



U.S. Department of Justice

Office of the United States Trustee

Johnson Square Business Center
2 East Bryan Street, Suite 725
Savannah, GA 31401

TEL (912) 652-4112
FAX (912) 652-4123

[Date]

[Debtor(s) name(s)]

[Debtor(s) address line #1]

[Debtor(s) address line #2]

Re: [Debtor(s) name(s)]
Chapter 7 Case #[XX-XXXXXX]

Dear Debtor(s):

I am a legal assistant for the United States Trustee, a component of the United States Department of Justice. The United States Trustee oversees the administration of the bankruptcy cases and acts in the public interest to protect and preserve the integrity of the bankruptcy system.

On [date], you filed a *pro se* bankruptcy petition. Some debtors have been victimized by unscrupulous practices on the part of those who assisted them in preparing their bankruptcy petitions. Sometimes these fraudulent petition preparers claim to be affiliated with religious groups, non-profit or charitable organizations or even the government. Occasionally they represent themselves to be attorneys or affiliated with attorneys.

In order for this office to complete our investigation, we are requesting that you complete the enclosed questionnaire. A self-addressed stamped envelope is enclosed for your convenience. Should you have any questions or comments, please feel free to contact me at (912) 652-4112.

Thank you in advance for your anticipated cooperation in this matter.

Sincerely,

[Staff's name]
Legal Assistant

Enclosure



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ATTENTION DEBTORS WITHOUT AN ATTORNEY

SOME DEBTORS HAVE BEEN VICTIMIZED by unscrupulous practices on the part of those who assisted them in preparing their bankruptcy petitions. Sometimes these fraudulent petition preparers claim to be affiliated with religious groups, non-profit or charitable organizations or even the government. Occasionally, they represent themselves to be attorneys or affiliated with attorneys. Once they gain their victims' trust, they demand an excessively large sum of money to file a bankruptcy case. In many instances they direct victims to pay mortgage or rent payments over to them and then fail to pay the money to the creditors. Some victims have been persuaded to transfer ownership of their homes, only to find themselves evicted shortly thereafter. Alternatively, a debtor may be inadvertently drawn into a fraudulent scheme where their schedules are falsified to include property that does not belong to the debtor.

FEDERAL LAW REQUIRES all non-lawyers who assist debtors in the preparation of bankruptcy petitions to (1) sign the bankruptcy documents; (2) provide their names, addresses, and social security numbers; (3) have debtors review all documents before they are signed; (4) disclose any fees they have been paid or are still owed; and (5) charge reasonable fees.

FEDERAL LAW PROHIBITS petition preparers from (1) providing legal advice; (2) signing their clients' names on documents; (3) collecting or receiving court filing fees; and (4) using the word "legal" in their advertisements.

PETITION PREPARERS WHO VIOLATE THIS LAW MAY BE SUBJECT TO FINES, PENALTIES AND PAYMENT OF DAMAGES TO THE DEBTOR. ALSO, IF THE PETITION PREPARER CHARGED MORE THAN THE VALUE OF THE SERVICES RENDERED, THE COURT MAY ORDER THE MONEY REFUNDED.

ATTACHED IS A STATEMENT FOR YOU TO COMPLETE AND SIGN BEFORE YOUR FIRST MEETING OF CREDITORS. PLEASE MAKE CERTAIN THAT YOUR ANSWERS ARE AS COMPLETE AND ACCURATE AS POSSIBLE. PLEASE RETURN THE COMPLETED QUESTIONNAIRE IN THE ENCLOSED SELF-ADDRESSED STAMPED ENVELOPE. YOUR ANSWERS WILL ASSIST THE UNITED STATES TRUSTEE IN PROTECTING YOUR RIGHTS AS A DEBTOR.

QUESTIONNAIRE
BANKRUPTCY PETITION PREPARERS

Debtor(s):

Date of §341 Meeting of Creditors:

Chapter 7 Case No.

Chapter 7 Trustee:

Prior to filing bankruptcy, were you contacted by any person or company about stopping a foreclosure? If yes, who: _____

Were you charged a fee by this person or entity? ___Yes ___No If yes, how much \$_____?

Did anyone assist you in the preparation of your bankruptcy documents? _____Yes _____No

Where did you get your bankruptcy forms? _____

How much did you pay for your bankruptcy forms? \$_____

Did you utilize an entity via the internet in the preparation of your bankruptcy documents? _____Yes _____No. If yes, website address: _____

If yes to questions above, please answer the following questions:

1. Name of person or entity whom assisted you:

A. Business Name: _____
Individual Name: _____
Address: _____

PhoneNumbers: (_____) _____ (_____) _____

B. Do you have his/her business card? ___Yes ___No

C. How did you find them (or did they find you)? _____

2. Were you charged a fee by this person or entity? ___Yes ___No

A. What is the total amount that you were charged? \$_____

B. Did the fee include the following:

Document Preparation Services: ___Yes ___No (How much? \$_____)

Courier Services: ___Yes ___No (How much? \$_____)

Other Services: _____ ___Yes ___No (How much? \$_____)

Court Fees? ___Yes ___No (How much? \$_____)

C. Did you pay the court directly? ___Yes ___No

D. Did you petition to pay your court fees in installments? ___Yes ___No

E. How much have you paid this person or entity so far? \$_____

F. Method of payment: _____

G. Do you have a receipt? ___Yes ___No

3. Did the person or entity help you answer any of the questions in your bankruptcy papers? ___Yes ___No If so, how did they help?(e.g., reference materials, web site, other _____)

Questionnaire/Bankruptcy Petition Preparers

4. Were the papers complete when you signed them? _____Yes _____No
5. Did you sign your name on the bankruptcy petition and schedules? _____Yes _____No
6. Did you file the petition? _____Yes _____No
If not, who filed it on your behalf?_____
7. Did the preparer help you determine what exemptions to take (Schedule C)?___Yes ___No
If so, how did they help?(e.g., reference materials, web site, other_____)
8. Did the preparer explain the difference between secured, priority, and unsecured debt?
___Yes ___No. In what manner? (e.g., reference materials, web site, other_____)
9. Did the preparer explain the difference between Chapter 7 and Chapter 13?___Yes ___No
In what manner? (e.g., reference materials, web site, other_____)
10. Were you advised about what would happen to your property in a Chapter 7 case?___Yes
____No. In what manner?(e.g., reference materials, web site, other_____)
11. Did the preparer suggest how to answer questions that you may be asked at the meeting of
creditors? _____Yes _____No
12. Did anyone suggest you make mortgage/rent payments to someone other than your
creditors/landlord? _____Yes_____No. Who made the suggestion?_____
- To whom were you to make payments?_____
13. Did anyone suggest you transfer or quit claim title to your home? _____Yes _____No
Who made the suggestion?_____
- If yes, to whom were you to transfer title?_____
14. Were the documents complete and accurate (prepared as you directed)?___Yes ___No
15. Were the documents prepared promptly? _____Yes _____No
16. Did the preparer respond to your inquiries or complaints? _____Yes _____No
17. Please describe problems encountered in the preparation or delivery of your documents:

18. Where and when can we get in touch with you?
(_____)_____Work; Best time:_____
- (_____)_____Home; Best time:_____

Date:_____ Debtor's signature:_____

Date:_____ Co-Debtor's signature:_____