

5 Questions to Ask Before Hiring a Bankruptcy Attorney

What Makes This Decision So Important?

Bankruptcy laws are designed to give individuals and families a second chance with their finances. When credit card bills, medical debt, and mortgage payments become too much to handle, support from the right attorney can help you get back on track.

Bankruptcy is a complicated area of the law and although individuals can file “pro se” without the help of an attorney, it is extremely difficult to do successfully. It is important that bankruptcy cases are filed correctly. The rules are very technical and even a slight misstep could negatively impact a debtor’s rights. In order to avoid long-term financial and legal consequences, hiring an experienced and effective bankruptcy attorney is vital.

A good bankruptcy attorney is an investment towards a brighter future. When you begin to seek out the right attorney for your particular case, you should keep in mind that you’re not buying a product, but instead you are finding someone to provide a skilled service. The first consultation with each bankruptcy attorney should be treated like an interview for a job.

In contrast, hiring the wrong bankruptcy attorney can cause confusion and leave you in the dark. Worse yet, a bad bankruptcy attorney can hurt their client’s already difficult financial situation and bring expensive fines, or other legal issues. More and more inexperienced attorneys have entered into the bankruptcy practice because they see a growth in the area. In some cases these attorney’s don’t know what they are doing and cause major damage to their unsuspecting clients.

The 5 questions in this special report will help lead you to a bankruptcy attorney who can meet your needs and help you on the path to a fresh financial start. Use them as a starting point to guide you through the confusion of the legal waters and make an educated choice. Remember, each case is different, and requires special, customized attention.

This Special Report will provide you with the right information to make the best choice for guidance if you have decided on bankruptcy. If, after reading the Special Report, you find that our firm is right for you, that’s great. We would be glad to help you. However, if you use this report to find another firm, we have still accomplished our goal of helping you find a firm that meets your specific needs.

So, let’s get started! Here are the 5 questions you *must* ask an attorney before choosing them to help you through filing bankruptcy.

#1 - Is Filing Bankruptcy A Good Option For Me?

This question covers a lot of ground, but a good attorney should be willing to discuss your possible options. Your attorney should explain the differences between the types of bankruptcy and should be ready to make a recommendation based on your particular case.

Most attorneys will be ready to discuss the benefits of filing bankruptcy, but the best attorneys will also be prepared to discuss the risks and potential drawbacks. You should have a clear understanding of the benefits associated with a bankruptcy filing as well as the potential negative effects. For example, a Chapter 7 bankruptcy may rid you of all or most of your debt and stop collection activity, but it may also cause you to lose property and damage your credit rating.

A good attorney will recognize that each situation is unique and should look into each case with care. Your attorney should explain how bankruptcy fits into the bigger picture of your finances and should tell you what could happen if you decide not to file for bankruptcy.

#2 – How Much Of Your Practice Is Devoted To Bankruptcy Cases?

Many people ask how long an attorney has been doing bankruptcy work. This question is useful, however, an attorney who does a few bankruptcy cases per year for twenty year might not have as much valuable experience as an attorney who has specialized in bankruptcy for only a few years. It is especially important to know how many bankruptcy cases your attorney has done since major law changes in 2005. If the number is anything less than 50% you should consider looking elsewhere.

A good choice for a bankruptcy attorney should have over half of their practice devoted to bankruptcy in order to keep up with changing bankruptcy laws. Also be sure to ask whether they focus more on creditor or debtor claims or on individual or business claims. Choose the attorney who is most equipped to meet your needs.

#3 – How Will I Contact You?

Your attorney should keep open lines of communication with you through a combination of e-mail and phone calls. These open lines will ensure that your questions can be answered in a timely manner and that your attorney can keep you informed of any developments in your case.

Make sure you know how many people will be working on your case and who would be accompanying you to your court hearing. You should make sure that an attorney will be handling the bulk of your case and accompanying you to your hearing. Most firms also use a team of paralegals and support staff to ensure your case is handled with proper attention to detail.

#4 – How Long Will The Process Take?

The time frame for bankruptcy cases varies based on the type of claim. A Chapter 7 bankruptcy typically takes between four and six months from filing date to official discharge. A Chapter 13

bankruptcy is slightly more complex than a Chapter 7 bankruptcy and is often referred to as reorganization. This process requires several months of planning along with a payment schedule of three to five years.

#5 – What Happens After I File Bankruptcy?

Immediately after your claim goes through, the court system will notify creditors of your pending case. From that point on, creditors will not be allowed to contact you to request payment. Other hearings may be scheduled depending on the type of bankruptcy and your attorney should be prepared to explain the proceedings that would apply to your case.

A good attorney will be able to explain in detail the effects filing bankruptcy could have on your credit score, your spouse's finances if you are not filing jointly, and your future finances.

Some attorneys offer follow-up support after your bankruptcy case is settled. The best attorneys offer at least 6 months of support to help you get back on your feet.