors will be able to resume collection activities against you. If you later file another bankruptcy case, you will have to pay a second filing fee, you may have to take extra steps to stop creditors' collection activities, and the automatic stay terminates after 30 days unless the court grants a motion for extension of the stay.

¹Order Directing That Payment Advices Not be Filed With the Court But Instead be Provided to Trustee and, Upon Timely Request, to Creditors, entered October 4, 2005, in Misc. Case No. 05-00001, Court Administrative Matters. The order is available for viewing at <http://www.nmcourt.fed.us/usbc>.

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(3) Requirements of the United States Trustee. You are required to bring the following with you to the meeting of creditors [Fed. R. Bankr. P. 4002(b)(1) and (2)]. In a joint petition, these requirements apply to each debtor.

- a. A picture ID issued by a governmental unit, or other personal identifying information that establishes the debtor's identity;
- b. Evidence of social security number(s), or a written statement that such documentation does not exist;
- c. Statements for each of the debtor's depository and investment accounts including checking, savings, and money market accounts, mutual funds and brokerage accounts for the time period that includes the date of filing of the petition; and
- d. Documentation of monthly expenses claimed by the debtor when required by § 707(b)(2)(A) or (B). The documentation referred to here are your records of monthly expenses which you use to complete certain sections of the Chapter 7 and Chapter 13 statements of income, specifically:

For chapter 7 case:

Part V, *Calculation of Deductions Allowed Under § 707(b)(2)*, Part VI, *Determination of § 707 (b)(2) Presumption*, and Part VII, *Additional Expense Claims* on the Statement of Current Income and Means Test Calculation, Form B22A, ***if you are required to complete that section based on your answer in Line 15 of that form.***

For chapter 13 case:

Part IV, *Calculation of Deductions Allowed Under § 707(b)(2)*, Part V, *Determination of Disposable Income Under § 1325(b)(2)*, and Part VI, *Additional Expense Claims*, on the Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income, Form B22C, ***if you are required to complete that section based on your answer in Line 23 of that form.***

You are also required to provide any additional information requested by the trustee.

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