

BANKRUPTCY FEE WAIVER REQUEST: EZBankruptcyForms.com Tutorial

A "Bankruptcy Fee Waiver" can be a necessity in filing for Chapter 7 bankruptcy. Legally avoiding the \$299 court fee can provide help when an individual needs it the most. This tutorial should be used in tandem with EZBankruptcyForms.com's Bankruptcy Software program, as explained below.

If you are planning on applying for a "Chapter 7 Bankruptcy Fee Waiver", DO NOT hire a lawyer or bankruptcy petition preparer (BPP). Question 12 of the fee waiver states, "Have you paid (or promised to pay) an attorney any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules?" There are subsequent questions about paying someone "other than an attorney (such a BPP or paralegal)" to prepare your forms. These are "'qualifying questions'", and, if you answer "yes" to any of them, your fee waiver will be denied (the court figures if you can afford to pay \$1400 to a lawyer or \$300 to a petition preparer, you can afford to pay them too). If you "have" hired an attorney or BPP, you cannot answer "No" because they are required to put their signature all over the rest of your forms.

Find out if you are income qualified for a bankruptcy fee waiver. This is separate and more restrictive than the income qualification for Chapter 7 bankruptcy. To qualify, you must fall below 150% the Federal Poverty Guidelines listed here:

<http://www.uscourts.gov/FederalCourts/Bankruptcy/BankruptcyResources/PovertyGuidelines.aspx>

Complete all of your necessary paperwork. Here's the "Catch-22". You must complete all of the bankruptcy forms without the help of a lawyer to receive a fee waiver, as mentioned above. EZBankruptcyForms "Bankruptcy Software" package will cost \$44, guiding you through the paperwork.

File your fee waiver with your other bankruptcy paperwork with the bankruptcy court clerk. Details on this step are included in EZBankruptcyForms "File Chapter 7 Bankruptcy Without a Lawyer" tutorial.

You will receive your "Fee Waiver" answer from the bankruptcy judge within 10 days after filing. The judge can only waive the fee if your income is 150% below the poverty line for your family size, and you can prove that you cannot afford to pay the fee in installments of 4 to 6 months. If the judge **approves** the waiver, then you are filing under the status in forma pauperis (Latin for "in the manner of a pauper"). If the judge **denies** the waiver, then you will have to make payment arrangements to pay the fee in installments. Failure to make payments in a timely manner or failing not to pay will result in the court dismissing your bankruptcy case.