

# SIPPEL LAW FIRM PLLC

*Attorneys and Counselors At Law  
A "Debt Relief Agency"*



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*Our mission in these times of change and uncertainty  
is to bring the best possible solution for the  
personal, business, and financial affairs of our clients.  
We will help you Claim Your Fresh Start!*

## **In Re: INITIAL BANKRUPTCY CONFERENCE SCHEDULED:**

Thank you for considering the SIPPEL LAW FIRM PLLC. We have a lot of ground to cover at our initial conference. The office has years of experience in helping people just like you sort out their financial affairs. I personally have been in law practice since 1978, and have worked with the bankruptcy courts at all the various levels and chapters of cases, with individual clients, and big corporations.

In preparation for our meeting, I would like to focus on four goals, itemized below. I believe that we can cover the information necessary to achieve these goals, that will help you understand the system, the process, and assist you in making financial decisions for your future.

### **I. RELATIONSHIP**

During our initial conference, we will get to share information with each other. Every attorney client relationship has trust, and confidentiality as their foundation. I want to get to know you, and have you know me so we can work together to help you with solving your problems. This is your case and your life, and I want us both to be clear on how our law offices can help you.

### **II. LEARNING ABOUT YOUR FINANCES AND WHAT IS BEST FOR YOU - PLEASE HELP US HELP YOU!!**

I need a basic picture of your situation to be able to advise you, what we may be able to do, and how we can help you. We need to know why you think you need to file bankruptcy, and will ask you a number questions about your income, expenses, secured debt, your credit card (unsecured) debt, car debts and related items.

**Please complete the enclosed forms as fully as possible and bring in all documents on the pink sheet that pertain to you when you come to the office.** It is very important for us to have a full understanding of your situation. If you do not fill in the forms or bring in the documents for us to check or verify information, I may not have the information I need to give you good advice – and we may have to reschedule your appointment for a later date.

My staff will meet with you to go over this first and try to cover any missing information. WITHOUT THIS INFORMATION, IT IS VERY DIFFICULT TO GIVE YOU THE ADVICE YOU WANT AND NEED. We apologize if there is any duplication, but you want us to be thorough and give good direction.

### **III. YOU LEARNING SOME BASIC INFORMATION ABOUT BANKRUPTCY**

There are some basic issues we need to discuss and information to share with you:

New Code Requirements regarding initial documents, forms, counseling

Income and Expense Analysis

Chapter 7 versus Chapter 13, and how the system works

Debts - secured, unsecured, Tax, priority, non dischargeable

Assets / Property - exempt, non exempt

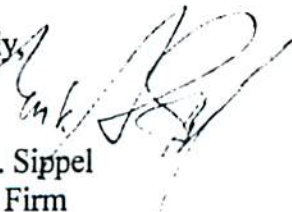
Duty of Disclosure to the Trustee of all your financial data Under Oath, Penalty of Perjury

### **IV. ESTABLISHING A FEE AGREEMENT AND A PLAN TO GET THE WORK DONE.**

The final step is that we figure out what is best for you. We will discuss how much the fees will be for your case, whatever direction you may wish to pursue, and talk about the financial aspects of how you will pay for those fees, and when we will get the information to complete the legal work.

If you retain our offices, then there are a lot of papers for you to fill out, and we need information about all your creditors and property claims. The additional pages we will give you will be a start towards that process at the end of the Initial Conference, I will ask you if we have covered all the issues in this letter, and answered all your questions. Please feel free to ask me any other questions you may have.

Sincerely,

  
Mark A. Sippel  
For the Firm



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## **OUR OFFICE PROCESS – A 14 Step Program to Claim Your Fresh Start**

1. Beginnings: The Packet & The Seminar
  - a. What we need to know to advise you
  - b. What you need to know so what we tell you makes sense
2. The Free Initial Consult & The “Prescription”
  - a. Don’t Use or pay Credit Cards
  - b. Set off: Change Banks from creditor claims,
  - c. SPECIAL PERSONAL TERMS & DIRECTIONS
3. The Hiring, Set up and Creation of Files
  - a. We are retained when we have signed contract, and some monies
  - b. Computer Files are set up, we advise creditors who call
4. The In Gathering: Information, Documents, & Monies
  - a. Case is partially input, but wait for final completion when full paid
  - b. **We expect you to work with our Staff, Paralegals.**
5. “Barefoot Bill Collectors” Defense Strategies
6. Countdown to Filing: Fully paid, Pay stub Bank Updates and Checklists
7. The First Credit Counseling
8. Lawyer Review. Sign, Last Minute “Tweaks”, Timing with Pay and Bank Float
9. The Case Filing; Notice to Creditors
  - a. This is the date you get a case ##, and Protection from Creditors
  - b. Time lines are set up for meetings, creditor complaints
10. “Love Letter” by the Trustee; Questionnaire, Documents Last Updates
11. The 341 First Meeting of Creditors – “20 Questions”
12. The Fulfillment of Intentions: Surrender, Redeem, Reaffirm
13. The Post 341 Meeting Education Counseling
14. The Discharge and Closure of the Case!

Mark A. Sippel  
For the Firm

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## PAPERWORK NEEDED FOR INITIAL INTERVIEW

1. **Drivers License and Social Security Card(s)**-copies of Both for Each Person Filing for Bankruptcy.
2. **Proof of Income PAY Stubs** or Business Profit Loss for **the Last Six Months**.- These Can Include Copies/stubs of Any/all Pay Check Stubs, Pension, SSI Military Pay, Child Support, Alimony, monies cashed out of life insurance, 401k, retirement, Etc. **BOTH SPOUSES EVEN IF ONLY ONE IS FILING.**
3. **Law suits**, Judgments/liens/garnishments-need **All Paperwork from Courts** or Opposing Counsel Including: Summons, Writ of Garnishment, Judgment, Answer and Any/all Other Related Paperwork.
4. **Creditor Bills**-copies of All Bills and Collection Bills Owing. This Includes: Medical and Credit Card Bills, monies owed to anyone. **We do not need utility bills unless they are old and you don't plan on paying.**
5. **Taxes**- Need Copies of Last Two Years of Taxes. **This Includes W-2's.**
6. **Last 6 Months Bank Statements**-need Copies of All Bank Statements and Check Register for the . This Includes Any Pay pal Accounts.
7. **Divorce decrees**-must have all decrees from the last ten years.

To File the Bankruptcy, and satisfy the Trustee, we will also need copies of the following:

8. **House Papers/land Property**- \*If You Own a House this Will Include; Any/all Deeds, Mortgage Papers, Property Tax Info, Title Company Papers.  
\*If You Rent/lease this Will Include; Rent/lease Agreement,. Most Recent Rent Receipt.
9. **Vehicles**- If You Own/lease a Vehicle or Any Recreational Vehicles We Need Copies of Any/all Agreements, Titles, Registration, Insurance Cards or Policy and All Lien Holder Info, including pay book.
10. **Any business interests, stock, LLC Membership, side businesses**
11. **Life Insurance**-need Copies of Life Insurance Policies and Statements on How Much Is Paid Every Month or Every Three Months., whole life, cash value, term etc.
12. **Transfers of Property**- What you sold or gave away, to whom, when, \$\$ any/all Promissary Notes and Proof of Transfer, Info on Individual Who Received the Property.
13. **Wins/losses**-any/all Proof of Winnings/losses in Gambling in the Last Year
14. **Monies you have paid back to your Relatives** Proof of Monies Paid to Relative Includes: Receipts and Promissary Notes, property transfers.
15. **There may be other materials we will need for your case. We will let you know.**

**\*\*\*All These Documents Are Needed to Successfully Complete Preparation of Your Bankruptcy. If You Fail to Provide Any of These Documents Your Bankruptcy Could Be Delayed or Dismissed.**

## ARIZONA EXEMPTIONS

(Use of federal bankruptcy exemptions in 11 U.S.C. 522(d) not permitted in Arizona. See A.R.S. § 33-1133.) The IRS can lien all the items on this page. In order to qualify for a homestead the residence must be your primary residence. Community property liability: A.R.S. § 23-214 & 215. With the exception of the single homestead exemption for a married couple, each adult has a separate exemption (A.R.S. § 33-1121.01). Therefore, each adult has an exemption for \$6,000 in household furnishings. The dollar amounts listed below are the resale, not retail, value of the items (e.g.: what your couch would sell for at a yard sale). But, if you are filing for bankruptcy and have personal property (not land/house) that has a lien or security interest, then you must use the "replacement value – the price a retail merchant would charge for property of similar kind and condition. §506(a)(2). Items not on this list are not protected from your creditors. Neither are the items protected from the creditors that you granted a lien interest to – deed of trust on the home or security interest in personal property (for instance - charging your refrigerator on Sears card.). Exemption rights cannot be waived (A.R.S. 33-1132).

TYPE OF PROPERTY	AMOUNT OF EXEMPTION	STATUTE
Homestead, consisting of debtor's equity in real property used as residence. 1 apartment of horizontal property regime, or mobile home and land upon which located. Excluded; A.R.S. § 33-1102 (recording not required). Title in a revocable trust does not normally abandon homestead. ARS. § 33-1104(E)	\$150,000 (as of 8/25/04) – as against nonconsensual liens. Total exemption of \$150,000 for both spouses. Applies to identifiable cash proceeds of homestead sale for 18 months after sale. But, in bankruptcy – see 11 § 522(p)	A.R.S. § 33-1101(A); Except consensual liens.: A.R.S. § 33-1104 –
Prepaid rent and security deposits for Debtor's residence	\$2,000	A.R.S. § 33-1126(C)
Household furniture, furnishings, household goods, including consumer electronic devices, and household appliances personally used by the debtor or a dependent of the debtor and not otherwise specifically prescribed in this chapter.	\$6,000 aggregate value	A.R.S. § 33-1123
Motor Vehicle - equity in vehicle	\$6,000; \$12,000 if Debtor or Debtor's dependent is disabled	A.R.S. § 33-1125(8)
Food, fuel and provisions for 6 months used by Debtor & family	100%	A.R.S. § 33-1124
Wearing apparel	\$500	A.R.S. § 33-1125(1)
Library	\$250	A.R.S. § 33-1125(5)
Computer, typewriter, bicycle, sewing machine, family bible, burial lot, rifle or shotgun or pistol.	\$1,000	A.R.S. § 33-1125(7)
Pre-arranged funeral memorial - deposited in a funeral trust account with the funeral home (e.g. coffin open/close fees)	\$5,000	ARS § 32-1391.05(C)(4)
Musical instruments of Debtor and family	\$400	A.R.S. § 33-1125(2)
Domestic pets, horses, milk cows and poultry	\$800	A.R.S. § 33-1125(3)
Engagement and Wedding rings	\$2,000	A.R.S. § 33-1125(4)
Watch	\$150	A.R.S. § 33-1125(6)
Wheel Chair and prescribed health aids	100%	A.R.S. § 33-1125(9)
Necessary tools, equipment, instruments, marketing tools, intangible work product used in profession	\$5,000 (does not include personal motor vehicle)	A.R.S. § 33-1130(1)
Arms, uniforms/accoutrements required by law	100%	A.R.S. § 33-1130(3)
School Equipment used to teach	100%	A.R.S. § 33-1127
Firefighting equipment	100%	A.R.S. § 33-1128
Net disposable earnings (less deductions required by law) includes pension and retirements payment.	75% or 30 X the federal minimum hourly wage, per week, whichever is greater. Does not apply to child support.	A.R.S. § 33-1131
Wages: \$50 per week plus \$15 a week for each dependant	100%	A.R.S. § 23-755(D)
One single bank account	\$300	A.R.S. § 33-1126(A)(9)
Earnings of minor child (but don't co-mingle with debtor)	100%	A.R.S. § 33-1126(A)(2)
Child support or maintenance	100%	A.R.S. § 33-1126(A)(3)
Welfare assistance	100%	A.R.S. § 46-208
Unemployment compensation benefits	100%	A.R.S. § 23-783
Workmen's compensation benefits	100%	A.R.S. § 23-1068(B)
Long Term Disability Program Benefits	100%	A.R.S. § 38-797.11
Student Loan Proceeds (limited)	100%	20 USC 1095(a)(d)
*Interest in retirement plan qualified under Internal Revenue Code § § 401(a), 403(a)(b), 408, 408(a), 409, 457 (deferred comp)	100% (except contributions within 120 days before filing petition)	A.R.S. § 33-1126(B)
529 account (college savings plans) under Internal Revenue Code	100% (except contributions within 2 years before filing petition.	A.R.S. § 33-1126(A)(10)
Annuity (owned by DEBTOR for at least 2 years, bene. must be minor and dependant family member) Warning: some annuity companies list themselves as owner	100%	A.R.S. § 33-1126(A)(7)
Health, accident or disability insurance	100% (certain debts excepted)	A.R.S. § 33-1126(A)(4)
Life Insurance proceeds paid or payable to surviving Spouse or child.	\$20,000	A.R.S. § 33-1126(A)(1)
Life Insurance – Cash Value	100%	A.R.S. § 20-1131

Group Life Insurance	100% (certain limitations)	A.R.S. § 20-1132
Wrongful Death Benefits	100%	A.R.S. § 12-592
Cash surrender value of life insurance policies must be owned by the debtor (for at least two unexpired continuous years).	100% (beneficiary must be a dependent)	A.R.S. § 33-1126(A)(6)
Insurance proceeds for damage or destruction of exempt property	100% of exemption given for damaged or destroyed property.	A.R.S. § 33-1126(A)(5)
Damages for wrongful levy or execution	100%	A.R.S. § 33-1126(A)(8)
Farm Machinery, utensils, fee, grain, seed and animals of farmer.	\$2,500 (primary income from farming)	A.R.S. § 33-1130(2)
Property that belongs to the public	100%	A.R.S. § 33-1129
Social Security (including retirement, death & disability) (protected in bank account if NOT co-mingled) NOTE: garnishment could be 65% of government benefits once deposited into bank account: (1) enforce child support or alimony - 42 USC 65 (2) court-ordered victim restitution - 18 USC 3613 (3) unpaid federal taxes - 26 USC 6334(c) (4) current year federal income tax - 26 USC 3402 (P) (5) some other debts - see Debt Collection Act of 1996	100%	42 U.S.C. § 407(a), SEC 207  31 C.F.R. Part 212 – protects 2 months of directly deposited benefits
VA Benefits (includes pensions, life insurance & disability)	100%	38 USC §5301(a)(1)
VA group life insurance benefits	100%	10 USC § 1035(a)
VA Medal of Honor benefits	100%	38 USC § 1562(c)
Seaman's Wages (At Sea)	100%	46 USC § 11109(a)
War Compensation – Hazard, Death, Injury	100%	42 USC § 1717
Longshoremen and harbor workers medical, disability & death	100%	33 USC § 916
Firemen's relief and pension benefits	100%	A.R.S. § 9-968
Police pension benefits	100%	A.R.S. § 9-931
Teacher's retirement benefits	100%	A.R.S. § 43-1201
State employees retirement benefits	100%	A.R.S. § 38-792
Correction Officer Retirement Plan	100%	A.R.S. §38-897
Elected Officials Retirement Benefits	100%	A.R.S. § 38-809(A)/811
Elected Officials – Survivor Pension Married for 2 years or more	100%	A.R.S. § 38-807
Public Safety Personnel Retirement	100%	A.R.S. §18-850(c)
Arizona Ranger Benefits	100%	A.R.S. §41-955
Fraternal Benefit Society benefits	100%	A.R.S. § 20-881 or 877
Railroad employees retirement & disability & death benefits	100%	45 USC § 231
Federal civil service disability and death benefits	100%	5 USC § 8130
Federal civil service retirement benefits	100%	5 USC § 8346(a)
Annuities paid to widows & dependent children of Fed. Judges/justices	100%	28 USC § 376(n)
Military Survivor Benefit Plan annuities/military ret. Annuities	100%	10 USC § 145(i)/1440
Servicemen's group life insurance benefits	100%	38 USC § 770(g)
Deposits made by US servicemen into savings institutions while on permanent duty outside US	100%	10 USC § 1035(n)
Foreign Service Employees	100%	22 USC § 4060

**NOTE: IF FILING FOR BANKRUPTCY, ALSO EXEMPT:**

*Retirement funds exempt under 401, 403, 408, 408A, 414, 457 or 501(a) of the IRS Code (includes direct transfers or rollover to exempt account)	100%, but limited to \$1,000,000 USC §522(n)	USC §532(b)(3)(C), 11 USC 522(n)
Wages due masters, seamen & apprentices.	100%, does not apply to maintenance/child support	46 USC § 601

**NOTE: IF FILING FOR BANKRUPTCY – NOT PROPERTY OF THE ESTATE:**

Education IRA under 530(b)(1) & 529(B)(1)- held for more than 2 years before filing bankruptcy. Beneficiary must be child, stepchild, grand or step grandchild of debtor for the taxable year.	Limited to \$5000 if contributed between 12 to 24 months before filing bankruptcy.	530 accounts: USC §541(b)(5) 529 accounts: USC §541(b)(6)
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**What state law do you use for your exemptions?** If you are filing for bankruptcy protection and resided in Arizona for more than 2 years you must use this list of exemptions and cannot use of federal bankruptcy exemptions in 11 U.S.C. 522(d). See A.R.S. § 33-1133.) Otherwise, use the state you lived in for the 730 days (2 years) before filing; or If you did not live in one single state in the previous 2 years, then use the state where you lived the majority of the 180 period preceding the last 2 year period; or if the preceding renders you ineligible for any exemptions then the debtor is allowed to choose the federal exemptions. (Confusing?) There is a mother lode of information about this issue. One source is Attorney John Bates [Exemptions Express](#).

There are also additional time periods of 10 years, 1210 days and others that impact the assets you can protect in bankruptcy. Talk to an experienced bankruptcy attorney about these exceptions.