

**INDIVIDUAL DEBTOR'S DUTY  
TO PROVIDE DOCUMENTATION**

*Revised March 24, 2010*

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. **DO NOT FILE THESE DOCUMENTS WITH THE COURT.**

(1) **PAYMENT ADVICES.** You must provide your case trustee with copies of all payment advices or other evidence of payment you received from an employer within 60 days before the date of the filing of the petition. **The Court has directed that copies of payment advices must be delivered to your case trustee no later than 7 days before the date first set for your meeting of creditors.** See 11 U.S.C. § 521(a)(1)(b)(iv).

(2) **BANKING AND INVESTMENT ACCOUNT STATEMENTS.** Pursuant to Fed. R. Bankr. P. 4002(b)(2)(B), **you must bring to the meeting of creditors and make available to the trustee**, statements for each depository and investment account 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, or provide a written statement that the documentation does not exist or is not in the debtor's possession.

(3) **DOCUMENTATION OF MONTHLY EXPENSES.** Pursuant to Fed. R. Bankr. P. 4002(b)(2)(C), **you must bring to the meeting of creditors and make available to the trustee**, evidence of monthly expenses claimed, **ONLY IF**

In a chapter 7 case, when you completed the form B22A, "Statement of Current Income and Means Test Calculation," based on your answer in Line 15, you were required to complete parts IV, V, VI, and VII of that form, or

In a chapter 13 case, when you completed the form B22C, "Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income," based on your answer in Line 23, you were required to complete parts IV, V, and VI of that form.

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**(4) FEDERAL INCOME TAX RETURN.** Pursuant to 11 U. S. C. § 521(e)(2)(A)(ii) and Fed R. Bankr. P. 4002(b)(3), you must give your case trustee a copy of your most recent Federal income tax return or a transcript of it or a written statement that the document does not exist. In a joint petition, this requirement applies to each debtor. **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.**

**Failure to Timely Provide Copies of the Payment Advices, Banking and Investment Account Statements, documentation of monthly expenses claimed (if applicable), and Your Federal Tax Return 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.

**(5) IDENTIFICATION VERIFICATION.** Pursuant to Fed. R. Bankr P. 4002(b)(1) and (2), you are required to bring the following with you to the meeting of creditors. 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.

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Revised 03/24/10 to emphasize Fed. R. Bankr. P. 4002(b)(2)(B) and (C) requirements and to reformat.