In re $\qquad$Presumption arises

Case Number:
(If known)

## STATEMENT OF CURRENT MONTHLY INCOME AND MEANS TEST CALCULATI ON <br> FOR USE IN CHAPTER 7 (IF IRS SEPARATES ITS HOUSING ALLOWANCE)

In addition to Schedules I and J, this statement must be completed by every individual Chapter 7 debtor, whether or not filing jointly, whose debts are primarily consumer debts. Joint debtors may complete one statement only.

## Part I. EXCLUSI ON FOR DISABLED VETERANS

If you are a disabled veteran described in the Veteran's Declaration in this Part I, (1) check the box at the beginning of the Veteran's Declaration, (2) check the "Presumption does not arise" box at the top of this statement, and (3) complete the verification in Part VIII. Do not complete any of the remaining parts of this statement.
1
$\square$ Veteran's Declaration. By checking this box, I declare under penalty of perjury that I am a disabled veteran (as defined in 38 U.S.C. $\S 3741(1))$ whose indebtedness occurred primarily during a period in which I was on active duty (as defined in 10 U.S.C. $\S 101(\mathrm{~d})(1)$ ) or while I was performing a homeland defense activity (as defined in 32 U.S.C. §901(1)).

## Part II. CALCULATI ON OF MONTHLY INCOME FOR § 707(b)(7) EXCLUSI ON




## Part III. APPLICATION OF § 707(b)(7) EXCLUSI ON

Annualized Current Monthly Income for § 707(b)(7). Multiply the amount from Line 12 by the number 12 and enter the result.

Applicable median family income. Enter the median family income for the applicable state and household size. (This information is available by family size at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)
a. Enter debtor's state of residence:
b. Enter debtor's household size:

Application of Section 707 (b)(7). Check the applicable box and proceed as directed.
$\square$ The amount on Line 13 is less than or equal to the amount on Line 14. Check the "Presumption does not arise" box at the top of page 1 of this statement, and complete Part VIII; do not complete Parts IV, V, VI, or VII.
$\square$ The amount on Line 13 is more than the amount on Line 14. Complete the remaining parts of this statement.

Complete Parts I V, V, VI, and VII of this statement only if required. (See Line 15.)

## Part IV. CALCULATI ON OF CURRENT MONTHLY INCOME FOR § 707(b)(2)

16
Enter the amount from Line 12.

Marital adjustment. If you checked the box at Line 2.c, enter the amount of the income listed in Line 11, Column B that was NOT regularly contributed to the household expenses of the debtor or the debtor's dependents. If you did not check box at Line 2.c, enter zero.

| Current monthly income for $\S \mathbf{7 0 7 ( b ) ( 2 ) . ~ S u b t r a c t ~ L i n e ~} 17$ from Line 16 and enter the result. | $\$$ |
| :--- | :--- | :--- |

## Part V. CALCULATI ON OF DEDUCTIONS ALLOWED UNDER § 707(b)(2)

## Subpart A: Deductions under Standards of the Internal Revenue Service (IRS)

National Standards: food, clothing, household supplies, personal care, and miscellathe bankruptcy court.)

Local Standards: housing and utilities; utilities/ maintenance expense. Enter the amount of the IRS Housing and Utilities Standards; Utilities/Maintenance Expense for the applicable county and family size. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court).2 or more.
Enter the amount from IRS Transportation Standards, Operating Costs \& Public Transportation Costs for the applicable number of vehicles in the applicable Metropolitan Statistical Area or Census Region. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)

Local Standards: transportation ownership/ lease expense; Vehicle 1. Check the number of vehicles for which you claim an ownership/lease expense. (You may not claim an ownership/lease expense for more than two vehicles.)
$\square 1$2 or more.
Enter, in Line a below, the amount of the IRS Transportation Standards, Ownership Costs, First Car (available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 1, as stated in Line 42; subtract Line b from Line a and enter the result in Line 23. Do not enter an amount less than zero.

| a. | IRS Transportation Standards, Ownership Costs, First Car | \$ |
| :--- | :--- | :--- |
| b. | Average Monthly Payment for any debts secured by Vehicle 1, <br> as stated in Line 42 | \$ |
| c. | Net ownership/lease expense for Vehicle 1 | Subtract Line b from Line a. |

Local Standards: transportation ownership/ lease expense; Vehicle 2. Complete this Line only if you checked the "2 or more" Box in Line 23.
Enter, in Line a below, the amount of the IRS Transportation Standards, Ownership Costs, Second Car (available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 2, as stated in Line 42; subtract Line b from Line a and enter the result in Line 24. Do not enter an amount less than zero.

| a. | IRS Transportation Standards, Ownership Costs, Second Car | \$ |
| :--- | :--- | :--- |
| b. | Average Monthly Payment for any debts secured by Vehicle 2, <br> as stated in Line 42 | \$ |
| c. | Net ownership/lease expense for Vehicle 2 | Subtract Line b from Line a. |

Other Necessary Expenses: taxes. Enter the total average monthly expense that you actually incur for all federal, state, and local taxes, other than real estate and sales taxes, such as income taxes, self employment taxes, social security taxes, and Medicare taxes. Do not include real estate or sales taxes.
Other Necessary Expenses: mandatory payroll deductions. Enter the total average monthly payroll deductions that are required for your employment, such as mandatory retirement contributions, union dues, and uniform costs. Do not include discretionary amounts, such as non-mandatory 401(k) contributions.

Other Necessary Expenses: life insurance. Enter average monthly premiums that you actually pay for term life insurance for yourself. Do not include premiums for insurance on your dependents, for whole life or for any other form of insurance.

Other Necessary Expenses: court-ordered payments. Enter the total monthly amount that you are required to pay pursuant to court order, such as spousal or child support payments. Do not include payments on past due support obligations included in Line 44.

| 29 | Other Necessary Expenses: education for em ployment or for a physically or mentally <br> challenged child. Enter the total monthly amount that you actually expend for education that is a <br> condition of employment and for education that is required for a physically or mentally challenged depend- <br> ent child for whom no public education providing similar services is available. | \$ |
| :--- | :--- | :--- |

## Subpart C: Deductions for Debt Payment

Future payments on secured claims. For each of your debts that is secured by an interest in property that you own, list the name of creditor, identify the property securing the debt, and state the Average Monthly Payment. The Average Monthly Payment is the total of all amounts contractually due to each Secured Creditor in the 60 months following the filing of the bankruptcy case, divided by 60 . If necessary, list additional entries on a separate page. Do not include items you have previously deducted, such as insurance and taxes.

|  | Name of Creditor | Property Securing the Debt | 60 -month Average Payment |
| :--- | :--- | :--- | :--- |
| a. |  |  | $\$$ |
| b. |  |  | $\$$ |
| c. |  |  | $\$$ |
|  |  |  | Total: Add Lines a, b, and c. |

Past due payments on secured claims. If any of the debts listed in Line 42 are in default, and the property securing the debt is necessary for your support or the support of your dependents, you may include in your deductions $1 / 60$ th of the amount that you must pay the creditor as a result of the default (the "cure amount") in order to maintain possession of the property. List any such amounts in the following chart and enter the total. If necessary, list additional entries on a separate page.

|  | Name of Creditor | Property Securing the Debt in Default | $1 / 60$ th of the Cure Amount |
| :--- | :--- | :--- | :--- |
| a. |  |  | $\$$ |
| b. |  |  | $\$$ |
| c. |  |  | $\$$ |
|  |  |  | Total: Add Lines a, b, and c |

Payments on priority claims. Enter the total amount of all priority claims (including priority child support and alimony claims), divided by 60 .

Chapter 13 administrative expenses. If you are eligible to file a case under Chapter 13, complete the following chart, multiply the amount in Line a by the amount in Line b, and enter the resulting administrative expense.

| a. | Projected average monthly Chapter 13 plan payment. | $\$$ |
| :--- | :--- | :--- |
| b. | Current multiplier for your district as determined under sched- <br> ules issued by the Executive Office for United States Trustees. <br> (This information is available at www.usdoj.gov/ust/ or from <br> the clerk of the bankruptcy court.) | x |
| c. | Average monthly administrative expense of Chapter 13 case | Total: Multiply Lines a and b |

Total Deductions for Debt Payment. Enter the total of Lines 42 through 45.
-
$\square$

## Part VI. DETERMINATION OF § 707(b)(2) PRESUMPTION

| 48 | Enter the amount from Line 18 (Current monthly income for § $707(\mathrm{~b})(2)$ ) | \$ |
| :---: | :---: | :---: |
| 49 | Enter the amount from Line 47 (Total of all deductions allowed under § 707(b)(2)) | \$ |
| 50 | Monthly disposable income under § $\mathbf{7 0 7 ( b ) ( 2 )}$. Subtract Line 49 from Line 48 and enter the result | \$ |
| 51 | 60-month disposable income under § 707(b)(2). Multiply the amount in Line 50 by the number 60 and enter the result. | \$ |


| 52 | Initial presumption determination. Check the applicable box and proceed as directed. The amount on Line 51 is less than $\mathbf{\$ 6 , 0 0 0}$ Check the "Presumption does not arise" box at the top of page 1 of this statement, and complete the verification in Part VIII. Do not complete the remainder of Part VI. The amount set forth on Line 51 is more than $\mathbf{\$ 1 0 , 0 0 0}$. Check the "Presumption arises" box at the top of page 1 of this statement, and complete the verification in Part VIII. Do not complete the remainder of Part VI. The amount on Line 51 is at least $\mathbf{\$ 6 , 0 0 0}$, but not more than $\mathbf{\$ 1 0 , 0 0 0}$. Complete the remainder of Part VI (Lines 53 through 55). |
| :---: | :---: |
| 53 | Enter the amount of your total non-priority unsecured debt $\$ 8$ |
| 54 | Threshold debt payment amount. Multiply the amount in Line 53 by the number 0.25 and enter the result. |
| 55 | Secondary presumption determination. Check the applicable box and proceed as directed. The amount on Line 51 is less than the amount on Line 54. Check the "Presumption does not arise" box at the top of page 1 of this statement, and complete the verification in Part VIII. The amount on Line 51 is equal to or greater than the amount on Line 54. Check the "Presumption arises" box at the top of page 1 of this statement, and complete the verification in Part VIII. You may also complete Part VII. |

## Part VII: ADDITIONAL EXPENSE CLAI MS

Other Expenses. List and describe any monthly expenses, not otherwise stated in this form, that are required for the health and welfare of you and your family and that you contend should be an additional deduction from your current monthly income under § $707(\mathrm{~b})(2)(\mathrm{A})(\mathrm{ii})(\mathrm{I})$. If necessary, list additional sources on a separate page. All figures should reflect your average monthly expense for each item. Total the expenses.

|  | Expense Description | Monthly Amount |
| :--- | ---: | :--- |
| a. |  | $\$$ |
| b. | Total: Add Lines a, b, and c | $\$$ |
| c. | T | $\$$ |
|  |  |  |

## Part VIII: VERIFICATION

| 57 | I declare under penalty of perjury that the information provided in this statement is true and correct. (If this a joint case, both debtors must sign.) |  |
| :---: | :---: | :---: |
|  | ate: | ature: $\qquad$ (Debtor) |
|  | Date: | Signature: |

