

## MEANS TEST QUESTIONNAIRE

Bankruptcy law uses a “means test” to determine (1) if you can file a Chapter 7 bankruptcy and (2) how much you must pay in a Chapter 13 bankruptcy.

**Date** \_\_\_\_\_

**Name, Husband or single** \_\_\_\_\_ **Wife** \_\_\_\_\_

1. County of residence \_\_\_\_\_ Number of people in your household \_\_\_\_\_

Number of people in household over age 65 \_\_\_\_\_

2. **Vehicles.** List the number of vehicles you:

\_\_\_ Own and are making payments on a loan.

\_\_\_ Lease

\_\_\_ Own outright, no payments

3. Are you a disabled veteran? Yes \_\_\_ No \_\_\_

4. **Marital status**

\_\_\_ Single

\_\_\_ Married, but separated

\_\_\_ Married

5. **Income for the last 6 months.** Except for money borrowed, list all the money you received for the last 6 months from any source whatsoever, even if you do not consider it “income.” Some money, such as social security, does not count in the means test, but you want to tell your lawyer about **all** the money that has passed through your hands. Do not omit any money because you think it is not part of the bankruptcy.

If you are married, list all income for both husband and wife, even if only one of you plans to file a bankruptcy.

Please fill in all the amounts below that apply to you. For example, you can skip “Rental Income” if you do not have rental income.

- a. **Gross wages (before taxes or other deductions).** This includes payment from a corporation you or your family owns, but **not self employment**. Bring 6 months pay stubs to our initial consultation. Bring whatever you have if you have not been employed for 6 months or do not have all your pay stubs.

Husband or single

	Employer	Second job, if any
Employer’s name	_____	_____
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

	Employer	Wife	Second job, if any
Employer's name	_____		_____
Last month	\$ _____		\$ _____
2 months ago	\$ _____		\$ _____
3 months ago	\$ _____		\$ _____
4 months ago	\$ _____		\$ _____
5 months ago	\$ _____		\$ _____
6 months ago	\$ _____		\$ _____

- b. **Income from business (self-employed) or farm.** "Gross income" includes ever dime that comes in the door, and "business expenses" are the cost for equipment, inventory and other cost of doing business (not including and personal expenses or personal income tax).

Type of business	_____	
	Gross income	Business expenses
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

- c. **Rental income.** Income and expenses from land or other property rented to other people.

	Rent collected	Expenses
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

- d. **Interest, Dividends and royalties.**

	Husband or single	Wife
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

e. **Pension, Retirement, Including 401K or IRA Distributions, & Social Security Income**

Husband or single

Name	_____	_____
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

Wife

Name	_____	_____
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

f. **Support.** Child support, spousal support or any regular contribution anyone makes to your household expenses. This is support paid to you, not support you pay someone else.

Husband or single

Type of support	_____	_____
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

Wife

Type of support	_____	_____
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

g. **Unemployment or Worker's compensation.**

	Husband or single	Wife
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

h. **Any other money.** This includes gifts, interest, dividends, royalties or other investment income. Other than money you borrowed, any money you received or used to pay your bills should be listed here if it does not fit in one of the above categories.

	Husband or single	
Type of income	_____	_____
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

	Wife	
Type of income	_____	_____
Last month	\$ _____	\$ _____
2 months ago	\$ _____	\$ _____
3 months ago	\$ _____	\$ _____
4 months ago	\$ _____	\$ _____
5 months ago	\$ _____	\$ _____
6 months ago	\$ _____	\$ _____

6. **Taxes.** Give the amount of any past-due taxes. This includes income tax or any other tax for which you are personally liable. Do not include property tax on your house;

\$ \_\_\_\_\_

7. **Past-due support.** List the amount past due on any child support or alimony.

\$ \_\_\_\_\_

8. **Unsecured debt.** Secured debt is debt that is secured by some property, such as a mortgage is secured by a house. Credit cards and any other debt that is not secured by specific property are "unsecured debt."

Approximately how much unsecured debt do you owe? \_\_\_\_\_

9. \_\_\_\_\_ Monthly contributions to 401K or retirement accounts.

10. \_\_\_\_\_ Remaining balance on any unpaid 401K loans.

11. **Certain monthly expenses.** Most expenses for the means test come from standards allowed by the IRS, but you must provide your normal monthly expenses for the items listed below.

\$ \_\_\_\_\_ Taxes (monthly withholding/payment on current income, not any past-due tax). This includes all taxes except property tax and sales tax. It includes income, social security and Medicare tax withheld from your pay. We can get this from your pay stubs if you are employed. You can estimate from past years tax returns or 1040 ES if you are self-employed.

Do you normally get a tax refund? Yes \_\_\_\_ No \_\_\_\_

\$ \_\_\_\_\_ Mandatory deductions from pay, such as union dues.

\$ \_\_\_\_\_ Life insurance (Term life insurance, not whole life).

\$ \_\_\_\_\_ Child support, spousal support (that you pay, not receive)

\$ \_\_\_\_\_ Court-ordered payments like spousal support or criminal restitution

\$ \_\_\_\_\_ Educational expenses for physically or mentally challenged child.

\$ \_\_\_\_\_ Educational expense for children under 18.

\$ \_\_\_\_\_ Education that is required by your work.

\$ \_\_\_\_\_ Childcare. This includes day care, but not educational expenses.

\$ \_\_\_\_\_ Expense to keep family safe from domestic violence.

\$ \_\_\_\_\_ Medical insurance.

\$ \_\_\_\_\_ Medical expenses that are not paid by insurance.

\$ \_\_\_\_\_ Disability insurance.

\$ \_\_\_\_\_ Expense to care for elderly or ill member of household or family.

\$ \_\_\_\_\_ Donations to church and charity.

For Attorney Use

Cross-collateralized debt.

Line 17 marital adjustment

Line 23, vehicle close to payoff?

Line 39 food, clothing, household supplies or other miscellaneous expenses.

Line 21 rent, utilities or other housing expense

Line 37, home energy cost

Line 44, other priority debt

Line 56, Special expenses (Student loans).

Line 54 in Chapter 13, child support

Line 55 in Chapter 13, retirement and loans from retirement

- 10 **Secured debt.** The means test considers the payments you must make on secured debt. Secured debt is any debt that the creditor can foreclose or repossess the property if you do not make the payments. This includes home mortgage, home equity loans, homeowners associations, property tax, vehicle loans, boat loans and payments to any creditor that has a security interest in property like vehicles, furniture, appliances or electronic equipment. The means test uses the number of payments, not the balance due. For each secured debt, we need to know (1) the monthly payments, (2) the number of payments remaining, (3) any past due amount and (4) the amount of any balloon payment at the end of the loan.

**Home**

Monthly property insurance \$ \_\_\_\_\_ (**List only if not included in mortgage payment**)

**Mortgage**

Name of creditor \_\_\_\_\_

Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_

Past due amount \$ \_\_\_\_\_ Balloon payment? \$ \_\_\_\_\_

**Home equity or second lien on home**

Name of creditor \_\_\_\_\_

Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_

Past due amount \$ \_\_\_\_\_ Balloon payment? \$ \_\_\_\_\_

**Property tax (List only if not included in mortgage payment)**

Name of creditor \_\_\_\_\_

Yearly payment \$ \_\_\_\_\_

Past due amount \$ \_\_\_\_\_

**Homeowners association**

Name of creditor \_\_\_\_\_

Monthly payment \$ \_\_\_\_\_ OR Yearly payment \$ \_\_\_\_\_

Past due amount \$ \_\_\_\_\_

**Other debt secured by home**

Name of creditor \_\_\_\_\_

Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_

Past due amount \$ \_\_\_\_\_ Balloon payment? \$ \_\_\_\_\_

**Other Secured Creditors (Vehicles, furniture, etc.)**

Name of creditor \_\_\_\_\_

Secured Property \_\_\_\_\_ Payoff Amount \$ \_\_\_\_\_

Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_

Past due amount \$ \_\_\_\_\_

Name of creditor \_\_\_\_\_  
Secured Property \_\_\_\_\_ Payoff Amount \$ \_\_\_\_\_  
Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_  
Past due amount \$ \_\_\_\_\_

Name of creditor \_\_\_\_\_  
Secured Property \_\_\_\_\_ Payoff Amount \$ \_\_\_\_\_  
Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_  
Past due amount \$ \_\_\_\_\_

Name of creditor \_\_\_\_\_  
Secured Property \_\_\_\_\_ Payoff Amount \$ \_\_\_\_\_  
Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_  
Past due amount \$ \_\_\_\_\_

Name of creditor \_\_\_\_\_  
Secured Property \_\_\_\_\_ Payoff Amount \$ \_\_\_\_\_  
Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_  
Past due amount \$ \_\_\_\_\_

Name of creditor \_\_\_\_\_  
Secured Property \_\_\_\_\_ Payoff Amount \$ \_\_\_\_\_  
Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_  
Past due amount \$ \_\_\_\_\_

Name of creditor \_\_\_\_\_  
Secured Property \_\_\_\_\_ Payoff Amount \$ \_\_\_\_\_  
Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_  
Past due amount \$ \_\_\_\_\_

Name of creditor \_\_\_\_\_  
Secured Property \_\_\_\_\_ Payoff Amount \$ \_\_\_\_\_  
Monthly payment \$ \_\_\_\_\_ Number of remaining payments \_\_\_\_\_  
Past due amount \$ \_\_\_\_\_