

INTAKE FORM: Workout

Sometimes, a borrower just can't make loan payments, or may have a dispute with the lender. A number of things may have caused the problem. The borrower may have hit hard times, or circumstances may have changed so as to make the current terms of the loan unfair. There may be conflict over when a payment was due, or how much was due. Often, the borrower does not want to be sued, or to jeopardize a good relationship by suing. A lender, on the other hand, may want to keep a borrower in hopes of future business or for the good of your community, even though the borrower has fallen behind in payments. A lawyer can frequently help a borrower and a lender reach a new agreement by explaining options, writing letters, or negotiating on a client's behalf.

A loan workout can be legally complicated and time-consuming. In many cases, the first time commitment is finding an attorney. While you may already have an attorney who has helped you another legal issue, he or she might not be experienced in working with lenders. More often, you will have to find an attorney from scratch.

In any workout, you will need the counsel and representation of a seasoned advocate to help you through the process and ensure an outcome that meets your needs. You will want to meet with any attorney you are considering hiring, to see if you and the attorney can work together.

In order to do the best possible job on your behalf, your attorney needs your input and cooperation. At your first meeting with your attorney, you should be prepared to provide the following information:

INFORMATION ABOUT YOU

Name _____

Address, Including County

Length of Time at that Address _____ years

Previous Address(es) (for last 10 years)

Your Work Telephone Numbers _____

Your Home Telephone Numbers _____

Facsimile Number _____

E-mail Address _____

Web page (if any) _____

Former Name(s) _____

Your Position _____

Litigation you *have been* involved in:

Litigation you *are* involved in:

INFORMATION ABOUT THE OTHER PARTY

Name _____

Address, Including County

Is the other party a business? _____

Form of the Business (corporation, partnership, sole proprietorship, etc.)

Place of Doing Business _____

Length of Time at that Address _____ years

Previous Address(es) (for last 10 years)

Their Work Telephone Numbers _____

Their Home Telephone Numbers _____

Facsimile Number _____

E-mail Address _____

Web page (if any) _____

Former Name(s) _____

Related Business(es) _____

Your Contact Person _____

Other Officers or Officials of the Business

Are you aware of any litigation the other party has been involved in?

What does the other party do?

INFORMATION ABOUT THE PROBLEM/WHY ARE YOU GOING TO A LAWYER?

Is there one incident, like a default, that caused the problem? Describe the incident that occurred:

Are there written documents which relate to any agreements you have with the other party? If so, provide copies. _____

Is there correspondence between you and the other party? If so, provide copies.

Are you aware of any legal claims the other party may have against you? If so, please explain.

Has the other party threatened or commenced a court case? _____

What outcome do you want from seeing the lawyer? Do you just need someone to stop bothering you about an unfair debt, for example, or do you need to restructure a loan?
