

## Chapter 7 Personal Bankruptcy Flat Fee Program

This program was created to give the public options to find an affordable attorney when faced with filing a personal bankruptcy. This program is limited to Chapter 7 bankruptcy. The flat fee is \$1,000 (single) and \$1,200 (joint) and covers all costs except filing fees. To get a referral, call us at 619-231-8585 or 800-464-1529 or submit an online [referral](#) form

The legal work covered for the \$1,000/\$1,200 flat fee is:

- Meeting with debtor to review debtor’s assets, liabilities, income and expenses.
- Analyze the debtor’s financial situation and render advice to the debtor in determine whether to file a petition in bankruptcy.
- Describe the purpose, benefits, and costs of the Chapters the debtor may file, counsel the debtor regarding the advisability of filing either a Chapter 7, 11 or 13 case, and answer the debtor’s questions. Note: Only Chapter 7 bankruptcy is included in the \$1000/\$1200 flat fee program.
- Advise the debtor of the requirement to attend the Section 341(a) Meeting of Creditors, and instruct the debtor as to the date, time and place of the meeting
- Advise the debtor of the necessity of maintaining liability, collision and comprehensive insurance on vehicles securing loans or leases.
- Timely prepare, file and serve, as required, the debtor’s petition, schedules, Statement of Financial Affairs, and any necessary amendments to Schedule C
- Provide documents pursuant to the Trustee Guidelines and any other information requested by the Chapter 7 Trustee or the Office of the United States Trustee.
- Provide an executed copy of the Rights and Responsibilities of Chapter 7 Debtors and their Attorneys to the debtor.
- Appear and represent the debtor at the Section 341(a) Meeting of Creditors, and any continued meeting, except as further set out in Section II.
- File the Certificate of Debtor Education if completed by the debtor and provided to the attorney before the case is closed.
- Attorney shall have a continuing obligation to assist the debtor by returning telephone calls, answering questions and reviewing and sending correspondence.
- Respond to and defend objections to claim(s) of exemption arising from attorney error(s) in Schedule C.

The flat **fee does not cover** and is subject to additional fees by the attorney:

<b>Does not include: (subject to an additional fee by the attorney)</b>
<ul style="list-style-type: none"> <li>• Filing Fees</li> </ul>
<ul style="list-style-type: none"> <li>• Does not address any objections to bankruptcy discharge</li> </ul>
<ul style="list-style-type: none"> <li>• Representation at any continued meeting of creditors due to client’s failure to appear or failure to provide required documents or acceptable identification;</li> </ul>

<ul style="list-style-type: none"> <li>• Amendments, except that no fee shall be charged for any amendment to Schedule C that may be required as a result of attorney error;</li> </ul>
<ul style="list-style-type: none"> <li>• Opposing Motions for Relief from Stay;</li> </ul>
<ul style="list-style-type: none"> <li>• Reaffirmation Agreements and hearings on Reaffirmation Agreements;</li> </ul>
<ul style="list-style-type: none"> <li>• Redemption Motions and hearings on Redemption Motions;</li> </ul>
<ul style="list-style-type: none"> <li>• Preparing, filing, or objecting to Proof of Claims, when appropriate, and if applicable;</li> </ul>
<ul style="list-style-type: none"> <li>• Representation in a Motion to Dismiss or Convert debtor’s case;</li> </ul>
<ul style="list-style-type: none"> <li>• Motions to Reinstate or Extend the Automatic Stay;</li> </ul>
<ul style="list-style-type: none"> <li>• Negotiations with Chapter 7 Trustee in aid of resolving nonexempt asset, turnover or asset administration issues.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Additional Service not included in the Initial Fee which will require a Separate Fee Agreement:</b></li> </ul>
<ul style="list-style-type: none"> <li>• The following services are not included as part of the representation in a Chapter 7 case, unless the attorney and debtor negotiate representation in these post-filing matters at mutually agreed upon terms in advance of any obligation of the attorney to render services. Unless a new fee agreement is negotiated between debtor and attorney, attorney will not be required to represent the debtor in these matters:</li> </ul>
<ul style="list-style-type: none"> <li>• Defense of Complaint to Determine Non-Dischargeability of a Debt or filing Complaint to Determine Dischargeability of Debt;</li> </ul>
<ul style="list-style-type: none"> <li>• Defense of a Complaint objecting to discharge;</li> </ul>
<ul style="list-style-type: none"> <li>• Objections to Claim of Exemption, except where an objection arises due to an error on Schedule C;</li> </ul>
<ul style="list-style-type: none"> <li>• Sheriff levy releases;</li> </ul>
<ul style="list-style-type: none"> <li>• Section 522(f) Lien Avoidance Motions;</li> </ul>
<ul style="list-style-type: none"> <li>• Opposing a request for, or appearing at a 2004 examination;</li> </ul>
<ul style="list-style-type: none"> <li>• All other Motions or Applications in the case, including to Buy, Sell, or Refinance Real or other Property;</li> </ul>
<ul style="list-style-type: none"> <li>• Motions or other proceedings to enforce the automatic stay or discharge injunction;</li> </ul>
<ul style="list-style-type: none"> <li>• Filing or responding to an appeal;</li> </ul>
<ul style="list-style-type: none"> <li>• An audit of the debtor’s case conducted by a contract auditor pursuant to 28 U.S.C. Section 586(f).</li> </ul>