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MEMORANDUM

TO: _____

RE: **Initial Consultation Agreement**

SERVICES, FEES & CHARGES and TERMS

You have requested we meet with you for an initial consultation only. Our comprehensive initial consultation is offered for a flat rate of \$200.00 / Cossitt or \$100/Greenwell (up to one full hour) payable at the outset of our meeting. The purposes of the initial consultation and scope of our employment is limited to:

- Reviewing your asset (property) and liability (debts) structure;
- Reviewing your income and expenses;
- Discussing your problems, concerns, and goals for resolving those problems;
- Explaining solutions, costs, and pros and cons of your choices in addressing your problems

Anything you tell us during the initial consultation is confidential under the attorney/client privilege. It is important that you honestly and frankly share with us all of the details of your financial situation. Please remember that this law firm does not represent you on anything other than an initial consultation until you expand the scope of our employment and we sign another written fee agreement for that purpose.



Board Certified, Business & Consumer Bankruptcy Law

Bankruptcy & Workouts; Business & Commercial Litigation
Real Estate, Landlord/Tenant & Construction Law

Our services, fees & charges, and terms are set forth in our Rates & Terms Schedule. Any fee estimate we provide during the initial consultation is subject to the same limitation as our “advice”, as follows:

Our legal opinions fall into two types: a) “**advice**” based on our general knowledge of the law & our experience; and b) “**opinions**”, expressed in writing and signed by us. “**Advice**” is merely guidance, should not be relied upon and does not provide the same level of assurance as an “opinion”. “**Opinions**” are provided only after a full factual investigation and adequate legal research. Although we have given you advice on various aspects of your case, *including cost and fee estimates*, this law firm has offered no opinions and makes no guarantee or warranties as to the successful outcome of the case or the aggregate cost.

DUTIES TO PROSPECTIVE CLIENTS

Montana Rule of Professional Conduct (MRPC) 1.20 provides specific duties that relate to prospective clients. In general, it states that if we receive information from you that could be significantly harmful to you, this law firm may not represent another person with interests materially adverse in the same or a substantially related matter. We agree that your general and summary disclosure to us regarding: 1) your assets (property) and liabilities (debts) structure; 2) your income and expenses; and 3) your problems, concerns, and goals for resolving those problems is not information that can be significantly harmful to you. We also agree that if you do not retain us within 6 months from the date we meet, this law firm is free to represent any of your creditors should they contact me.

CONFIRMATION OF RECEIPT OF DOCUMENTS

You requested information relating to bankruptcy from us. This will confirm we mailed (and you received) the following documents:

- 1) Pamphlet entitled Bankruptcy Information
- 2) Pamphlet entitled Bankruptcy Notices
- 3) Bankruptcy Code § 527(b) notice, verbatim from that section
- 4) This Bankruptcy Initial Consultation Agreement
- 5) Blumberg Excelsior Bankruptcy pamphlet entitled “When You Can’t Pay Your Debts”

AGREED & ACCEPTED: _____ DATE: _____

AGREED & ACCEPTED: _____ DATE: _____

-For Office Use Only-

Consultation Fee \$	Date Paid:	Initials:
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PERSONAL INFORMATION

Date: _____

Name: _____ Home Phone: _____
Partner: _____ Cell Phone: _____
Address: _____ Work Phone: _____
City/State: _____ Zip: _____ Other Phone: _____
Email: _____ Consent to Email: _____

- Never married
- Divorced
- Married, living together
- Living with domestic partner
- Married, living separately
- Widowed

If divorced, what State filed in and when did it become final? _____

Do you have children under 18 or other dependents? How many and ages? _____

Have you filed bankruptcy? If so, when and which state? _____ Chapter _____

What is causing you financial stress? Check all of the following that apply.

- Loss of job or earnings reduced? Why? _____
- Being sued – served with Summons on _____ (date).
- Wages being attached, garnished or seized as of _____ (date).
- Vehicle was repossessed on _____ (date).

You were referred to us by: CenturyTel Phone Book Hagadone Directory Internet
 Referred by: _____
Attorney, Friend, Acquaintance or client

- CONFIDENTIAL -

The information you provide will be held confidential and is protected by Attorney/Client Privilege

The following information is needed in order for the attorney to properly evaluate your situation. As with all communication between you and the attorney, all the information supplied is strictly confidential. It is very important for you to supply all relevant information, as the attorney cannot properly advise you without a complete understanding of your situation. If you are in doubt or have any questions, provide more rather than less. Remember, it is necessary for you to be completely honest and candid with the attorney. In the case of married couples, answer each question as if answering for each of you.

1. Business Information:

Self employed? Yes No Do you have employees: Yes No

Identify any business (d/b/a/, LLC, corporation or other) within the last 6 years.

Name and type of business, dates, other details: _____

2. Monthly Income / Employment Information:

Employed by (Client): _____

Employed by (Spouse): _____

MONTHLY	Client		Spouse	
	Gross	Net	Gross	Net
W-2				
Social Security				
Pension / Annuity				
Business				
Other sources				

3. Assets, Debt & Expenses:

Assets, Debt & Expenses	Monthly Payment	Balance Owed on Debt	Current Value of Asset	Months Behind
Residence: Do you <input type="checkbox"/> own or <input type="checkbox"/> rent			\$	
1 st Mortgage Creditor:	\$	\$		
2 nd Mortgage Creditor:	\$	\$		
3 rd Mortgage / Judgment lien Creditor:	\$	\$		
Car 1 Year: Make: Model: Creditor:	\$	\$	\$	
Car 2 Year: Make: Model: Creditor:	\$	\$	\$	

Car 3 Year: Creditor:	Make:	Model:	\$	\$	\$	
Boat Year: Creditor:	Make:	Model:	\$	\$	\$	
Trailer Year: Creditor:	Make:	Model:	\$	\$	\$	
Motorcycle: Year: Creditor:	Make:	Model:	\$	\$	\$	
Other items of value over \$600:						
Asset: Creditor:			\$	\$	\$	
Asset: Creditor:			\$	\$	\$	
Asset: Creditor:			\$	\$	\$	
Asset: Creditor:			\$	\$	\$	
Total Credit Card Debt			Total Owed >>>	\$		
Total Student Loan debt			Deferred?	Total Owed >>>	\$	
Total Medical debt			Total Owed >>>	\$		
Other Debt including personal loans			Total Owed >>>	\$		

Monthly "out-of-pocket" Expenses	Monthly Payment	Months Behind
House	\$	
Vehicle (s) that you want to keep	\$	
Utilities	\$	
Food	\$	
Clothing	\$	
Student Loan	\$	
Transportation	\$	
Auto Insurance	\$	
Home Insurance	\$	
Medical Insurance	\$	
Child Support	\$	
Other	\$	
Total	\$	

4. Other Related Information: (please explain if “yes” is answered)

- a. Yes No Have you sold, transferred, or closed any business (or an interest in) within the past 6 years?
- b. Yes No Have you cosigned on a loan for anyone else?
- c. Yes No Do you have your name on any other person’s bank account, real property, or vehicle title?
- d. Yes No Are you suing anyone or have the right to sue them?
- e. Yes No Have you made any purchases (over \$500) on credit card(s) in the past 90 days?
- f. Yes No Have you taken any cash advances in the past 90 days?
- g. Yes No Have you made any balance transfers on any credit card in the past 90 days?
- h. Yes No Do you: 1) owe any money; or 2) are you owed money based on a marital settlement or judgment of divorce?
- i. Yes No Are you: 1) ordered to pay; or 2) entitled to receive child or spousal support?
- j. Yes No Does anyone owe you money for any reason?
- k. Yes No Have you set up a trust in the past 10 years?
- l. Yes No Do you receive any income from a trust or annuity?
- m. Yes No Do you have income from royalties, gas or mineral rights, copyrights, license agreements, or patents; either now or in the future?
- n. Yes No Do you have a life estate or the right to use anyone else’s property?
- o. Yes No Are you holding property for any other person?
- p. Yes No Do you own any stocks or bonds?
- q. Yes No Do you have a storage unit?
- r. Yes No Do you have a safe deposit box?
If so, name of bank, _____
What is in it? _____

5. Tax Information:

Yes No Do you have any tax refunds due to you at this time?

If so, explain: _____

Please disclose the status of your past income tax filings and disclose any past unfiled tax years below.

	IRS		MT DEPT OF REVENUE	
Tax Year	(F) Filed or (U) Unfiled	Amount Owed	(F) Filed or (U) Unfiled	Amount Owed
2009				
2008				

5. Client goals / outcomes desired:

What are the primary goals that you would like to accomplish? (keep / surrender house, car or other assets; pay certain creditors; continue/discontinue business, etc.) _____

Are there any other issues that you think the attorney should be aware of? _____

- FOR OFFICE USE ONLY -

Retained
 May be retained
 No services needed
 Other *see notes

Time Started: _____ **Ended:** _____

Client's main concern(s): _____

Arrearage on secured debt

Creditor	Amount
* _____	\$ _____
* _____	\$ _____
* _____	\$ _____

***Non-dischargeable debts**

Taxes: Yes No
Support: Yes No
School Loans: Yes No
Support: Yes No

Recommended action:

Chapter 13: Yes No
Chapter 7: Yes No
 _____: Yes No

Second Job: Yes No
Credit Counseling: Yes No

Debt / Income ratio = _____ % **§ 707(b) / DI Issues Present** _____

Notes
