

IN THE DELAWARE MUNICIPAL COURT, DELAWARE COUNTY, OHIO

70 North Union Street, Delaware, Ohio 43015 • Voice: 740.203.1560 • Facsimile: 740.203.1599 • www.municipalcourt.org

In re Trusteeship of

*
Name of Debtor
*
Street Address
*
City, State Zip
Debtor

*Instructions: Please, type or print in ink. Submit creditor identification information and other attachments as required. Applications that are incomplete, unfounded, or lack required attachments are subject to dismissal. Other proper forms are accepted. This form is not legal advice; for advice you must confer with an attorney.
Line/area must be completed.

CASE NO: _____ CVH _____
 Application by Debtor for Appointment of Trustee
 Motion by Debtor to amend Roster of Creditors

Delaware County, State of Ohio} ss

[] I. Application for Appointment of Trustee. The undersigned moves the court for the appointment of a trustee pursuant to R.C. § 2329.70 to receive the portion of the debtor’s personal earnings that is not exempt from execution, garnishment, attachment, or proceedings in aid of execution, and any additional sums that the debtor may voluntarily pay or assign to the trustee for disbursement to the debtor’s creditors as provided by law. The debtor swears/affirms the truth of the following:

- A. The debtor is the subject of a demand made in accordance with R.C. § 2716.02 for payment to avoid garnishment (Notice of Court Action to Collect Debt), copy(ies) of which is/are attached. *(Failure to attach copy(ies) will result in denial of application.)*
- B. The debtor resides (check one of the following):
 1. in Delaware, County, Ohio. 2. outside Ohio, but works for employer located in Delaware County, Ohio.
- C. A copy of the debtor’s pay stub(s) for the last 30 days is/are attached showing the name and address of the employer(s).

D. The attached Roster of Creditors, including *_____ pages, is a full, accurate, and complete statement of the names of the debtor’s secured and unsecured creditors holding liquidated claims, including addresses, account numbers, and amount due.

- E. Regarding prior appointment of a trustee under R.C. § 2329.70 for the debtor (check one of the following):
 1. No trusteeship applied for by the debtor has been dismissed in the six month period preceding this application.
 2. The debtor’s prior trusteeship in Case No. _____ was dismissed on _____. However, the dismissal was not the result of willful neglect as follows: _____

- [] II. The debtor moves the court to adopt the attached Amendment to the Roster of Creditors** as follows:
 A. Through mistake or otherwise the debtor failed to include on the Roster of Creditors the creditor(s) herein shown.
 B. The creditor(s) shown on the amendment became (a) creditor(a) after the appointment of a trustee herein.
 C. The undersigned sent by ordinary mail a copy of this motion to each creditor on the existing Roster of Creditors.

III. Request for Service. Clerk: Unless otherwise directed by the court, serve a copy hereof by certified mail to each creditor identified on the attached Roster / Amendment to Roster of Creditors at the address shown.

IV. Verification. The debtor swears/affirms that the statements herein and on the attachment(s) are true, accurate, and complete.

*X _____ Debtor

Sworn to and subscribed before me on *_____.

* _____
clerk / deputy clerk / notary public

X _____
Signature of Attorney for Debtor (if filed by atty.*)

* _____
Print name SCR# (if file by atty.*)

* _____
Phone Number of Debtor, or Attorney (if filed by atty.)

Attorney Street (if filed by atty.*)

* _____
email & facsimile number of Debtor, or Attorney (if filed by atty.)

Attorney City, State ZIP (if filed by atty.*)