

Filing an Amortization of Debt (Chapter 128) Case in Milwaukee County

Checklist

1. Fill out a Petition to Amortize Debts (Form CV 5)
 - A. You must include your name and address as debtor (and your spouse's if you are filing together).
 - B. In paragraph 2, you must list an employer. As this statute applies to people whose principal source of income is wages or salary, petitions that do not list a valid employer are unlikely to be approved.
 - C. In paragraph 6, you must choose either that the court order payment to the Trustee from your employer by payroll deduction or the court order that you will pay the Trustee directly.
 - D. You must SIGN the document in front of a notary. Notaries are available in Room 104 of the Courthouse.

2. Fill out an Affidavit of Debts (Form CV 6)
 - A. The affidavit must list all of the creditors to be included in the plan, by name and address.
 - B. It must list the total amount due each creditor.
 - C. It must include a total of all the debts to be included in the plan.
 - D. You must SIGN the document in front of a notary. Notaries are available in Room 104 of the Courthouse.

3. Fill out an Order Appointing Trustee and Enjoining Creditors (Form CV7)
 - A. It must include the requested Trustee information. The court will assign you a Trustee when you file.
 - B. You must choose either that the court order payment to the Trustee from your employer by payroll deduction or that the court order that you will pay the Trustee directly.
 - C. You must include a proposed amount to be deducted from your paycheck and paid by your employer to the Trustee per paycheck OR a monthly amount to be paid by you directly to the Trustee.

4. Make 2 copies of the Petition to Amortize Debts, 2 copies of the Affidavit of Debts and 2 copies of the Order Appointing Trustee and Enjoining Creditors. A copy machine is available in Room G10-1 of the Courthouse (Legal Resource Center) for 20 cents a page.

5. Prepare two (2) stamped envelopes
 - A. One will be addressed to the Trustee, so the court can send the Trustee the petition, affidavit, and order appointing Trustee. You will get the Trustee's address when you file your papers.
 - B. One should be addressed to you, so you can receive a signed order from the court.

6. File your papers in Room 104 and pay the \$35 filing fee. In addition to the fee, make sure you have the following:
 - A. The original and one copy of your Petition to Amortize Debts
 - B. The original and one copy of your Affidavit of Debts
 - C. The original and two copies of the Order Appointing Trustee and Enjoining Creditors
 - D. Your two stamped envelopes, one addressed to you and one addressed to the Trustee.

