



U.S. Department of Justice

*Office of the United States Trustee
440 Martin Luther King, Jr. Boulevard
Suite 302
Macon, Georgia 31201
(478) 752-3544
(478) 752-3549 fax*

[DATE]

RE: , Chapter 11 Case No.

Dear :

Title 28, §586(a)(3) of the United States Code, directs the United States Trustee to supervise the administration of all Chapter 11 cases. To comply with this charge, the United States Trustee for Region 21 has established certain operating guidelines and reporting requirements for Chapter 11 debtors in possession and trustees.

For your guidance and convenience, the initial chapter 11 information package has been placed on our website at http://www.justice.gov/ust/r21/reg_info.htm. The package includes the following documents, many of which can be completed on the website before printing.

1. United States Trustee Operating Requirements and Reporting Requirements.
2. United States Trustee Financial Requirements Checklist, Certifications, and Declarations.
3. List of United States Trustee Approved Depositories for bank accounts.
4. Limited Waiver.
5. Certification of Receipt and Understanding of Notice - Disclosure Under Debt Collection Improvements Act of 1996.
6. Certificate of Receipt and Understanding of Notice - United States Payment Center Lockbox Destruction Policy and Banking System.
7. Frequently Asked Questions.
8. Debtor's Basic Monthly Operating Report (**Small Business**).
9. Debtor's Standard Monthly Operating Report (Business) with Instructions.
10. Debtor's Monthly Operating Reports (Individual) with Instructions.
11. Debtor's Monthly Operating Report (Post-Confirmation) with Instructions.
12. Standard Bank Reconciliation Form.
13. Guidelines for Reviewing Applications for Compensation.
14. List of U. S. Trustee Program Region 21 Field Offices.
15. Certification of Receipt and Understanding of Notice - Individual Chapter 11 Debtor IRS filing and Reporting Requirements under Section 1115 of the Bankruptcy Code.

16. Certification of Receipt and Understanding of Notice - Chapter 11 Debtor-in-Possession / Trustee Requirement to Obtain a Prompt Determination of Unpaid Tax Liability.

If you are an attorney, do not hesitate to contact this office should you have questions. Debtors, if represented, should contact their attorney with questions about this material.

Additionally, as part of the Chapter 11 proceedings, it is the practice of the United States Trustee to schedule an Initial Debtor Interview within 10 days of the filing of the petition or conversion of a case. The purpose of this conference is to provide guidance and instructions pertaining to the debtor=s responsibilities as a Debtor-In-Possession (DIP). It will be necessary for you and your client to review the initial chapter 11 package documents and/or complete the required certifications, affidavits, or declarations prior to attending the initial debtor conference. ***Your initial debtor interview is scheduled for [DATE]. Please call _____ at (478)752-3544 to confirm you and your client will be available for the interview and confirm that schedules and IDI materials will be provided prior to the IDI date.***

The United States Trustee requires the debtor to provide the financial and business information on the attached list, or in the alternative provide us with a detailed explanation as to why such information is not available, prior to the Initial Debtor Interview. It is ***imperative*** that 1) this information be provided before the scheduled interview and 2) the debtor and the debtor’s attorney, if represented, attend the interview. Failure to do so may result in a motion to dismiss or convert, or for the appointment of a trustee. **Please ensure the requested information on the attached list is delivered to us no later than [DATE].**

If the debtor is an individual, please be prepared to bring identification and proof of the debtor’s social security number to the 341 meeting of creditors.

Thank you for your attention to this matter and if you have any questions, please do not hesitate to contact our office.

Sincerely,

_____,
Legal Assistant for

_____,
Assistant U.S. Trustee

Enclosures: (1) Chapter 11 Financial and Business Information
(2) Providing Insurance Coverage

CHAPTER 11 FINANCIAL AND BUSINESS INFORMATION

The information to be provided to the United States Trustee for the Initial Debtor Interview includes the following documents. Please submit your completed package in the following order:

1. Receipt and Certification of Understanding of Operating Guidelines and Reporting Requirements (Attachment A).
2. Completed "Information for Initial Debtor Interview" (Attachment B) or completed schedules.
3. Completed "Declaration of Pre-Petition Account Closings and Opening of Debtor In Possession Bank Accounts" (Attachment C).
4. Certification of Receipt and Understanding of Notice - Disclosure under Debt Collection Improvements Act of 1996 (Attachment D).
5. Limited Waiver (signed by attorney).
6. Copies of filed Federal Income Tax and Personal Property Tax returns for the two (2) years prior with all schedules and attachments.
7. Copies of most recent audited and unaudited Financial Statements.
8. Balance Sheet as of Month-end immediately preceding filing.
9. Profit and Loss Statement for Month immediately preceding filing.
10. Proof of Insurance Coverage - General Liability, Property, Fire & Theft, Workers' Compensation, Vehicle, Other insurance normally required in this business.
11. Providing Insurance Coverage – attached.
12. Projected cash budget for first 6 months of post-petition operations.
13. Detailed listing of Accounts Receivable and an Accounts Receivable aging report.
14. List of all checks written and other disbursements on all accounts **90 days** prior to filing petition. Include check number, date, payee, amount and purpose.
15. Report of Physical Inventory.
16. Current rent roll, if debtor has tenant-occupied property.
17. Copies of current business licenses and performance bonds, if required.
18. Details on Pension, Welfare/Health Plans, (i.e., type of plans maintained, fully or self-insured, administrators, who makes contributions, who maintains assets of the plans, etc.).
19. For each principal, submit a resume, current job description and responsibilities, disclosure of compensation/benefit package for the 12 months prior to bankruptcy and the anticipated compensation/benefit package during the pendency of the Chapter 11 case.
20. For Small Business Debtors, a copy of Business Plan.
21. Certification of Receipt and Understanding of Notice - Individual Chapter 11 Debtor IRS filing and Reporting Requirements under Section 1115 of the Bankruptcy Code.
22. Certification of Receipt and Understanding of Notice - Chapter 11 Debtor-in-Possession/Trustee Requirement to Obtain a Prompt Determination of Unpaid Tax Liability.
23. Certification of Receipt and Understanding of Notice – United States Payment Center Lockbox Destruction Policy and Banking System.



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Suite 302 (478) 752-3544
440 Martin Luther King, Jr. Blvd.
Macon, GA 31201-7910 FAX (478) 752-3549

PROVIDING INSURANCE COVERAGE

The United States Trustee Program requires all Chapter 11 Debtors In Possession to provide, within fifteen (15) days of filing a bankruptcy petition, proof of the insurance coverage. The proof must disclose, at a minimum:

1. the effective date
2. the termination date of the coverage
3. the type and limits of coverage provided
4. the identity of all loss payees.

Binders must be accompanied by paid receipts and a declaration page provided as soon as practical.

The Debtor in Possession must instruct its insurance companies to list the United States Trustee as a Certificate Holder as follows:

Office of the U. S. Trustee
440 Martin Luther King, Jr. Boulevard
Suite 302
Macon, Georgia 31201

Upon expiration or other termination of any coverage, the Debtor In Possession shall immediately provide the United States Trustee with adequate proof of replacement coverage.

The Debtor in Possession shall maintain at least the following coverage, where appropriate:

General comprehensive liability	Property (personal & realty)
Casualty and theft	Workers' compensation
Vehicle	Product liability
Flood insurance	Directors and Officers liability
Professional malpractice	
Other coverage customary or prudent in the debtor's business, or required by law.	

INSURANCE QUESTIONNAIRE

Case Name: _____

Case Number: _____

PROPERTY INSURANCE (use additional pages as required)

ASSET DESCRIPTION	INSURANCE PROVIDER NAME AND ADDRESS	AGENT NAME AND PHONE #

LIABILITY INSURANCE

DESCRIPTION	INSURANCE PROVIDER NAME AND ADDRESS	AGENT NAME AND PHONE #

WORKER'S COMPENSATION COVERAGE

INSURANCE PROVIDER NAME AND ADDRESS	AGENT NAME AND PHONE #

OTHER INSURANCE COVERAGE

DESCRIPTION	INSURANCE PROVIDER NAME AND ADDRESS	AGENT NAME AND PHONE #

Return the completed form to the United States Trustee, 440 Martin Luther King, Jr. Boulevard,
Suite 302, Macon, Georgia 31201.

Debtor In Possession Authorization to list the U. S. Trustee as Certificate Holder

Case Name: _____

Case Number: _____

Insurance Company: _____

Address: _____

Phone: _____

In compliance with the U. S. Trustee Chapter 11 Guidelines and Reporting Requirements, I authorize the above-named insurance company to add the U. S. Trustee as certificate holder for all policies written for the benefit of the Debtor in Possession:

Office of the U. S. Trustee
440 Martin Luther King, Jr. Boulevard
Suite 302
Macon, Georgia 31201
(478) 752-3544 (phone)
(478) 752-3549 (fax)

Date: _____

Debtor in Possession

*Sign and date the document and return to the U. S. Trustee.