

## Additional Forms to be Completed and Filed with an eSR Petition

**It is important to understand that your bankruptcy package is not filed unless and until the court receives additional items needed to complete your bankruptcy filing.**

**To complete the filing process, you must submit the additional items listed below within 10 business days:**

- a money order or cashier's check made payable to Clerk, U. S. Bankruptcy Court in the full amount of the filing fee, or cash for the exact amount,
  - OR a completed and signed **Application to Pay Filing Fee in Installments** (if applicable);
  - OR a completed and signed **Application for Waiver of the Chapter 7 Filing Fee** (if applicable);
- a completed and signed **Signature Page: Declaration by Self-Represented Individual**;
- a completed and signed **Statement of Social Security Number**;
- the original copy of a **Certification of Credit Counseling** for each debtor (if you have an electronic version, print it),
  - OR a completed and signed **Motion for Determination that Debtor's Certification of Exigent Circumstances which Warrant a Waiver of Requirement for Budget and Credit Counseling Prior to Filing Petition is Satisfactory**;
  - OR a completed and signed **Motion by Individual Debtor for Determination that Debtor is Unable to Complete Requirements for Budget and Credit Counseling**;
- a completed and signed **Certification that Debtor Has No Spouse or Statement Disclosing Non-Filing Spouse** (required only for an individual debtor)

These papers must be either hand delivered, or sent by U.S. mail or overnight carrier, to this address:

Clerk's Office  
United States Bankruptcy Court  
District of New Mexico  
PO Box 546  
Albuquerque, NM 87103-0546

**If the Court does not receive your additional items within 10 business days, your bankruptcy package will be deleted from our system.**

**However, if you complete the steps within 10 business days from the date of submission, your case will be filed on the date the additional items are received.**

You will receive a [Notice of Bankruptcy Case Filing](#) via e-mail, which is proof that you have filed for bankruptcy.

If you file your bankruptcy petition without all the required forms, refer to [Form B200](#) to determine the remainder of the required documents that must be filed, or your case may be subject to dismissal. You may also want to refer to the [United States Bankruptcy Code](#), the [Federal Rules of Bankruptcy Procedure](#), and the [NM local rules](#) to determine what other requirements you may need to adhere to.

You will be able to access the [electronic Self-Representation \(eSR\)](#) system for 30 days after you have submitted your bankruptcy petition package to print copies, modify information to amend a document already filed, or to use the system to generate new documents. However, you will need to print the documents and submit them in person, by courier, or by mail.

Please contact the Self-Help Center for assistance at 505-348-2500 or toll-free at 866-291-6805 – select option 8, or you may chat with us online at [www.nmb.uscourts.gov](http://www.nmb.uscourts.gov). The self-help desk hours are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal Holidays.

**Fill in this information to identify your case:**

Debtor 1  
 First Name \_\_\_\_\_ Middle Name \_\_\_\_\_ Last Name \_\_\_\_\_

Debtor 2  
 (Spouse, if filing) First Name \_\_\_\_\_ Middle Name \_\_\_\_\_ Last Name \_\_\_\_\_

United States Bankruptcy Court for the: \_\_\_\_\_ District of \_\_\_\_\_  
(State)

Case number  
 (If known) \_\_\_\_\_

Check if this is an amended filing

**Official Form B 3A**

**Application for Individuals to Pay the Filing Fee in Installments**

06/14

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information.

**Part 1: Specify Your Proposed Payment Timetable**

1. Which chapter of the Bankruptcy Code are you choosing to file under?
- Chapter 7..... Fee: \$335
  - Chapter 11..... Fee: \$1,717
  - Chapter 12..... Fee: \$275
  - Chapter 13..... Fee: \$310

2. You may apply to pay the filing fee in up to four installments. Fill in the amounts you propose to pay and the dates you plan to pay them. Be sure all dates are business days. Then add the payments you propose to pay.

You propose to pay...

\$ _____	<input type="checkbox"/> With the filing of the petition
	<input type="checkbox"/> On or before this date..... MM / DD / YYYY
\$ _____	On or before this date..... MM / DD / YYYY
\$ _____	On or before this date..... MM / DD / YYYY
+ \$ _____	On or before this date..... MM / DD / YYYY

Total \$ \_\_\_\_\_

◀ Your total must equal the entire fee for the chapter you checked in line 1.

**Part 2: Sign Below**

By signing here, you state that you are unable to pay the full filing fee at once, that you want to pay the fee in installments, and that you understand that:

- You must pay your entire filing fee before you make any more payments or transfer any more property to an attorney, bankruptcy petition preparer, or anyone else for services in connection with your bankruptcy case.
- You must pay the entire fee no later than 120 days after you first file for bankruptcy, unless the court later extends your deadline. Your debts will not be discharged until your entire fee is paid.
- If you do not make any payment when it is due, your bankruptcy case may be dismissed, and your rights in other bankruptcy proceedings may be affected.

<b>x</b> _____ Signature of Debtor 1	<b>x</b> _____ Signature of Debtor 2	<b>x</b> _____ Your attorney's name and signature, if you used one
Date _____ MM / DD / YYYY	Date _____ MM / DD / YYYY	Date _____ MM / DD / YYYY

**Fill in this information to identify the case:**

Debtor 1  
 \_\_\_\_\_  
 First Name Middle Name Last Name

Debtor 2  
 (Spouse, if filing) \_\_\_\_\_  
 First Name Middle Name Last Name

United States Bankruptcy Court for the: \_\_\_\_\_ District of \_\_\_\_\_  
 (State)

Case number \_\_\_\_\_  
 (If known)

Chapter filing under:

Chapter 7  
 Chapter 11  
 Chapter 12  
 Chapter 13

**Order Approving Payment of Filing Fee in Installments**

After considering the *Application for Individuals to Pay the Filing Fee in Installments* (Official Form B 3A), the court orders that:

[ ] The debtor(s) may pay the filing fee in installments on the terms proposed in the application.

[ ] The debtor(s) must pay the filing fee according to the following terms:

<u>You must pay...</u>	<u>On or before this date...</u>
\$ _____	_____ Month / day / year
\$ _____	_____ Month / day / year
\$ _____	_____ Month / day / year
+ \$ _____	_____ Month / day / year
<b>Total</b>	
\$ _____	

Until the filing fee is paid in full, the debtor(s) must not make any additional payment or transfer any additional property to an attorney or to anyone else for services in connection with this case.

\_\_\_\_\_ **By the court:** \_\_\_\_\_  
 Month / day / year United States Bankruptcy Judge

**Fill in this information to identify your case:**

Debtor 1  
 \_\_\_\_\_  
First Name Middle Name Last Name

Debtor 2  
 (Spouse, if filing) \_\_\_\_\_  
First Name Middle Name Last Name

United States Bankruptcy Court for the: \_\_\_\_\_ District of \_\_\_\_\_  
(State)

Case number \_\_\_\_\_  
 (if known)

Check if this is an amended filing

Official Form B 3B

**Application to Have the Chapter 7 Filing Fee Waived**

06/14

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

**Part 1: Tell the Court About Your Family and Your Family's Income**

**1. What is the size of your family?**

Your family includes you, your spouse, and any dependents listed on *Schedule J: Current Expenditures of Individual Debtor(s)* (Official Form 6J).

Check all that apply:

- You
- Your spouse
- Your dependents

\_\_\_\_\_ How many dependents?

\_\_\_\_\_ Total number of people

**2. Fill in your family's average monthly income.**

Include your spouse's income if your spouse is living with you, even if your spouse is not filing.

Do not include your spouse's income if you are separated and your spouse is not filing with you.

Add your income and your spouse's income. Include the value (if known) of any non-cash governmental assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies.

If you have already filled out *Schedule I: Your Income*, see line 10 of that schedule.

That person's average monthly net income (take-home pay)

You..... \$ \_\_\_\_\_

Your spouse ... + \$ \_\_\_\_\_

Subtotal..... \$ \_\_\_\_\_

Subtract any non-cash governmental assistance that you included above.

— \$ \_\_\_\_\_

Your family's average monthly net income

Total..... \$ \_\_\_\_\_

**3. Do you receive non-cash governmental assistance?**

- No
- Yes. Describe.....

Type of assistance

\_\_\_\_\_

**4. Do you expect your family's average monthly net income to increase or decrease by more than 10% during the next 6 months?**

- No
- Yes. Explain.....

\_\_\_\_\_

**5. Tell the court why you are unable to pay the filing fee in installments within 120 days. If you have some additional circumstances that cause you to not be able to pay your filing fee in installments, explain them.**

\_\_\_\_\_

Debtor 1

First Name Middle Name Last Name

Case number (if known)

Part 2: Tell the Court About Your Monthly Expenses

6. Estimate your average monthly expenses.

Include amounts paid by any government assistance that you reported on line 2. \$

If you have already filled out Schedule J, Your Expenses, copy line 22 from that form.

7. Do these expenses cover anyone who is not included in your family as reported in line 1?

- No
Yes. Identify who

Empty box for identifying family members.

8. Does anyone other than you regularly pay any of these expenses?

- No
Yes. How much do you regularly receive as contributions? \$ monthly

If you have already filled out Schedule I: Your Income, copy the total from line 11.

9. Do you expect your average monthly expenses to increase or decrease by more than 10% during the next 6 months?

- No
Yes. Explain

Empty box for explaining expense changes.

Part 3: Tell the Court About Your Property

If you have already filled out Schedule A: Real Property (Official Form B 6A) and Schedule B: Personal Property (Official Form B 6B), attach copies to this application and go to Part 4.

10. How much cash do you have?

Examples: Money you have in your wallet, in your home, and on hand when you file this application

Cash: \$

11. Bank accounts and other deposits of money?

Examples: Checking, savings, money market, or other financial accounts; certificates of deposit; shares in banks, credit unions, brokerage houses, and other similar institutions. If you have more than one account with the same institution, list each. Do not include 401(k) and IRA accounts.

Table with columns: Institution name, Amount. Rows for Checking account, Savings account, and two Other financial accounts.

12. Your home? (if you own it outright or are purchasing it)

Examples: House, condominium, manufactured home, or mobile home

Number Street City State ZIP Code Current value: Amount you owe on mortgage and liens:

13. Other real estate?

Number Street City State ZIP Code Current value: Amount you owe on mortgage and liens:

14. The vehicles you own?

Examples: Cars, vans, trucks, sports utility vehicles, motorcycles, tractors, boats

Make: Model: Year: Mileage: Current value: Amount you owe on liens: (repeated for multiple vehicles)

Debtor 1 \_\_\_\_\_  
First Name Middle Name Last Name

Case number (if known) \_\_\_\_\_

**15. Other assets?**

**Describe the other assets:**

Do not include household items and clothing.

\_\_\_\_\_

Current value: \$ \_\_\_\_\_

Amount you owe on liens: \$ \_\_\_\_\_

**16. Money or property due you?**

*Examples:* Tax refunds, past due or lump sum alimony, spousal support, child support, maintenance, divorce or property settlements, Social Security benefits, Workers' compensation, personal injury recovery

**Who owes you the money or property?**

\_\_\_\_\_  
\_\_\_\_\_

**How much is owed?**

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

Do you believe you will likely receive payment in the next 180 days?

No

Yes. Explain:

\_\_\_\_\_

**Part 4: Answer These Additional Questions**

**17. Have you paid anyone for services for this case, including filling out this application, the bankruptcy filing package, or the schedules?**

No

Yes. Whom did you pay? Check all that apply:

An attorney

A bankruptcy petition preparer, paralegal, or typing service

Someone else \_\_\_\_\_

**How much did you pay?**

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

**18. Have you promised to pay or do you expect to pay someone for services for your bankruptcy case?**

No

Yes. Whom do you expect to pay? Check all that apply:

An attorney

A bankruptcy petition preparer, paralegal, or typing service

Someone else \_\_\_\_\_

**How much do you expect to pay?**

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

**19. Has anyone paid someone on your behalf for services for this case?**

No

Yes. Who was paid on your behalf? Check all that apply:

An attorney

A bankruptcy petition preparer, paralegal, or typing service

Someone else \_\_\_\_\_

**Who paid?**

Check all that apply:

Parent

Brother or sister

Friend

Pastor or clergy

Someone else \_\_\_\_\_

**How much did someone else pay?**

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

**20. Have you filed for bankruptcy within the last 8 years?**

No

Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM/ DD/ YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM/ DD/ YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM/ DD/ YYYY

**Part 5: Sign Below**

By signing here under penalty of perjury, I declare that I cannot afford to pay the filing fee either in full or in installments. I also declare that the information I provided in this application is true and correct.

x \_\_\_\_\_  
Signature of Debtor 1

x \_\_\_\_\_  
Signature of Debtor 2

Date \_\_\_\_\_  
MM / DD / YYYY

Date \_\_\_\_\_  
MM / DD / YYYY

**Fill in this information to identify the case:**

Debtor 1	_____	_____	_____
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	_____	_____	_____
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	_____		District of _____ <small>(State)</small>
Case number (if known)	_____		

**Order on the Application to Have the Chapter 7 Filing Fee Waived**

After considering the debtor's *Application to Have the Chapter 7 Filing Fee Waived* (Official Form B 3B), the court orders that the application is:

- Granted.** However, the court may order the debtor to pay the fee in the future if developments in administering the bankruptcy case show that the waiver was unwarranted.
- Denied.** The debtor must pay the \$335 filing fee according to the following terms:

<u>You must pay...</u>	<u>On or before this date...</u>
\$ _____	_____ / _____ / _____ Month / day / year
\$ _____	_____ / _____ / _____ Month / day / year
\$ _____	_____ / _____ / _____ Month / day / year
+ \$ _____	_____ / _____ / _____ Month / day / year
<b>Total</b>	

If the debtor would like to propose a different payment timetable, the debtor must file a motion promptly with a payment proposal. The debtor may use *Application for Individuals to Pay the Filing Fee in Installments* (Official Form B 3A) for this purpose. The court will consider it.

The debtor must pay the entire filing fee before making any more payments or transferring any more property to an attorney, bankruptcy petition preparer, or anyone else in connection with the bankruptcy case. The debtor must also pay the entire filing fee to receive a discharge. If the debtor does not make any payment when it is due, the bankruptcy case may be dismissed and the debtor's rights in future bankruptcy cases may be affected.

**Scheduled for hearing.**

A hearing to consider the debtor's application will be held

on \_\_\_\_\_ at \_\_\_\_\_ AM / PM at \_\_\_\_\_  
Month / day / year Address of courthouse

If the debtor does not appear at this hearing, the court may deny the application.

\_\_\_\_\_ By the court: \_\_\_\_\_  
Month / day / year United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW MEXICO

In Re:

Debtor(s).

**SIGNATURE PAGE: DECLARATION  
BY SELF-REPRESENTED INDIVIDUAL**

I have submitted a bankruptcy petition package, and I authorize the filing of my Bankruptcy Package (Id number \_\_\_\_\_ if applicable), with the United States Bankruptcy Court for the District of New Mexico.

**DECLARATIONS**

*You must sign and date each section for every form submitted as part of the bankruptcy petition package.*

**Voluntary Petition (Official Form 1):** I declare under penalty of perjury that the information provided in the petition is true and correct.

*Check box if appropriate:*

*[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.*

I have obtained and read the notice required by 11 U.S.C. § 342(b). I request relief in accordance with the chapter of title 11, United States Code, specified in the petition.

\_\_\_\_\_  
Signature of debtor                      Date

\_\_\_\_\_  
Signature of joint debtor                      Date

**Declaration Concerning Debtor's Schedules (Official Form 6 – Declaration):** I declare under penalty of perjury that I have read the:

*Check appropriate boxes, identifying documents submitted:*

- Summary of Schedules, including Statistical Summary of Certain Liabilities (Form B 6) and
- Schedules (Form B 6A – B 6J), [consisting of \_\_\_\_\_ sheets],

and that they are true and correct to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Signature of debtor                      Date

\_\_\_\_\_  
Signature of joint debtor                      Date

**Statement of Financial Affairs (Official Form 7):** I declare under penalty of perjury that I have read the answers contained in the statement of financial affairs and any attachments thereto and that they are true and correct.

\_\_\_\_\_  
Signature of debtor                      Date

\_\_\_\_\_  
Signature of joint debtor                      Date

**Statement of Intention (Official Form 8):** I declare under penalty of perjury that the Statement of Intention indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

\_\_\_\_\_  
Signature of debtor                      Date

\_\_\_\_\_  
Signature of joint debtor                      Date

If you used the court's electronic submission program to submit your paperwork, verify:

**Verification of:**

*Check only one box identifying document submitted:*

Statement of Current Monthly Income and Means Test Calculation – Ch 7 Only (Form B 22A), or

Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income – Ch 13 Only (Form B 22C)

I declare under penalty of perjury that the information provided in the Statement is true and correct.

\_\_\_\_\_  
Signature of debtor                      Date

\_\_\_\_\_  
Signature of joint debtor                      Date



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re

Debtor.

No.

**MOTION BY INDIVIDUAL DEBTOR  
FOR DETERMINATION THAT DEBTOR IS UNABLE  
TO COMPLETE REQUIREMENTS FOR BUDGET AND CREDIT COUNSELING**

Pursuant to 11 U.S.C. § 109(h)(4), debtor, (*state name of debtor if a joint case*)<sup>1</sup> asks the Court to determine that the budget and credit counseling requirements of 11 U.S.C. § 109(h)(1) not apply to debtor because of incapacity, disability, or active military duty in a military combat zone.

The specifics of the debtor's situation are as follows:

[*describe specifics here*]

s/submitted electronically

Typed name of attorney for debtor

Attorney address and telephone number

**Notes:**

Request for this determination authorized by 11 U.S.C. § 109(h)(4) and NM IBR 1007(b)(3). Filing of request (motion) required by NM IBR 1007(b)(3)(D). Request is required to be filed with petition in accordance with NM IBR 1007(c).

USE OF THIS FORM IS REQUIRED BY OCTOBER 14, 2005, COURT ORDER

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<sup>1</sup> In a joint case, include the debtor's name in the body of the motion. If the circumstances apply to each debtor, submit a separate motion for each debtor. The court will consider each debtor's situation and enter an order on the motion.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re

Debtor.

No.

**MOTION FOR DETERMINATION THAT  
DEBTOR'S CERTIFICATION OF EXIGENT CIRCUMSTANCES  
WHICH WARRANT A WAIVER OF REQUIREMENT FOR BUDGET AND  
CREDIT COUNSELING PRIOR TO FILING PETITION IS SATISFACTORY**

Pursuant to 11 U.S.C. § 109 (h)(3)(A), the debtor (*state name of debtor if a joint case*)<sup>1</sup> asks the Court to determine that the certification in Exhibit D to the petition filed on (*date petition filed*) is satisfactory and warrants a temporary waiver of the credit counseling requirements of 11 U.S.C. § 109(h)(1) and that debtor be given 30 days from the date of filing of the petition to complete budget and credit counseling and file a certificate of completion with the court.

The exigent circumstances that prevented the debtor from complying with the credit counseling requirements before filing the petition are as follows:

[*state description of exigent circumstances here*]

s/submitted electronically

Typed name of attorney for debtor

Attorney address and telephone number

**Notes:**

Exigent circumstances: A situation that demands unusual or immediate action and that may allow people to circumvent usual procedures, as when a neighbor breaks through a window of a burning house to save someone inside. BLACK'S LAW DICTIONARY 236 (7th ed. 1999).

Counseling is required by 11 U.S.C. § 109(h)(1). Submission of certification for temporary waiver of requirement is authorized by 11 U.S.C. § 109(h)(3)(A) and Interim Fed. R. Bankr. P. 1007(b)(3). Certification is required to be filed with petition in accordance with Interim Fed. R. Bankr. P. 1007(c). The petition, Official Form 1, was amended October 1, 2006, by the inclusion of Exhibit D which provides for debtor's certification. Although Exhibit D as amended 12/01/09 does not require the filing of a motion, the judges of the United States Bankruptcy Court, District of New Mexico, do require the filing of the motion using this form.

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<sup>1</sup>In a joint case, include the debtor's name in the body of the motion. If the circumstances apply to each debtor, submit a separate motion for each debtor. Each debtor must complete credit counseling and submit a certificate of completion within 30 days of the date of filing of the petition unless a motion for extension of an additional 15 days for a total of 45 days from the date of filing of the petition is filed and granted.

**NM Form 504**

**THE COURT REQUIRES USE OF THIS FORM**