

THE BROWN LAW FIRM

Board Certified Bankruptcy Counsel · Serving Texas

BANKRUPTCY IN TEXAS

Cost, Fees & Qualifying

What filing costs, whether you qualify, and what the first call looks like.

The questions almost everyone asks before they pick up the phone, answered plainly. If your situation raises something these do not cover, that is what the free consultation is for.

JEROME A. BROWN · BOARD CERTIFIED IN CONSUMER & BUSINESS BANKRUPTCY LAW, TEXAS
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Offices in Austin and Victoria · Free initial consultation

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Before you call, here is what most people want to know.

Cost and eligibility are the two things that keep people from picking up the phone, usually based on something they heard that is not quite right. Here are straight answers about what bankruptcy costs, who qualifies, and how the first conversation works.

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SECTION ONE

Do I Qualify?

Who can actually file for bankruptcy?

Almost anyone can. Individuals, married couples, partnerships, and corporations are all eligible. Most consumer cases are voluntary, meaning you choose to file. In rare situations creditors can force a business into an involuntary case, but that is not how a typical personal filing happens.

Is there a minimum amount of debt before I can file?

No. There is no debt threshold you have to clear. What matters is whether bankruptcy is the right tool for your situation. If your trouble is short-term, working directly with a creditor may make more sense, and we will tell you that honestly.

How do I qualify, and could I be turned down?

For most people, qualifying is straightforward. Chapter 7 has an income screen called the means test, explained just below. If your income is too high for Chapter 7, that usually does not mean no relief, it means Chapter 13 instead. You generally file in the district where you have lived for most of the last 180 days.

What is the means test?

The means test is a standard calculation that asks whether Chapter 7 is appropriate based on your income. It compares your average income over the six months before filing to the median income for a Texas household of your size. If you are below the median, you typically pass and can proceed with Chapter 7. If you are above it, a second step subtracts allowed expenses to see whether you have enough left over to repay creditors.

Being above the median is not the end of the conversation. The detailed calculation, and timing, often still leads to Chapter 7.

I have filed bankruptcy before. Can I file again?

Filing once does not automatically disqualify you from filing again. Depending on your earlier case, there may be a waiting period before you are eligible for another discharge, and the rules turn on the specifics. The best way to find out exactly where you stand is a quick consultation.

SECTION TWO

What It Costs

Do I really need a lawyer, or can I file on my own?

You can file on your own, but it is difficult to do well. The forms are signed under penalty of perjury and carry real legal consequences, and decisions about exemptions and chapters affect what you keep. Corporations and partnerships are required to have an attorney. For individuals it is strongly recommended.

Should I just use a bankruptcy petition preparer?

A petition preparer is not an attorney and is not allowed to give you legal advice or tell you which chapter to file. They can only type the forms you fill out. The judgment calls that actually protect your property and your discharge are legal work, which a preparer cannot do.

How do I pay your fee if I am already broke?

We hear this often, and we work with it. Bankruptcy fees are usually modest compared to other kinds of legal work. We offer a free consultation, quote a flat fee so you know the full cost up front, and set up a payment plan that fits your budget. Your case is ready to file once the agreed fee is complete.

Do you offer payment plans?

Yes. We provide flexible payment plans, including for clients on a fixed income, and we discuss the options at your free consultation. The goal is a schedule you can actually manage.

SECTION THREE

The Free Consultation

What happens at the free consultation?

Our consultations are phone calls. You talk with us about your financial situation, we explain your options in plain terms, and we give you the information the law requires us to provide. No cost, no obligation.

Do I need to prepare anything?

Just one thing. After you schedule, you will receive a short pre-consultation form. Completing it before your call lets the attorney review your situation in advance and makes the conversation far more useful. That is all you need to do.

Do I have to decide during the call?

No. The consultation is for your benefit and commits you to nothing. Many people take time afterward to think it over or talk with their spouse before deciding.

Can I reach you after the call if I have more questions?

Yes. The easiest way is to text us, which is how we stay in touch with most clients. You can call too. Either way, we want you making decisions with accurate information.

General information, not legal advice.

This guide explains, in general terms, how bankruptcy tends to work for individuals in Texas. It is **not legal advice** and does not create an attorney-client relationship. Bankruptcy outcomes turn on the specific facts of your situation, your district, and current law, all of which change from one case to the next.

Before you act on anything here, talk with a bankruptcy attorney about your own circumstances. That is the only way to know how these rules apply to you.

Ready to find out where you stand?

Schedule a free, no-obligation phone consultation with The Brown Law Firm.

Text us: (512) 306-0092

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