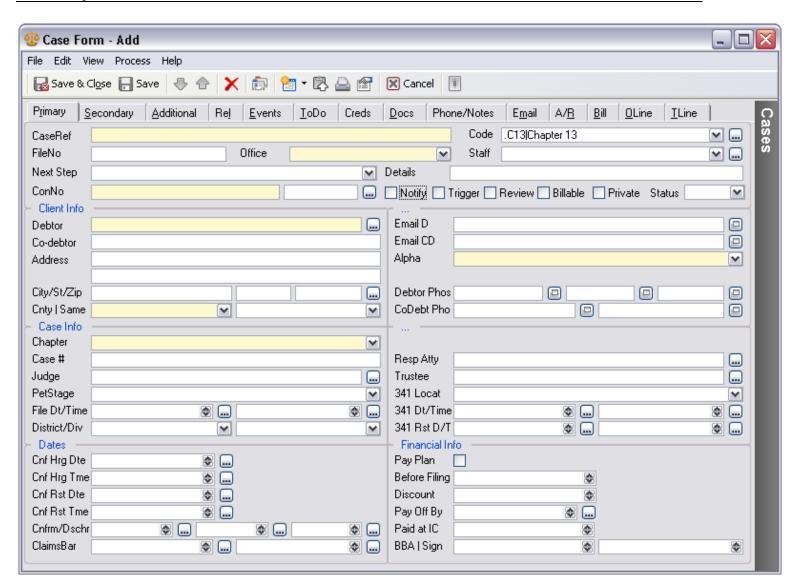**EXHIBIT A**

Appendix 2 – Consumer Bankruptcy Case Form

Primary Tab

Area 1

CaseRef – the name of the Case. Typically would be *Last Name, First Name* of the Debtor. If there is a Co-Debtor, then it would take the form of *Last Name, Debtor First Name and Co-Debtor First Name*. Examples:

- Johnson, James
- Johnson, James and Betsy
- Johnson, James and Smith-Johnson, Betsy

Code – the Classification Code. For this Case Form, the first Code needs to be **.C13 | Chapter 13**. While you can append up to 4 additional codes to classify the Case, we don't recommend it for bankruptcy cases.

FileNo – the internal file number. This is not the Court Case Number.

Office – the Office in which the Case is housed, or the Office that is responsible for the Case.

Staff – this field is typically used in Front Office for the initials of the Staff members assigned to the Case. In a bankruptcy firm, ownership of a Case is often denoted in a number of ways other than the Staff field (e.g., alpha range, office, stage of the case). It is recommended that Staff be used to track the primary attorney, or the office.

There is an **Office** field and a **Resp Atty** field in this Form. While this results in redundant data, the **Staff** field and the two above User Defined fields have certain characteristics that are needed and justify the redundancy.

Next Step – this drop-down menu lists the various steps that a Chapter 13 Case goes through. BK*express* comes with a default set choices that can be customized to suit your specific needs. This is one of the most powerful features of BK*express* and one that will likely require customization. See the *Next Step System* chapter for more detail.

Details – details about the Next Step. This field will be changed as the case proceeds through its stages.

Client – this is your "legal" client, and almost always the Debtor.

Status – from this drop-down menu select the overall status of the Case. This is a high level status with default values that include **Not Filed, Filed, Closed/Dismissed, Closed/Discharged**, etc.

Client Info

This Debtor field is most often the same as the name in the Client field, but more detail is loaded when it is selected from the Contact list. Use the Contact lookup to locate or add your Client. The Co-Debtor, address, email and phone fields will be filled in automatically from the Contact record.

Same – this drop-down menu lets you choose a **Yes** or **No** to establish if the Co-Debtor's address is the same as the Debtors.

Alpha – the larger the firm, the more likely it is that Cases will be tracked by paralegals and assistants based on the clients name and not the **Staff** field. For example, one paralegal might be responsible for all cases where the Debtor's last name begins with A through M, while another paralegal is responsible for all cases where the Debtor's last name beings with N through Z.

This field is currently automatically calculated using the first letter of the Debtor's last name. If needed, the calculation can be adjusted to include more than one character – a feature that larger firms may need in order to most effectively distribute the workload among the staff.

Case Info

Chapter – 13.

Case # – the case number assigned by the Court.

Judge – the name of the Judge.

PetStage – a drop-down menu with the options of **Pre** or **Post**. This field indicates whether the Case is in the pre-petition or post-petition stage. It is located here because it typically changes from Pre to Post when the Case # and Judge fields are completed.

File Dt/Time – the date and time that the petition was filed.

District/Div – the District and Division in which the Case is filed.

Resp Atty – the attorney that is primarily responsible for the tracking of this Case.

Trustee – the name of the Trustee.

341 Locat – the location of the 341 Meeting of Creditors. By default, this is populated using a drop-down menu

that contains the 341 locations for the Trustees to which the firm reports.

- The Trustee Contact record also contains a location field, and this Case field can be populated from a link to the Trustee Contact record. The drawback to this method is where the Trustee may meet in two different locations (e.g., Southern California).

- This field is used in correspondence to the Debtor informing them of the date, time and location of the 341 Meeting.

341 Dt/Time – the date and time of the 341 Meeting of Creditors.

- **341 Rst D/T** – the date and time for a reset 341 Meeting of Creditors

Dates

Cnf Hrg Dte – date of the Confirmation Hearing. This field is used in correspondence to the client.

Cnf Hrg Tme – time of the Confirmation Hearing. This field is used in correspondence to the client.

Cnf Rst Dte – date of the reset Confirmation Hearing. This field is used in correspondence to the client.

Cnf Rst Tme – time of the reset Confirmation Hearing. This field is used in correspondence to the client.

Cnfrm – enter the actual date of Confirmation in this field.

Dschr – these two date fields are for the **Estimated Discharge** date, and the actual **Discharge** date. The estimated date of Discharge can be used in reports to make sure that the **Debtor Education** requirement is met.
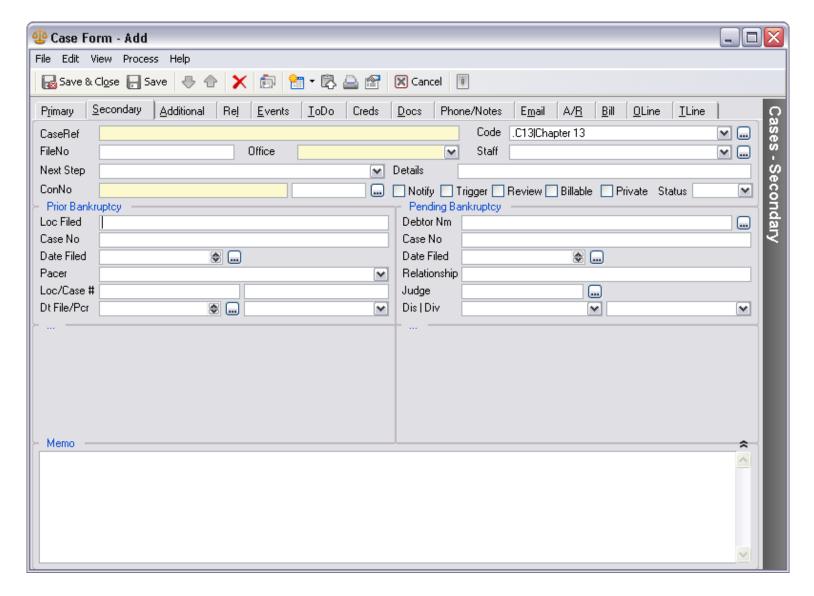
ClaimsBar – these two fields are used to store the Claims Bar date and the Government Claims Bar date.

Financial Info

This Area is designed to show basic information about the payment plan that a client might enter into. It is not designed to replace the financial information that is entered and tracked in the A/R module. The information here is typically used for quick review, for filtering when someone has paid enough to have their petition filed, and for information for following-up on people in payment plans.

- You may want very basic information here … amount in the plan, monthly payment, number of months, etc. Or, you may want to be more specific with regard to how much needs to be paid before filing the petition, if there is a discount, how much needs to be brought to each appointment, etc.
- The more aggressive you want to be, the more granular the data needs to be. For example, if you tell a client that they have to pay expenses plus $800 in fees to get their Chapter 13 petition filed, you may tell them you want $100 paid now at the IC, $300 at the BBA, and the remaining $400 at the signing. At each of these appointments the client is reminded to bring this amount, and the preparation of the petition stops if the payment is not forthcoming. To incent the client to pay in a timely manner, you might offer discounts if the payment timeline is kept.
- If you do not want to be aggressive in dealing with payment of fees before filing, you will still want to know the amount that is going to be in the payment plan, and general details about the plan.
- For full information on the use of this information, see the *Financial Information* chapter.

Secondary Tab

Prior Bankruptcy

This Area holds information about 2 prior filings. For each case you can enter the following information:

Loc File – the location where the Case was filed (District and Division).

Case No – the number the court assigned to the case.

Date Filed – the date the case was filed.

Pacer – was a Pacer check done to determine the status of the prior filing? Yes or No.

Pending Bankruptcy

This Area holds information about any pending bankruptcy. You can enter the following information:

Debtor Name – a lookup to the Contact list.

Case No – the number the court assigned to the case.

Date Filed – the date the case was filed.

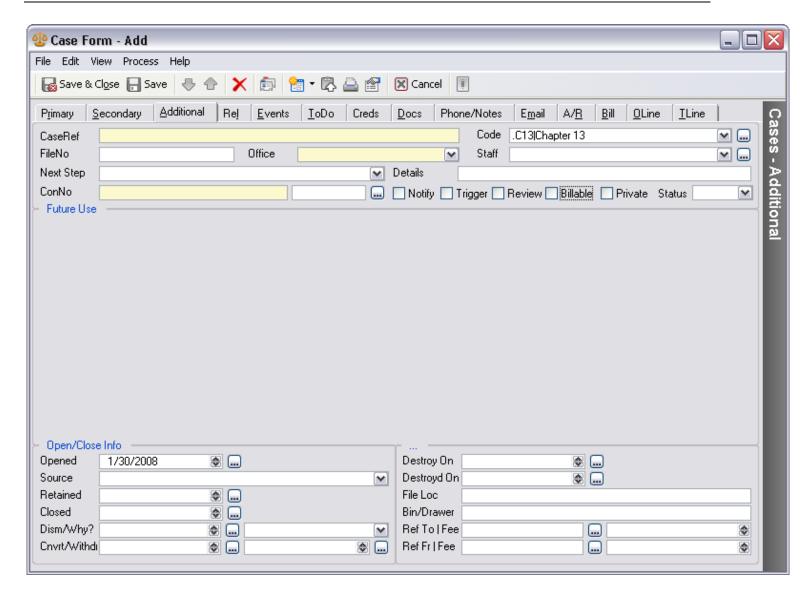**Realationship** – the current Debtor's relationship to the pending bankruptcy

Judge – the judges name.

- **Dis | Div** – the District and Division in which the pending case was filed.

Memo

- The memo field should be used minimally. Almost all notes should be taken on Phone/Notes records, not in this field.

Additional Tab

Open/Close Info

You will use these fields at the beginning and end of the Case to record opening and closing information.

Opened – date the Time Matters file was opened.

Source – this drop-down menu provides a list of sources to help you determine how each of your clients found your firm.

Retained – date that the client retained the firm.

Closed – date the Time Matters file was closed.

Dismissed/Why? – the date the Case was dismissed and a drop-down menu that lists the reasons why.

Cnvrt/Withdr – the dates that the Case was converted to a Chapter 7, and the date that the firm withdrew from representation.

Destroy On – this is the date on which the paper file should or can be destroyed. See your local and state bar rules and regulations to determine this date.

Destroyed On – the date that the file was actually destroyed.

File Loc – the location of the closed file (e.g., off-site storage, attic, filing room).

Bin/Drawer – the more exact location of where the close file is located (e.g., File Cabinet 7, drawer 2).

Refer To | Fee – this is a Lookup to a Contact record for the name of the person to whom the Case was referred to. The Fee field lists the percentage fee to which the firm is entitled for the work it will perform in the case.

Refer From | Fee – this is a Lookup to a Contact record for the name of the person who referred the Case to you. The Fee field lists the percentage fee to which the referring party is entitled for the work it will perform in the case.

- /home/content/o/t/b/otbdev/html/wiki/data/pages/appendix_2_consumer_bankruptcy_case_form.txt · Last modified: 2011/02/02 08:28 by tomrowe
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