

Milwaukee County Form CV 5: Petition to Amortize Debts

STATE OF WISCONSIN

CIRCUIT COURT
CIVIL DIVISION

MILWAUKEE COUNTY

In the Matter of the Voluntary Amortization of Debts of:

Debtor(s)

Case No. _____
Case Code No. 30304

Petition to Amortize Debts under Wis. Stat. §128.21

1. Debtor(s) is/are an individual married adult resident(s) of Milwaukee County, Wisconsin, residing at _____ (state address).
2. Debtor(s) is/are employed by _____ (state full name and address of each employer).
3. Debtor(s) is/are indebted beyond debtor's(s') ability to pay debts as they mature, and the assistance of the court is needed in the amortization of such indebtedness pursuant to Wis. Stat. § 128.21.
4. Debtor(s) believe(s) that unless the assistance of the court is obtained for the amortization of indebtedness pursuant to Wis. Stat. §128.21, creditors will continue to seek collection by the issuance of garnishment, attachment or execution. Debtor is of the opinion and belief that debtor will be able to make future payments at regular intervals according to a plan of amortization so as to amortize debtor's indebtedness over a period of not more than three (3) years.
5. Debtor(s) request appointment of a trustee in accordance with Milwaukee County Local Rule 3.31.
6. Debtor(s) request(s) that (choose one):
 - the court enter an order that a portion of debtor's(s') weekly bi-weekly monthly bi-monthly other: _____ payroll checks be assigned directly to the trustee in this proceeding in an amount set forth in the proposed order submitted with this petition. The trustee shall be compensated not more than 7% of the creditor claim(s), along with costs for postage/notices/correspondence.
 - debtor(s) pay(s) to the trustee directly an amount set forth in the proposed order submitted with this petition. The trustee shall be compensated not more than 10% of the creditor claim(s), along with costs for postage/notices/correspondence.
7. Attached is/are my/our affidavit of debts (Milwaukee County Circuit Form CV 6) to be included in the plan.
8. Debtor(s) request(s) to be permitted to amortize debts pursuant to Wis. Stat. § 128.21, and that a plan of amortization as may be proposed by the Trustee and submitted to the creditor(s) be approved by the court.
9. Debtor(s) has/have submitted a proposed Order (Milwaukee County Circuit Form CV 7) appointing the trustee and enjoining the creditors listed in this petition from further collection procedures.

Dated: _____, 20__.

Debtor 1 Name

Print Name

Subscribed and sworn to before me
this _____ day of _____, 20__.

Notary Public, State of Wisconsin
Print Name: _____
My commission expires _____, 20__
or is permanent

Dated: _____, 20__.

Debtor 2 Name (if any)

Print Name

Subscribed and sworn to before me
this _____ day of _____, 20__.

Notary Public, State of Wisconsin
Print Name: _____
My commission expires _____, 20__
or is permanent

If debtor(s) is/are represented by an attorney, the attorney must complete the following:

Dated: _____, 20__.

Attorney Signature

Print Name: _____

Address: _____

Phone Number: _____

Bar Number: _____

Note: Include two (2) stamped envelopes – one addressed to Trustee (name and address will be filled in by the court) and one to Debtor’s(s’) attorney or, if no attorney, to Debtor(s)