

What does it cost to file bankruptcy in Massachusetts (in attorney's fees)?

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This is common question posed by a prospective client when they are "shopping" for a bankruptcy attorney to file under chapter 7 or chapter 13, especially by those that put a significant emphasis (often an overemphasis) on price. This post raises one consideration for those that emphasize price when choosing an attorney on a fixed fee basis.

A real low (fixed fee) price may seem attractive because you are used to shopping for a product that is the same from store to store. But that is not the situation when purchasing professional legal services. There is a reason (or many reasons) the price is so low, when comparing fixed fee quotes. I suggest that it is quite likely that in order for the cheapest lawyer to be profitable he will invest less time in a case than other lawyers would and/or he simply cuts corners. As the cheap lawyer operates in this way, the risk of mistake, a mistake that could cost a client (that is you) a loss of rights, property, or funds, increases dramatically.

If such a mistake is made in your case and you are damaged, this may give rise to a legal malpractice case. Pursuing such a case is not an easy task, for one significant reason. It is that, except in the most clear, egregious situation, proving a malpractice case requires an expert to testify on your behalf to argue that the services rendered (or not rendered) by your prior attorney fell below the standard of care. And an expert costs money, a lot of money. So you may have a great case but find yourself unable to pursue it because of the great costs. This is why you should take every step you can to avoid engaging a lawyer that is more likely to make a mistake, and I suggest that means avoiding the cheapest lawyer.

As grandmother used to say, an ounce of prevention is worth a pound of cure. Or as some say, you get what you pay for. This is a consideration for those of you putting too much of an emphasis on price when questioning how much a chapter 7 or chapter 13 bankruptcy costs in Massachusetts.

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