



Filing Bankruptcy Sucks, Your Lawyer Should NOT!

Minnesota's Ultimate Guide to Chapter 7 and 13 Bankruptcy. What is it, what's the process, and how to choose an awesome Lawyer



W E S L E Y W . S C O T T

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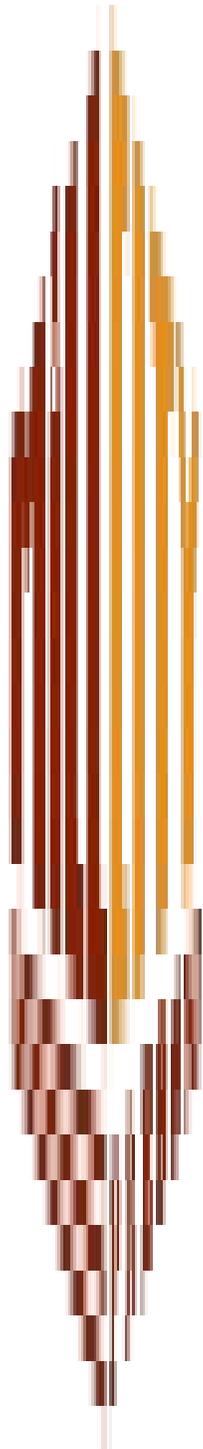
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*Minnesota's Ultimate Guide to
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What is it, what's the process, and
how to choose an awesome Lawyer*

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XULON PRESS

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2301 Lucien Way #415
Maitland, FL 32751
407.339.4217
www.millcitypress.net



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Printed in the United States of America.

ISBN-13: 9781545621721

DISCLAIMER

While you will learn valuable information from this book, the contents of this book do not constitute legal advice. Every Minnesotan's circumstances are different and the legal advice given to one person would likely be different for another person. Legal advice can only be dispensed after meeting with Kain & Scott and signing a retainer agreement. No attorney/client relationship can be formed without a signed retainer agreement with Kain & Scott. The purpose of this book is meant to give a broad outline of bankruptcy in Minnesota. The opinions contained herein are that of the author only.

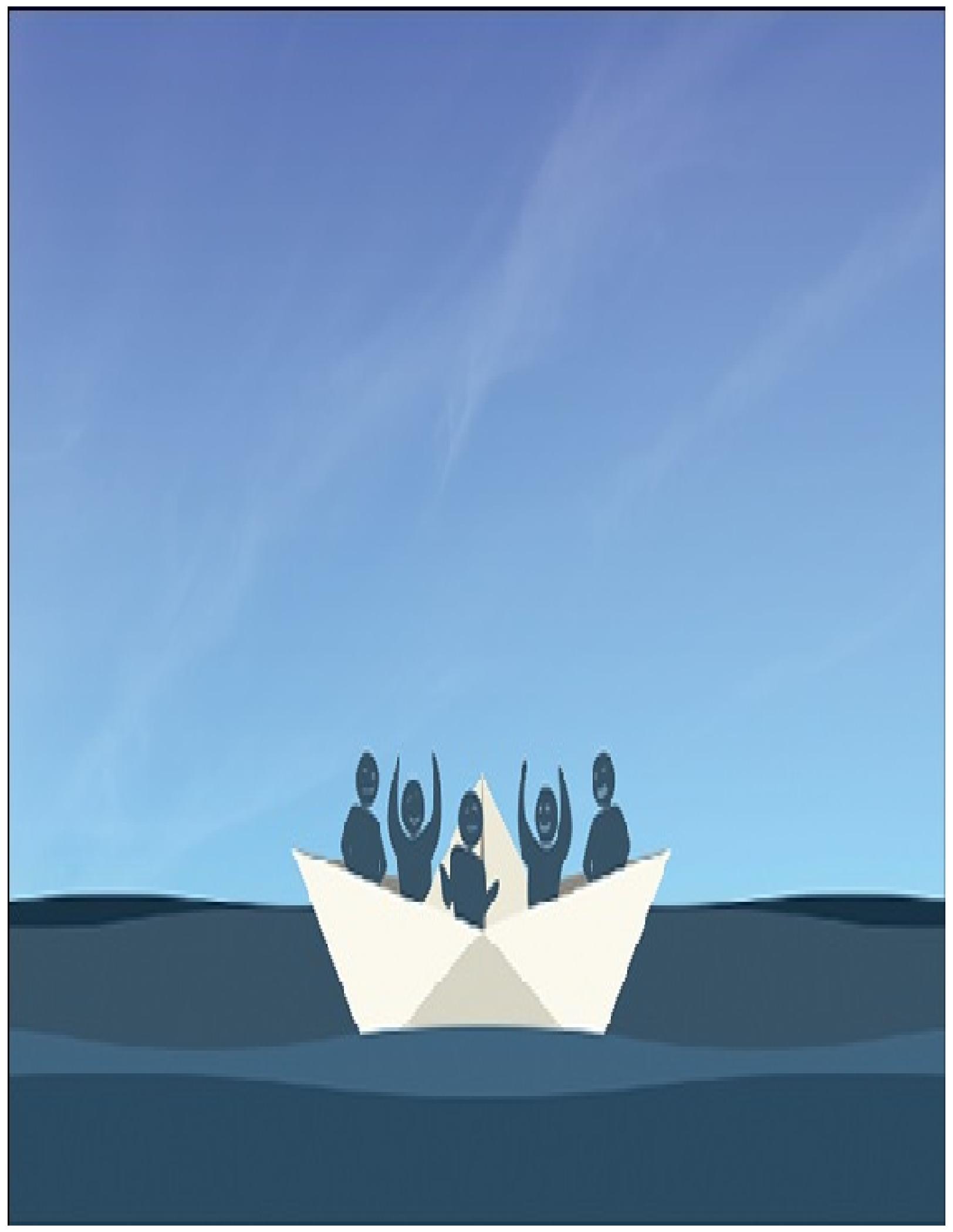
Kain & Scott is a debt relief agency. We help people file for relief under the bankruptcy code.

INTRODUCTION

Overwhelming debt is devastating. The stress caused by overwhelming debt cannot be understated. Debt causes insurmountable stress on individuals and families all across the state of Minnesota. The resulting stress sometimes leads to divorce, mental and physical ailments, and even lives ending prematurely. How do I know this to be true? My law firm has been in existence since 1972. I have witnessed the effects debt has on Minnesota families.



Life before bankruptcy and Kain & Scott's Free 90-Day
Credit Repair Program.



In my mind, I picture a boat on one of our beloved Minnesota lakes. The boat is filled with a Minnesota family that is suffering from overwhelming debt. While they are in the boat during daytime hours, the sky has turned so dark, it looks like it is night.

The wind is blowing hard against the tiny boat. The waves rise higher than the side of the boat and spill inside the boat, constantly threatening to capsize the little vessel with its precious cargo. The rain falls in horizontal sheets, pounding this family directly in the face. It's hard to breathe.

The fear on the children's faces and mom and dad's faces are terrifying. They forgot their life jackets in the cabin and one of the kids is only three years old. They are terrified and don't know what to do next. Fear has turned them numb and paralyzed. They feel helpless, sad, out of control, in a perpetual state of chaos, and in darkness. They feel shame the life jackets were left in the cabin and now are out in the middle of the lake in such a hopeless and helpless state.

I know how this feels. How? Because my former Minnesota guests have felt the same way. If you are like me, and have high anxiety, suffering from overwhelming debt would be a daunting challenge. Like the family in the boat in the storm, rather than raining sheets of water, it is raining sheets of debt, flooding the boat and threatening to capsize not only you, but the rest of your family with it. The sense of loss and shame can overcome the least anxious among us.

If you are like me, and have higher anxiety than most, this sense of loss and shame can be heightened to dangerous levels. We are our own worst critics. No one has to shame us because we do a good enough job of doing that ourselves.

In nature, we know it can be sunny in one minute and the next minute, there can be devastating winds, rain, and destruction. So it is with debt. I have seen many Minnesota guests who, free from debt one minute, all of a sudden are thrust into the bowels of overwhelming debt. The mental toll is enormous. The humility of going from \$100k a year with no debt and being married to being unemployed, in debt, and divorced, is real. If you have never gone through something like this, that is great. However, many good Minnesotans go through this every year. Life has a way of making sure we remain humble to the core.

As humans, we all have a need for security, comfort, order, consistency, and control. We want to feel honored, special, and needed. When we suffer from overwhelming debt, our loss of security, comfort, order, consistency, and control is thrown out of whack. Chaos rules the day. Instead of feeling honored, special, and needed, we feel like complete losers. We feel like we are the *only* ones suffering from overwhelming debt and no one else in Minnesota has ever had a debt problem. We are the first! Well, I know that is not true, but that doesn't mean people don't feel that way. It feels like the world is closing in.

Overwhelming debt has a way of making you feel alone in the world. You are not alone and debt is simply a problem to be solved. Actually, you have choices that can solve an overwhelming debt problem for good. All you have to do is choose the right solution for your

situation. Like a problem with your health, all you have to do is chose the right medication to solve the underlying problem and feel healthy again.

When you feel alone, the last thing you need is to hire a lawyer or law firm that is not sensitive to what you are feeling and going through with debt. I see many advertisements that have nice words and try to create fuzzy feelings for Minnesota guests, but in the end, the guest's experience with the law firm is less than fuzzy and warm, and instead, it is cold and antiseptic.

Unfortunately, some entities appear to care more about their bottom line than protecting the interests of their clients. The reality is some people should not file bankruptcy. Some of our Minnesota clients would like to take time to think about this decision. I have heard the horror stories of law firms that call, text, and email people non-stop, urging them to file bankruptcy. Kain & Scott doesn't operate like this. At Kain & Scott, our job is to explain your choices and then to make a recommendation to you and that is it. Kain & Scott doesn't pressure or scold clients. Kain & Scott only *helps* clients.

How awful it is to already feel terrible and than to be treated with disrespect by some lawyers and their staff? There is a friendly face in the crowd. Kain & Scott is Minnesota's nicest bankruptcy law firm, guaranteed or 100% off your fees (see guarantee details at www.kainscott.com).

What our Minnesota clients want, more than anything, is to feel like the firm understands what they are going through, help going through it, and a clear understanding of the process in layman's terms. Kain & Scott believes our clients, going through such a difficult time in their lives, deserve no less.

If you are currently experiencing unprofessional, unkind, unhelpful, and less-than-memorable customer service, we are sorry you are experiencing this. If you have experienced less-than-stellar customer service from a former law firm, we are sorry you had to experience that. If this is happening to you, call us immediately.

CHAPTER 1:

WHO FILES BANKRUPTCY IN MINNESOTA?

Every year in Minnesota, 10,000 or more Chapter 7 and 13 bankruptcy cases are filed. Assuming half of those cases involve a couple filing a joint case, that means 15,000 Minnesotans seek protection under Chapter 7 and Chapter 13 bankruptcies. As you can see from the chart below, some years have more Chapter 7 and 13 bankruptcy filings and some years have less. For example, in 2010, a total of 22,070 Chapter 7 and 13 bankruptcy cases were electronically filed in Minnesota. You are definitely not alone.

GRAPH OF MINNESOTA BANKRUPTCIES FILED FROM 2008 TO OCTOBER 2017.

Monthly Case Filing Statistics

MONTHLY CASE FILINGS

	2017	2016	2016	2014	2013	2012	2011	2010	2009	2008
January	693	656	742	946	1104	1266	1516	1533	1387	1054
February	711	789	336	976	1107	1431	1554	1758	1490	1117
March	1001	1049	1101	1214	1403	1748	2082	2219	1960	1410
April	882	878	1033	1239	1514	1683	1863	2159	1973	1517
May	928	634	930	1150	1300	1632	1714	1927	1782	1342
June	809	801	946	968	1153	1399	1647	1906	1800	1362
July	746	651	940	900	1235	1295	1392	1889	1915	1463
August	839	604	932	970	1149	1366	1490	1850	1763	1424
September	757	724	354	906	1123	1190	1524	1840	1866	1433
October	782	738	854	894	1263	1386	1501	1721	1882	1525
Sub-Total	8148	7574	8976	10346	12362	14436	16283	18835	17854	13648
November		759	898	827	1020	1280	1498	1637	1676	1321
December		737	641	867	913	1088	1415	1598	1772	1504
TOTAL		6470	10505	12040	14295	16804	19196	22070	21302	16473

Again, assuming half of those filings involve couples filing a joint case, that means approximately 33,000 Minnesotans filed Chapter 7 and 13 bankruptcies in 2010. Compare this to 2016 when Minnesotans filed only 9,470 Chapter 7 and 13 bankruptcies.

So, every year, thousands of Minnesotans file bankruptcy to protect their family from creditors. The list of famous people who have filed bankruptcy is plentiful and includes former presidents Abraham Lincoln, Thomas Jefferson, and Ulysses S. Grant. Successful businessmen like Donald Trump, Mark Twain, and Henry Ford, and celebrities, including Burt Reynolds, Mickey Rooney, Gary Coleman, Redd Foxx, Larry King, Ted Nugent, Tom Petty, Cindy Lauper, Latoya Jackson, and Wayne Newton.

In Minnesota, our guests come from all walks of life: lawyers, doctors, janitors, waiters/waitresses, factory workers, teachers, bank presidents, loan officers, and bill collectors. Kain & Scott has met with your family members and our own family members too! People from all over the state of Minnesota come to us feeling as though they're suffering from overwhelming debt.

I have never met a single Minnesotan who didn't want to pay their bills, if they could. That is why bankruptcy is so stressful on people. The thought of not paying creditors money owed to them stresses our clients out. However, when faced with the decision to either pay on a credit card bill or put food on the table, most of us would choose to protect our family first, and rightly so.

Kain & Scott is Minnesota's oldest bankruptcy law firm—since 1972 to be exact. If you asked me for the profile of the average Minnesotan who files bankruptcy, there is none. Overwhelming debt affects all ages and social backgrounds. Kain & Scott has had ninety-year-old clients and clients as young as eighteen. It doesn't matter if you are a bill collector or a financial advisor. Debt doesn't care about your ethnic or cultural makeup or your feelings about it.

Nobody is immune from filing bankruptcy and don't think you are excluded from the possibility of filing bankruptcy yourself. Life is incredibly humbling. The adage that bad things can happen to good people is true. Every time we hear someone say, "I would never file bankruptcy," we smile, because we know they most certainly can be in a position to file bankruptcy and they would file bankruptcy if it meant protecting their family from their creditors. It may make you feel good to say that, but we know it is not true.

We have even heard of family members telling us their dad or mom would cringe if they knew they filed bankruptcy because they "were brought up to pay their debts." All Minnesotans want to pay their debts. That is not the question. The question is, what do you do when your choice is either a) pay on the debt or b) starve? No exaggeration; for many, that is the question. This has nothing to do with a desire to pay debt. Everyone wants to. The issue is what happens if it becomes a matter of life and death? People mean well, but sometimes what they say can be hurtful for others to hear. This leads to more emotional and mental anguish than is necessary.

You would never look at your child and say, "Why in the world did you get cancer, " would you? Would you ever look at your child and say, "Don't get sick"? Of course not. There are many "causes" of bankruptcy and they are not what you think. We think people mean well, but

when they are not in your shoes, or if they are not willing to help pay your bills, how can they give you any credible advice?

CHAPTER 2:

WHAT ARE THE REASONS MINNESOTANS FILE CHAPTER 7/13 BANKRUPTCY?

To be clear, since 1972, we have seen numerous issues that result in Chapters 7 and 13 bankruptcy filings. However, if you took the 30,000-foot view from above, you would find there are five common reasons that “cause” a Minnesotan to consider filing bankruptcy. Some people can look at these five common reasons and say, “Heck, I have them all!”

Business Failure: It’s the American dream. To start a business, be your own boss, get your freedom, and make tons of money having fun, right? American ingenuity and entrepreneurial spirit is legendary. This country was built by a nation of immigrants, who came here searching for a better life and for freedom from tyrannical government and famines overseas. Many of them, out of necessity, and passion, started businesses. Some succeeded, the vast majority did not. The reality is the vast majority of businesses that start fail within the first five years.

We will guarantee that when people start businesses, they do not expect or want them to fail. They start these businesses with expectations of having a business that grows, sustains itself, and eventually produces profit. The problem is, that doesn’t always occur.

When businesses fail, what remains can be an abundance of debt. Oftentimes, the owner has personally guaranteed much of the business debt. When no corporate assets remain to pay these debts, lenders look to whoever signed the personal guarantees for payment. That means they look to you, the business owner. If you have no ability to repay the debt, the creditor can obtain a judgment against you and try to collect on their judgment by garnishing wages or freezing bank accounts.

The dream of owning a business can turn into a nightmare. Certainly, I cannot blame people for trying to start businesses that hopefully produce profits. One of the policy goals behind the bankruptcy statutes is lawmakers want people trying to start businesses. Why? Because a successful business is great for the economy. When you have a successful business, you employ people and pay them a wage. When they earn money from you, they take that money and buy other products and services from others companies, which, in turn, employ people who earn money and so on.

So, as a society, lawmakers have said successful businesses are desired and good for the economy. The tradeoff is, when businesses fail, bankruptcy is there to put the pieces back together. Who, among us, would start a business knowing if the business failed, and left large unpaid debts, but we could not discharge them in bankruptcy? Knowing that most businesses fail, you would have to be a fool to take that risk.

Bankruptcy allows us to manage that risk by allowing for relief from debts, should the business fail. Knowing this to be the case, people take the risk and that, in turn, is good for the

overall economy. Imagine a world where no one would be willing to take the risk of starting a business. People would be farming little plots of ground to survive with no help from anyone else. Thank goodness that is not the case.

So, business failure is one of the five common reasons Minnesotans file bankruptcy. If you had a business and it failed, that is not unusual. In fact, it is common. Plus, it's not interesting, but rather, boring. If you are beating yourself up for giving it the old American try, stop now! There is nothing shameful about having a business that did not work. Heck, Walt Disney is believed to have filed bankruptcy twice before he never worried about money again.

INCOME DROP: How many of us have suffered an income drop? Most of us, right? Maybe the overtime was cut or eliminated or maybe the plant moved over seas. Or, maybe the income drop came from a drop in household income when you went through a divorce or relationship breakup and now you're left with your single income.

Income drops can take many forms, but the result is usually the same: catastrophe. If you are making \$75k a year and now you are on unemployment temporarily making \$2k a month, that is a substantial drop in income.

The problem, of course, is most of us have budgets set up to pay out the income received at the highest point. If you have \$6k a month in income, you likely have \$6k a month in expenses too. What happens if your income drops to \$3k a month but you still have \$6k in bills? What are you to do?

It's not as big of a problem if you go from \$12.00 an hour to \$11.00 an hour, but what about \$75k a year to \$15k? That is a financial shock that is hard to recover from. So what do you do to cover the difference between \$3k a month in income and \$6k in bills? I think most of us would say, "Hey, this is a temporary problem, so I am going to continue to pay my bills using credit cards. When I am back to work making \$6k, I will pay them back." Sounds like a reasonable plan, doesn't it? We think so.

However, what happens if your income doesn't bounce back to \$6k soon enough? Now you have \$35k in credit card debt and still only \$3k a month in income. Eventually, the house of cards falls down and you are left in survival mode, spending your limited income on the necessities of life like a roof over your head and food.

The unpaid credit card debt becomes a victim of a drop in income that never bounced back. This happens frequently. The humility of going from \$75k to \$15k a year is enormous. No one has to shame us; we already feel it. However, ask yourself these questions: did you cause the manufacturing plant to move overseas or create the recession that caused the manufacturing plant to close down? Obviously not. Did you use the credit cards knowing you would not be able to pay them back? Obviously not. You used the credit cards, hoping they would be a bridge until your income increased. The fact that it did happen is not your fault.

It is bad enough to suffer an income drop like this, but then to suffer the humility of incurring debt and then not being able to repay it is excruciating. We ask our clients all the time: "You didn't just come back from a vacation in Hawaii, with your ten friends you brought along, using

your credit card, knowing when you got back, you are going to file bankruptcy, did you?" This is usually followed by a hardy chuckle. Life is humbling.

DIVORCE AND RELATIONSHIP BREAKUPS: Here is a news story for you: not every couple stays together! What? Shocking? Well, not every couple that gets married stays together forever, and not every couple that dates stays together.

Life is not complete without broken relationships. If every couple that dated stayed together, I would be still dating my grade school roller skating partner. As adults, not every couple remains together. Beside the obvious drop in income from the partner who is no longer there, if you have children, property, or alimony issues, they can result in litigation in family law court. So now, with a drop in income, you are incurring debt, paying lawyers and paying for living expenses that used to be paid by the partner.

The debt can pile up quickly and leave even the well off in overwhelming debt. At the end of the day, you may end up with legal bills and credit card debt that is overwhelming for you to handle by yourself or if you are a single parent.

When it goes back to the choice on survival, you must choose your family. If you have \$100 to spend and your choice is a credit card payment or buying groceries to feed your family, you must buy the groceries. We would argue you would legally be required to buy the groceries or you risk the county claiming you are not taking care of your children adequately.

These are not great choices to make, but when you are in this position, you are forced to choose. How awful it is to go through the emotions of a breakup, only to have to deal with courts and litigation and then, in the end, debt.

Relationship breakups are part of life. They happen. When they do, it can be mentally, physically, and financially draining on you and your family. When the debt is incurred, do you feel as if you are living a dream or a nightmare? A nightmare, of course. We tell clients all the time their number one duty is to protect their family. It is what we intend to do for our families and what you should do for your family.

MEDICAL DEBT: We find it terrible that people have to face bankruptcy because of their health. Isn't being sick punishment enough? If you are not sick enough before you went into the clinic or hospital, when you come home and see the bill, you will be. Of course, doctors don't have a McDonald's menu board you can look at and read the prices of the product/services. No, they send you a bill, after the service is done, without having seen the price of the services/product beforehand.

If you don't find that a little patronizing, we do. Don't people have a right to know what the charges are for that glass of ice, or syringe, or surgery, or whatever? People certainly do. Why clinics and hospitals are not required to disclose this in advance is a mystery to us.

In any event, when you get sick, you should not be put in a position of choosing between health and debt. That is a terrible choice for people to be forced to make and many of us say, "Forget the health, I don't want the debt." Why do legislators wonder why emergency rooms are packed all the time?

I grew up in a family of nine children. My dad, a factory worker, carried the health insurance for the family. I never recall my parents paying co-pays or large medical bills and I would have known because, you don't forget being financially poor. Today, it feels like health insurance policies cover less and less while the premiums get larger and larger.

Medical debt is troubling because it usually is unexpected and impossible to control. No control and unexpected leads to disaster. How can you feel shame for watching over your health? You shouldn't feel shame at all. It's normal for human beings to want to maintain their health.

BAD FINANCIAL DECISIONS: Let us ask you a simple question: are you human? If the answer is yes, you have made bad financial decisions. We know this because you are human, an imperfect being. We can't tell you how many financial decisions we make that are not well thought out.

I once thought buying stock on margin might be a great idea. Turns out, it is a bad idea. I once thought about quitting law school and buying a Chinese restaurant. My wife didn't find either one funny. If you speak to anyone who says they have not made a bad financial decision, they are either not human or lying.

How often do we see a car insurance commercial of an actor accidentally driving the car into the garage door or accidentally cutting off the tree branch that then proceeds to fall on the brand new car? This is what people do. Humans have imperfect brains and do imperfect things.

While these are not all of the reasons that "cause" a bankruptcy filing, they are the most common. Many of our clients suffer from more than one. We hear people say, "I have all five." Life is humbling indeed.

CHAPTER 3:

TYPES OF DEBT MINNESOTANS FILE

Debt comes in different varieties and amounts. We commonly see credit card debt, unsecured line of credit, unsecured bank loans, medical debts, second mortgages, and student loan debt. We also see trade payables, vehicle repossession deficiencies, and a host of other debts.

Sometimes, our clients ask the average debt people have. While every case is different, we would guess the average size of debt is between \$15k and \$60k. The most credit card debt I ever seen totaled about \$260k. We have seen medical bills in excess of \$1 million and student loan debt in excess of \$350k for one couple. While these are definitely some frightening numbers, most Minnesotans' debts are less than this.

Have you ever heard the saying, "everything is relative"? It is true and that is why everyone's case is so different. If you are making \$10 an hour, \$10k might as well be \$1 million. On the other hand, if you earn \$80k per year, \$10k is not that big of a deal.

If you are thinking about how to pay debt, it's a problem for you, regardless of what it looks like to anyone else. We have filed bankruptcy for people with debt as low as \$6k. Why? Because this particular individual earned \$600 a month on social security disability, which was his only source of income. His two creditors would not leave him alone. They called him day and night and they even levied his bank account. While the creditor cannot take social security disability money, the account was frozen. He had no access to the account until it was proven who owns the money in the account: him or his creditors. Meanwhile, his checks are bouncing.

He, stressed out by these two creditors, made it difficult for him to function mentally and physically. So, we filed a Chapter 7 Bankruptcy for him and solved the problem once and for all.

Sometimes, our Minnesota clients call and say something like this: "I have no credit card debt or other unsecured debt, but I lost my job and got behind on our mortgage payment by six months. I am now back to work, but they have a foreclosure sale set for thirty days out, what do I do?"

In a case like this, we can file a bankruptcy, stop the sale, and have them pay back mortgage arrears over the course of time, interest-free. When you are faced with losing your home or a car, bankruptcy is a tool you can use to retain possession and ownership of these items and pay back the arrears over time.

DEBTS THAT ARE TYPICALLY DISCHARGEABLE IN BANKRUPTCY

The debts typically discharged (wiped out) are credit cards, medical bills, trade payables, unsecured loans, unsecured line of credit, repossession deficiencies, past utilities, plus your liability on any secured debts like car loans and mortgages. Now, don't get us wrong, while your liability for secured debts goes away, you don't get the collateral on the loan for free either!

In other words, no one gets a free home if they file bankruptcy. The bank's security interest on the house/car survives the bankruptcy. So, if you want to keep the house/car, which is collateral on the loan, you would have to continue making payments on the debt or the bank could exercise its right to take back their collateral.

There is one caveat to this section. These debts are dischargeable in bankruptcy, which means unless someone objects to you eliminating these debts, they are wiped out, tax-free, forever. Creditors do have the right to object to a debtor discharging debts in bankruptcy for specific statutory reasons under Bankruptcy Code Section 523. The most common objection brought by a creditor objecting to you discharging a debt is for fraud. While there are numerous ways to commit fraud in bankruptcy, the number of actual objections brought is few.

For example, if you took out a \$10k cash advance three days before filing bankruptcy, intending not to pay the money back, the credit card company is likely going to sue you in bankruptcy court objecting to you discharging this debt under Section 523 of the Bankruptcy Code. If the court sustains the creditor's objection, then, that \$10k debt will be excepted from bankruptcy discharge (meaning all other debts get wiped out except this one), and you will remain personally liable for the \$10k debt.

DEBTS THAT ARE NEVER DISCHARGEABLE IN BANKRUPTCY

Some debts are never dischargeable in bankruptcy regardless of whether a creditor objects or not. For obvious social policy considerations, society doesn't allow child support and alimony obligations to be discharged in bankruptcy.

Also, debts that you agreed to pay or are court-ordered to pay in a divorce are not dischargeable in a Chapter 7 Bankruptcy. No creditor has to object to you discharging these debts. Rather, according to the Bankruptcy Code, they are not dischargeable debts.

It does not make a difference if the child support or alimony is owed to a person or has been assigned to a Minnesota county; the child support/alimony is not dischargeable in bankruptcy.

STUDENT LOANS AND TAXES

STUDENT LOANS

The Bankruptcy Code prohibits the discharge of student loans unless the debtor sues the student loan company and gets a bankruptcy judge to agree the repayment of the student loan would cause the debtor undue hardship, and therefore, should be discharged in bankruptcy.

There are few things to note about this. First, student loans are not dischargeable in bankruptcy unless the debtor does something to make that happen. If the debtor does nothing, the student loan is not dischargeable. The student loan company doesn't need to object to the student loan being discharged and, the Bankruptcy Code makes the student loan not dischargeable, unless the debtor proves to the bankruptcy court that repaying the student loan would cause the debtor undue hardship on the debtor and the debtor's dependents. Second, do

you think student loan companies let debtors bring lawsuits discharging student loans and let the legal proceedings go by default or do you think they contest them vigorously?

If you guessed, “contest them vigorously,” you would be correct. Be wary of seeing any advertising claiming representation of student loan debtors in bankruptcy. I find that to be misleading. Student loans are not dischargeable unless the debtor is willing to gamble money on lawyers’ fees and losing both the lawyer fees and the case. No lawyer knows of any magic bullet to make student loans go away in bankruptcy.

We have been actively soliciting both of our Minnesota senators help in finding a way to make student loans dischargeable in bankruptcy. We have also protested student loans on the campus of St. Cloud State University.

Frankly, we think what student loans do to our kids is terrible and borders indentured servitude. Society tells our children they need to go to college and get an education, so they do. Between the student, who is typically eighteen years old and just moved out from mom and dad’s house, the school, the student loan company, and the bank, who do you think is the least financially sophisticated? Yet, who gets left holding the bag? It’s a complete disgrace.

Just prior to publication of this book, Germany announced college educations would be free to its citizens and even foreigners! Now, that is fantastic.

What’s more is the price tag for education. Don’t you ever feel like the cost of going to school is whatever you can borrow? We met with one couple who had amassed a total of \$350k in student loan debt and neither one of them are doctors. That is a moral outrage! Students, we are talking to you: refuse to pay big tuition bills and definitely don’t have anyone co-sign your student loans. Our best advice to the younger generation is to do two things: one: find a way to resolve your two biggest fears and two: *always* follow your passion. Figure out what you are passionate about and do it; the money will follow.

In life, the best education is still done by doing, not sitting. If you ever get a chance to read a book called *Weapons of Mass Instruction* by John Taylor Gatto, read it; it’s a thought provoking book on the state of our educational system and how it is completely broken.

INCOME TAXES

In bankruptcy, the general rule is income taxes are not dischargeable. However, there are exceptions to this rule. If the taxes are old enough, and the tax returns were filed in a statutorily defined period of time prior to the bankruptcy filing, and you have been assessed liability for the taxes far enough in advance of the bankruptcy filing, some income taxes are dischargeable. Meeting with a qualified bankruptcy lawyer will result in knowing which taxes, if any can be discharged in bankruptcy.

CHAPTER 4:

NON-BANKRUPTCY SOLUTIONS

As I have written before, I have high anxiety. It's the way I am wired. When I think about how to solve problems, I want to know what all of the choices are; no sugar coating anything, right? When I hire professionals, I don't hire you to lie to me. I hire you to be straight with me on what my choices are and what you recommend I do. Ultimately, I am the boss and I will decide. Same thing here. You are the boss but you need professionals to give you honest opinions. Not everyone should file bankruptcy.

DO NOTHING

What happens if you do nothing? Say you have \$50k in credit card debt, what happens if you don't pay on any of them? America has outlawed slavery in this country, you can't go to jail for not paying your debts. So, if you put down the check book and let the implosion take place, know that you cannot go to jail for not paying your debts. Don't mistake this with disobeying a court order. If you disobey a court order requiring you to disclose assets, and fail to obey, you can be jailed for disobeying the court order and being in contempt of court.

If you don't pay on the credit cards, here is what they *can* do. They can obtain a judgment against you and try to collect on that judgment by garnishing your wages or freezing your bank account. I am not sure about you, but I can't survive if my wages are being garnished and my bank accounts are frozen. Besides your credit sucking, you will lose a big chunk of your income to one creditor. That is not going to work.

For most of us, having poor credit and chunks of family income taken for one creditor is not going to work. Doing nothing for most people is not an option. Ironically, many of our clients, in an effort to avoid the "b" word, do nothing. It's an irony because our guests don't regret filing bankruptcy; they regret waiting so long to file bankruptcy!

We also get doing nothing and wishing it will magically go away. Humans like to pretend problems will go away by themselves. It's a survival technique, right? If we don't think about it, it's not a problem. Our experience is creditors and bill collectors don't "forget" about debt. It may take them a while to get around to collecting on it, but rarely do they forget to try to collect on the debt.

DEBT CONSOLIDATION

We think debt consolidation is a complete waste of time. When you do debt consolidation, you are advertising to the world you are in financial distress and your credit score goes off a cliff. Then, to top it off, most people end up with a payment that is so large, they can't afford it.

In every debt consolidation plan we have ever seen, creditors eat first and you eat second. This usually ends in a payment that is so large that you don't have enough money left over to

sustain your family's necessary expenses. I feel bad for people who get sucked into these plans based on a warm and fuzzy TV or radio spot, only to have a sinking feeling when the rosy plan doesn't work like they say it will. In the end, many of these folks file bankruptcy anyway. I feel bad for the time and money they wasted trying to avoid the "b" word.

When our clients have done debt consolidation plans, and they still get sued, wages garnished, or accounts frozen, our clients will call the debt consolidation company and do you know what they hear on the other end of the phone? Crickets! It usually goes something like, "well if you are being garnished or accounts levied, or you are being sued, there is nothing I can do for you."

There is a better way. There is hope. Yes, Minnesotans want to pay our bills, but then again they want to protect their families too, correct? Can't you do both? Yes, you can. Most people don't know this, but there is a government-sponsored debt consolidation plan where you can pay based on what you can afford to pay, and at the end of a certain period of time, whatever doesn't get paid off, gets wiped out, tax-free! I bet you did not know this.

We feel sorry for people who suffer through debt consolidation plans that make their credit look bad anyway and whose payment is often burdensome. We know they want to pay their debt back, but when you think about the suffering that has to happen for this plan to work, it breaks our hearts. Maybe your son goes without a decent pair of shoes or mom doesn't buy her prescriptions or dad doesn't get the new glasses he needs.

We are not talking about missing vacations here. We are talking about missing the necessities of life to maintain good physical and mental health.

CHAPTER 5:

BANKRUPTCY SOLUTIONS

CHAPTER 7 BANKRUPTCY

What is a Chapter 7?

It has been referred to a “liquidation” bankruptcy, or a “fresh start” bankruptcy. A Chapter 7 Bankruptcy is roughly a four-month process, where, at the end of that process, you are no longer liable for your debts.

Now, say you have \$50k in credit card debt and you have a home with a loan against it for \$100k and you own a car with a loan against it for \$20k. At the end of a Chapter 7 Bankruptcy, when you receive your discharge, you are not liable for any of this debt. However, if you want to keep the house and car, you would continue to make payments on them. The credit card debt you would not make payments on; the debt would disappear and since there is no collateral attached to the credit cards, there is nothing to lose.

The focus in a Chapter 7 Bankruptcy is on your assets. Your assets are either “exempt” (protected and you get to keep it) or “non-exempt” and you will lose them to the trustee. Now, in the vast majority of Minnesota Chapter 7 cases, there are no non-exempt assets. In other words, in most Minnesota Chapter 7 Bankruptcy cases, clients lose no assets.

In some cases, clients possess “non-exempt” assets (can’t protect or keep). In these limited cases, Minnesota Chapter 7 trustees don’t want the asset itself; instead, they want money. To get money, they need to “liquidate” or sell the non-exempt asset to a third party or back to the debtor for money. For example, say debtor has \$50k in credit card debt. Let’s assume this debtor has \$5k in non-exempt property. The trustee will use the \$5k to pay down the \$50k and the balance of the \$45k in debt gets wiped out, tax-free, forever.

There are few surprises in Chapter 7 Bankruptcy as long as all assets are disclosed before filing the bankruptcy. Prior to filing a Chapter 7 Bankruptcy case, each client is aware of how much they possess in non-exempt assets (assets they will lose to a Chapter 7 trustee). Often, our clients can make a deal with the trustee to keep the non-exempt asset(s). The money you pay the trustee goes to pay down your debt and the balance gets wiped out, tax-free, forever. I often ask clients if one year ago they would have paid \$5k to get rid of \$50k in debt, tax-free. The answer is a big yes.

As we said, the vast majority of Minnesota Chapter 7 cases filed have no non-exempt assets. This means most people are able to get rid of their debt without losing assets. Knowing this is comforting to most clients.

What is the process of filing a Chapter 7 in Minnesota?

Kain & Scott has been filing bankruptcies since 1972. We have been perfecting the process of filing bankruptcy in Minnesota for decades. We have been able to refine the process of filing bankruptcy down to a soothing and relaxing four-step process.

Kain & Scott's Unique Four Step Chapter 7 Process



KAIN & SCOTT^{PA}

Kain & Scott's Proven Process — Chapter 7

We do most of the work, you relax!



It all starts with a consultation. Kain & Scott can meet with you in a variety of ways—whichever is comfortable for you. We can consult with you by **phone, Skype, FaceTime, or in person**. The purpose of this meeting is two-fold: one, to educate our clients on the choices on how to resolve their debts and two, offer an educated opinion about whether we think you should file a bankruptcy or not, and which one to file.

We have never had a person leave our office confused about their choices. In most instances, what you should do is obvious, one way or another. If you decide bankruptcy makes sense for you, Kain & Scott helps you start the process. Kain & Scott never gives our clients worksheets to fill out, as we have found that's not helpful. We do most of the work while you relax. We also pull your credit report. When you start the process of filing bankruptcy, we work behind the scenes for you, dealing with your creditors, and making sure the paperwork is in order to make the process go as smooth as possible.

The next step is a review and sign appointment. At this appointment, we meet with you to make sure all your assets and debts are listed and, the questions have been answered correctly and completely. Once you sign off, your case is electronically filed with the bankruptcy court.

Approximately six weeks later, you are required to attend a first meeting of creditors, which is sometimes referred to as a 341 meeting (section 341 of the Bankruptcy Code requires attendance). We are not sure why they call it a “first” because there is not a second and we are not sure why they call it a “meeting of creditors” because in the majority of cases, no creditors show up.

An attorney from our office appears with you at this hearing. The hearing usually lasts five to ten minutes and is verification that what is listed in the bankruptcy schedules is true and correct. Assuming the schedules are well prepared, these meetings usually go smoothly.

Approximately sixty days after your meeting, you will receive your discharge, which is a court order indicating your liability on the debts listed has been discharged or wiped out. All guests must complete a pre-filing credit counseling course and a post-filing debt management class. Kain & Scott can direct you where to go to take these courses.

CHAPTER 13 BANKRUPTCY

What is a Chapter 13 Bankruptcy?

Chapter 13 is a government-sponsored debt consolidation plan. The plan can be a minimum of three years in duration to a maximum of five years. The idea of a Chapter 13 Bankruptcy is fairly simple: you agree to dedicate your disposable income for three to five years, and at the end of the time period, whatever debt doesn't get paid off gets wiped out, tax-free.

For example, let's assume you have \$50k in credit card debt. Your attorney and you would look at your income and, after deducting your reasonable and necessary monthly expenses, you have \$300 left over. Assuming your income is under the median income, you pay \$300 per month for thirty-six months for a total of \$10,800. The resulting \$39,200 that does not get paid off gets wiped out, tax-free forever. Why would anyone do debt consolidation after this?

If you are behind on your house or car payments, Kain & Scott can stop the creditor from foreclosing/repossessing by filing a Chapter 13 Bankruptcy and spreading the arrears out over the life of the plan.

Clients lose no assets in a Chapter 13 Bankruptcy. You get to keep your assets as long as your creditors receive what they would have received, had you filed a Chapter 7 Bankruptcy. For example, if creditors would have received \$5k in your Chapter 7, then \$5k is what creditors must get paid over the life of the Chapter 13 plan. In exchange, you lose no assets.

The Chapter 13 Bankruptcy payment can be modified throughout the plan in case our client loses income or needs it modified for other reasons. The Chapter 13 case itself can be dismissed by our client or converted to a Chapter 7 Bankruptcy down the road if income has dropped. Plus, any debt incurred after the Chapter 13 Bankruptcy is filed can be added on to the Chapter 7 Bankruptcy. This gives the debtor a ripcord in case they incur new debt after they file the Chapter 13 Bankruptcy.

Some of our clients cannot help but incur new debt if, for example, they are faced with an illness, but have no health insurance.

This government-sponsored debt consolidation plan is perfect for most people with an ability to pay something, but not as much as your creditors want you to pay. If creditors want a total of \$1,200 per month, but you can only afford \$200 per month, Chapter 13 Bankruptcy is for you.

To this day, we have never had a client tell us they regretted filing a Chapter 13 Bankruptcy versus staying in a broken debt consolidation plan they entered into with the best of intentions. What they wish is they had started the Chapter 13 sooner. How does the process work in a Chapter 13?

Kain & Scott's Unique Five-Step Chapter 13 Process



KAIN & SCOTT PA

Kain & Scott's Proven Process — Chapter 13

We do most of the work, you relax!



As you can tell, the process of a Chapter 13 is similar to a Chapter 7 Bankruptcy with one extra step: a confirmation hearing. The confirmation hearing is not something you normally attend. Typically, the bankruptcy court approves the plan without any attendance required at this hearing.

Chapter 13 Bankruptcy is a wonderful way to get your life back from the pain of overwhelming debt.

Chapter 6:

BANKRUPTCY'S IMPACT ON YOUR CREDIT

Future credit is a common concern among our Minnesota guests. There is often a subconscious fear of filing bankruptcy, and never being able to borrow money again. Not true.

First, once a bankruptcy is filed, it is on your credit report for ten years and that is a certainty. Second, getting rid of debt is always a plus for your credit. Why? Because the less debt you have, the better it looks on your credit report. Don't believe us? Let's take an example. Assume Dan has \$50k in credit card debt and he is in default on all of them. In fact, three of his cards have sued him and obtain money judgments against him. Do you think Dan has good credit now? Of course not.

So, our question to you, as a hypothetical banker, is this: Would you lend money to Dan now? Hell no! Why? He has too much debt and he has judgments against him. What if I changed the facts just a bit? What if Dan filed bankruptcy and got rid of the debt and Kain & Scott removed the judgments from the public record? Would you lend him money now? Sure! Why? Because Dan is debt-free and he cannot file a Chapter 7 Bankruptcy again for eight years. Now, Dan may pay a little higher interest rate for a loan, but the point is: he will likely get a loan.

What if we changed the facts a little more? Assume Dan files bankruptcy, gets rid of the debt, removes the judgments, and has a deposit of \$5k to put down on a car. Will you lend him money now? Oh hell yes! Not only would you lend him money, but Dan will likely insist on much better interest rate terms because he has such a large deposit. Are you seeing our point here?

What about this scenario: Dan has \$50k in credit card debt, is current on all his payments, and has a credit score of 725, an excellent score. However, Dan says something like this: "I have gone to banks and no one will lend me money. Why, I ask? Because they don't like my debt to income." So, here is a Minnesotan who is on time with his payments, and has a great credit score, but who cannot get credit. What good is a great credit score if you can't get a loan? Do you have good credit, if you can't get credit, with a high credit score and you are current on all of your bills?

The emphasis placed on credit scores is sometimes misplaced. So, you might ask, why is Dan in to see a bankruptcy lawyer with such good credit and he is current on his bills? Because Dan sees the freight train coming down the tracks and, unless he jumps out of the way, he is going to get hit. Dan doesn't want to get sued and he doesn't want to default on the debts, but he is lost as to what to do. Many times, our clients see something looming in the future that will guarantee they will not be able to pay all of their obligations. Like what? Job loss, overtime loss, divorce, and reduction in income for any reason.

Most of our clients have suffered with huge payments for a long time and when they are faced with some triggering event that will send them under, they rightfully seek help.

From the above, you may gather most of our guests come to us with bruised credit already. If you have bruised credit and are suffering from overwhelming debt, it is my recommendation to err on the side of filing bankruptcy. Bankruptcy is medicine that doesn't taste good, but if it cures your financial ailment, shouldn't you take it?

Other clients come to us with decent credit, but a mountain of debt. The humility of being alive. How humbling it is to recognize there is no way to climb out of this? To us, if you see your finances crashing and burning and your credit score falling anyway, you err on the side of filing bankruptcy.

Is it better to have a mountain of debt and poor credit or no debt and bankruptcy on your credit report for ten years? We would argue if you can't get credit now, and your credit is already like a turd in the punch bowl, why not get a fresh start, protect your family, and let your debt problem be history? One of the reasons litigation is so stressful is because you are always living in the past. Debt is no different. It causes you to constantly live in the past. "I shouldn't have done this," or, "if this didn't happen, then I wouldn't have debt."

"What if" thinking reminds me of what my mom told me growing up. Whenever I worried or started to "what if" think, Mom would say, "If your aunt had nuts, she would be your uncle." In other words, the milk is spilled; you can't change reality, so deal with it and move on.

When you file bankruptcy and get a bankruptcy discharge, many of our clients are shocked to learn their credit score goes up. They call me and say, "Wes, my credit score went up. Why?" Because you have no debt.

There you have it; yes, bankruptcy is on your credit report for ten years, but your credit score often rises after bankruptcy because many people are debt-free. Have you ever seen lenders advertise to Minnesota bankruptcy filers? We have many times. They advertise to you because you are a lower credit risk now than before you filed bankruptcy.

Now that is crazy, right? It is also true. As I said before, if you file bankruptcy, get a discharge, go through our *free* 90-Day Credit Repair Program, and have a deposit for your purchase, you have improved your credit profile dramatically.

We know a lot of Minnesotans worry about the impact bankruptcy has on their credit. What they think will happen, doesn't. We will give you an example based on the above. Remember when Dan had \$50k in credit card debt and a great credit score? Why wouldn't the bank lend him money again? Because the bank is worried that Dan will not repay that bank. Banks don't give a rat's butt about whether you pay other creditors. What banks want to know is if you are going to repay them! Get it?

We know this is some cynical stuff, but it is also the truth. So, having no debt is always better than having debt if you are looking to apply for a loan. The same holds true for house financing, auto financing, renting an apartment or house, or any other financing. We often ask our clients, can you get the loan now? The response is usually no, or hell no, or maybe yes, but at much higher interest or with ten co-signors. Nuts! We would rather have no debt and a modest deposit than pay that kind of interest or be held hostage by tacking on numerous co-signors.

Any time we see Minnesotans refinance houses to add unsecured debt to their mortgage, or take a loan out to consolidate debt and have a co-signor, or take on a hefty debt consolidation payment to try and solve a debt problem, we cringe.

Imagine seeing a parent pay off a child's debt when the child's credit score is already low. We want to kick, scream, jump, and tell the parent or loved one to please not do this.

Filing bankruptcy does two important things to your credit profile: first, it eliminates unwanted debt; second, it frees up room to allow you to make payments on a house, car, or other loan should you need to finance in the future.

Kain & Scott has a two-step program to get your life back. Kain & Scott helps you 1) get rid of unwanted debt and 2) repair your credit in our *free* 90-Day Credit Repair Program, which we will discuss in more detail.



KAIN & SCOTT PA.

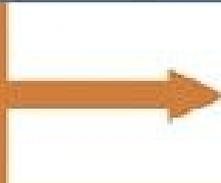
Kain & Scott - Minnesota's only Bankruptcy Law Firm to help you;
Step 1) Get rid of debt Step 2) Repair your credit fast!

"We don't judge you, we help you get your life back!"

STEP 1:

We Help you get rid of your debt

- ⇒ Chapter 7 or 13 Bankruptcy
- ⇒ No worksheets
- ⇒ We pull your credit report & asset report
- ⇒ 0 upfront & easy payments



STEP 2:

We Help you repair your credit fast

Free Credit Repair Specialist → Free list of MN professionals to help you get auto & home financing → Free Judgment removal → Free credit report repair → Free course to learn tricks to improve credit short & long term.

#1 Minnesota's nicest bankruptcy law firm guaranteed or 100% off your fees.

#1 Minnesota's highest Google rated bankruptcy law firm

#1 Minnesota's only bankruptcy law firm to help you; Step 1) Get rid of debt Step 2) Repair your credit fast!

Testimonial: "I appreciated the frankness & honest advice that I was given. No BS! I also appreciate that I was not treated as a lesser or second class citizen due to the situation I was in. Thanks for making it as painless as possible!" - ANONYMOUS

CHAPTER 7:

KAIN & SCOTT'S FREE 90-DAY CREDIT REPAIR PROGRAM

Helping Minnesotans get rid of unwanted debt is an important first step. The second step is helping Minnesotans repair their credit fast! Our clients are not only concerned with getting rid of unwanted debt; they are also concerned with repairing their credit, as fast as possible.

How else could Kain & Scott fulfill our promise: "We don't judge you, we help you get your life back," other than to help you first get rid of unwanted debt and second, repair your credit fast?

Would you find it funny if you ordered a pizza, and half of the pizza ended up in the box? Would you find it funny if a painter painted half of a house? Of course not. Likewise, we would not consider it kind to leave you without debt but then not help you the rest of the way. What are the important components of the Kain & Scott's *Free 90-Day Credit Repair Program*?

It starts with assigning every one of our clients a *free* Kain & Scott Credit Repair Specialist. This specialist will guide you through the entire course and be your rock. This person will communicate with you concerning important aspects of this program.

Next, Kain & Scott gives all of our clients *free* access to a list of Minnesota professionals who help you with auto and home financing and other important services. These folks are versed in bankruptcy law and know the needs of our clients coming out of bankruptcy. Whether you are looking for home financing, auto financing, or need to get a will done, it's right there in that list. Kain & Scott encourages everyone to take advantage of this list of Minnesota professionals.

Also provided is free judgment removal. If you have judgments on the public record, and the debt has been discharged in bankruptcy, in most cases, those judgments on the public record can be removed. We know you say, "Why don't they disappear when I get my bankruptcy discharge?" We wish it could be that easy. Unfortunately, there is not a little bankruptcy dude, with a big eraser, who erases the public record after you obtain a bankruptcy discharge. Instead, the client is responsible for clearing up the public record.

So, Kain & Scott removes those judgments for free. Our client only has to pay the costs to remove the judgment, which is typically \$50 per judgment. We recommend removing judgments so there is no longer a cloud on the public record. You don't want to be in the middle of purchasing a car and find out the judgment, on the public record, is creating a problem for you obtaining financing (especially when you are not liable on the debt). It is better to be proactive and remove these judgments right away.

After discharge, we recommend all Minnesota clients pull all three of their credit reports. We recommend you pull Transunion, Equifax, and Experian. While we wish these reports were always perfect and up to date, they aren't always, and we need to make sure they are accurate.

If the credit reporting agencies are incorrectly reporting debts on your report, that have been discharged in bankruptcy, Kain & Scott will help you repair your credit reports for free. After you have received a bankruptcy discharge, you don't want your credit agencies reporting incorrect information concerning your debts on your public credit reports.

Finally, as part of our *90-Day Credit Repair Program*, Kain & Scott sends you through a free mini course on how to improve your credit even faster. These little nuggets you will learn can make the difference between paying high interest rates and reasonable interest rates. The course can be seen from the comfort of your own home. We sometimes go to two-day seminars. If we learn a nugget or two in those two days, it is well worth the two days. Sometimes, even the smallest nugget can make a huge difference in the terms of a loan, and ultimately, how much money you pay back.

Now, step one and step two are complete and you have your life back. After these two steps, you are now debt free, judgment free, credit reports are correct, and you have learned useful finance tips to bounce back much more quickly!

This unique two-step program is cutting edge and unique to Kain & Scott. Kain & Scott has developed this program over years, perfecting it along the way, so it is comforting and soothing to our Minnesota clients.

CHAPTER 8:

HOW TO CHOOSE AN AWESOME MINNESOTA BANKRUPTCY LAWYER

There are a lot of lawyers in Minnesota. How do you even begin to research a lawyer or law firm that should handle your bankruptcy case? Looking at all of these lawyers and websites can be daunting! We have a few helpful suggestions that will reduce the number of lawyers you look at to just a few, or maybe even one!

Make sure bankruptcy is *all* they do. If you were having heart surgery, would you want a foot doctor doing your surgery? Of course not. So, why would you have a social disability lawyer handle your bankruptcy case? I don't think that makes a lot of sense. I encourage our Minnesota guests to first limit their search to law firms that only do 100% Chapter 7 and Chapter 13 Bankruptcies.

If the law firm does anything besides Chapter 7 and Chapter 13 Bankruptcies, look somewhere else. You want a law firm that is 100% focused on all of the latest laws and trends in bankruptcy law. My guess is if you focus firms that do 100% Chapter 7 and Chapter 13 Bankruptcies, you will reduce the number of firms you look at to a manageable handful.

Kain & Scott is one of Minnesota's largest bankruptcy filers. Being one of Minnesota's largest bankruptcy filers, and doing nothing but Chapter 7 and Chapter 13 Bankruptcies, Kain & Scott knows how you feel before you file bankruptcy versus how you want to feel.

Choose a Minnesota bankruptcy law firm with the highest Google reviews. What better way to find out what former clients have to say about their experience with the law firm than to read *all* of their Google reviews? We suggest reading all Google reviews to make the most accurate assessment of the firm.

To us, Google reviews speak for themselves. This is a client, or a former client's, view of their experience with that firm. If the law firm doesn't respond to negative reviews, ask yourself why. If they do respond to negative reviews, look for how warm felt the law firm's comments are to their former guest and ask yourself if you think it is professional and kind or cold and unprofessional.

A firm that has been around for decades and has positive Google reviews from former clients is a good sign. This should further reduce your search to just a few Minnesota bankruptcy law firms. Kain & Scott is Minnesota's highest Google reviewed bankruptcy law firm.

Choose a Minnesota bankruptcy law firm who will help you 1) get rid of unwanted debt and 2) repair your credit fast. Do hire a Minnesota bankruptcy law firm who helps you do both and who takes you all the way to getting your life back, not just part of the way. We have

heard countless horror stories from other law firms' clients who have said they tried calling their former lawyer for help, only to be told they are done representing them. How awful.

Make sure the Minnesota bankruptcy law firm truly *helps* you get rid of debt and repair your credit. *Helping* you should mean filling out most of the forms for you rather than you doing most of the work. *Helping* you should mean the law firm pulls your credit report for you. *Helping* you should mean offering a way for you to make payments after your case is filed and you are getting relief. When lawyers demand all the money up front or they will not help you with payments, they are telling you their willingness to help you doesn't extend beyond your wallet. Look for a Minnesota bankruptcy law firm that offers zero up front on their fees and payment plans that are affordable.

Also, look for a Minnesota bankruptcy law firm that is willing to help you repair your credit for free! Don't let a law firm hand you a code and tell you to go to someone else's site and then you do all of the work. Instead, hire a Minnesota bankruptcy law firm that removes judgments for *free* (you will pay costs), helps you repair your credit reports for *free* (you pay the costs of pulling the reports), and gives you a *free* list of Minnesota professionals to help you get your life back by helping you with auto and home financing as well as other services, plus offers you a *free* mini course on how to improve your credit faster.

A firm that also adds a *free* in-house credit repair specialist is a bonus. You are probably not surprised, but you should be down to one Minnesota bankruptcy law firm by now. That law firm is Kain & Scott.

Choose Minnesota's Nicest Bankruptcy Law Firm Guaranteed or 100% off your fees!*

To top it off, choose Minnesota's nicest bankruptcy law firm guaranteed or 100% off your fees!* The most professional, kind, helpful, and exceptional customer service in the state of Minnesota.

Our Minnesota clients are experiencing some of the most trying times of their lives. They deserve to be treated with kindness and helpfulness. What more can I say?

We feel bad for clients who get treated unprofessionally, without kindness or helpfulness, and with poor customer service. We have heard all of the stories. We have heard how some of our clients had to wait in dingy and dark hallways for some lawyer who is rude and unhelpful. We have heard how some of our clients have had the unfortunate experience of meeting with another firm only to be called non-stop by this firm who is trying to hustle the client to file bankruptcy so the law firm can add more money to their bottom line. We find this practice to be unsavory, unfortunate, and unethical, especially if the firm is putting the firm's bottom line over the client's best interest.

We cannot stress enough: do your research before you hire a bankruptcy lawyer. Yes, read every single Google review they have first. What do former guests have to say? Meet with them, if you don't feel good vibes, it doesn't cost extra money to get a second or even a third opinion. We once met with someone who said she made it a point of doing more research on a

bankruptcy lawyer this time around and she found Kain & Scott. We are biased, but nice choice.

A law firm that is willing to guarantee their service is broadcasting to you that they are confident about their level of service they provide. If a firm is not willing to guarantee their service, why not? Don't they feel confident you will be treated well? You decide.

CHAPTER 9:

LIFE AFTER BANKRUPTCY AND KAIN & SCOTT'S FREE 90-DAY CREDIT REPAIR PROGRAM

What does life after bankruptcy look like? It looks like the picture found on page 54. Once you have your debt eliminated and your credit repaired, you have your life back. Instead of focusing on overwhelming debt raining down on you, creating chaos, and making everyone in the boat/house afraid for the future, you now have your life back so you can enjoy the present.

Instead of fear and chaos, you feel confidence and a sense of order again. You are back in control of your finances and you feel better than you have in years! The sun shines and the waters are calm, giving you peace. You took a chance and rose to the challenge and conquered a major problem. You feel proud you weathered this storm and made things for your family more comfortable.

You now desire to serve others and help others that are suffering from the same problem. You know how they feel, because you felt the same way. However, what you discovered is that it isn't as scary as you thought it would be. You found out that you didn't regret filing bankruptcy, but you regret waiting so long to file.

We know how you feel now, because we have helped thousands of Minnesotans just like you, and they felt the same way. We are confident once you get on the other side of bankruptcy, you will feel alive again and free from overwhelming debt.

Humans need connection to others to physically and mentally stay alive, to be vibrant and to feel alive. When you are facing overwhelming debt, you can feel alone. Know that you are not alone. Kain & Scott is here and has your back. When our clients retain us, we represent you. We protect you against your creditors and make your creditors speak to us, not you. Behind the scenes, our team is busy, working on your case, and dealing with your creditors so you don't have to. Even after the bankruptcy is over with, when you need help, our clients call us and we *help* them. Kain & Scott will never tell you we don't represent you anymore like some law firms. To us, that is not kind or helpful.

Final Thoughts From Wesley W. Scott

I know how our clients feel when they first come to us. How? Because our former clients felt the same way. Yet, what our Minnesota clients found is they never regretted filing bankruptcy. What they did regret is waiting so long before they filed bankruptcy and got their life back. My suggestion is to learn from their regret and err on the side of getting your life back now. Delaying the solution to the problem only ensures having the same regret of waiting too long to relieve your family from the stress that comes from having overwhelming debt.

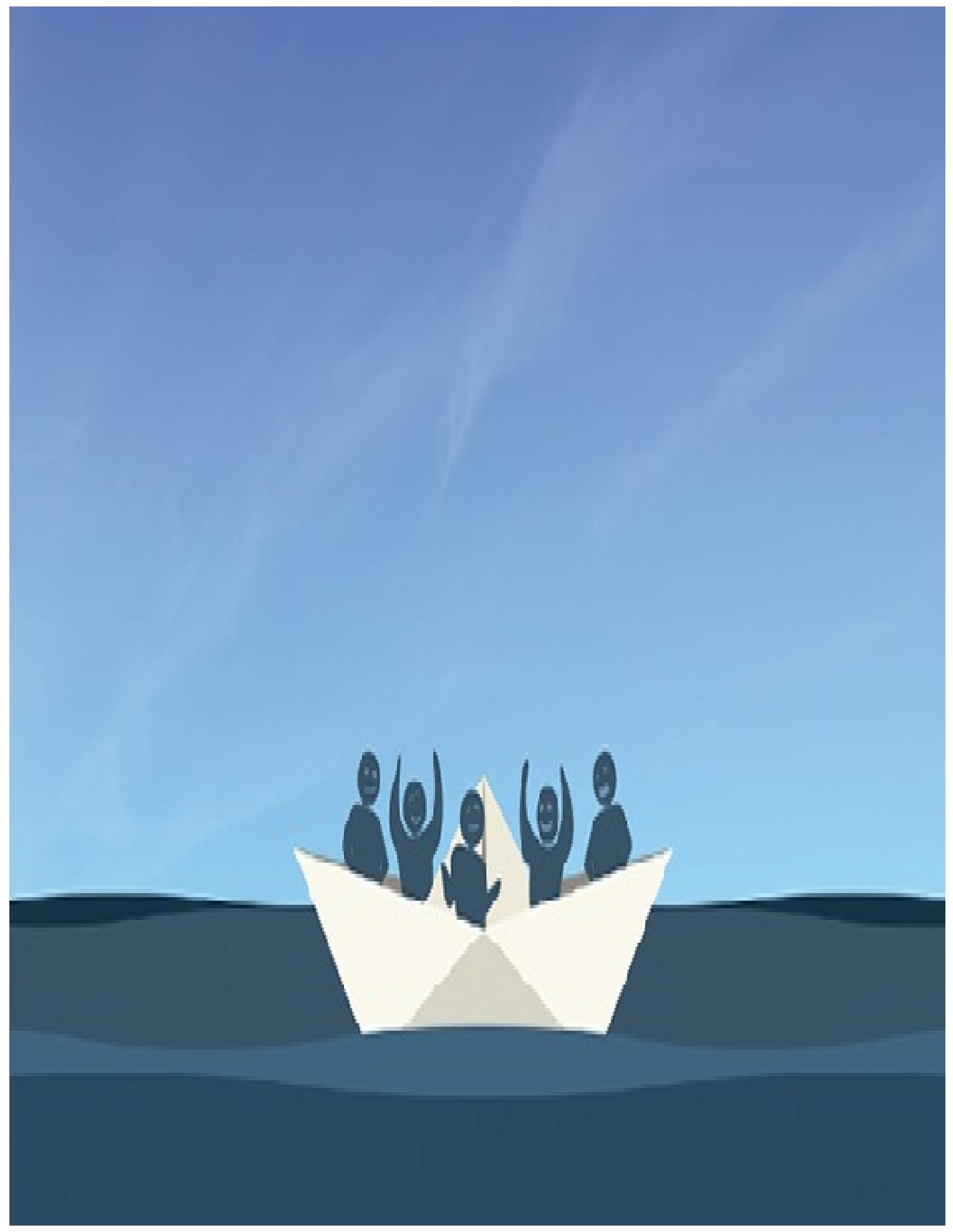
At first, you are like the family in the boat, suffering from overwhelming debt raining down upon you and your family. It's dark, it's windy, and you fear the complete loss of control. You feel ashamed and embarrassed that you have put your family in this position. Life is complete chaos.



Life before bankruptcy and Kain & Scott's Free 90-Day Credit Repair Program

However, when you reach out to Kain & Scott for help, the storm begins to ease. At Kain & Scott, "We don't judge you, we help you get your life back!" *Help* means Kain & Scott doesn't give you piles of forms to fill out, Kain & Scott pulls your credit report for you and Kain & Scott offers \$0 up front on our fees. *Help* means sending you through Kain & Scott's unique free *90-Day Credit Repair Program*. No other Minnesota bankruptcy law firm does this.

With your courage to reach out to Kain & Scott, we *help* you get your life back, by eliminating unwanted debt and repairing your credit fast, the sun shines, the waters are calm, the wind dies down, and there are smiles on everyone's faces again. You are back in control of your finances and you feel confident about the future because you are no longer living in the past.



Don't settle for anything less than the most kind, helpful, professional, and provider of exceptional customer service in Minnesota. Law firms that feel cold, antiseptic, unkind, unhelpful, and unprofessional should be avoided.

Working with Kain & Scott can change your life. Kain & Scott has a 24/7 Minnesota bankruptcy help line at www.kainscott.com that has all the Minnesota bankruptcy information you'll ever want or need. I urge you to spend time on our site reviewing the bankruptcy information contained on the site. Our site is easy to read and understand.

When the time is right, or when you are ready, reach out to us at www.kainscott.com. You can also talk, confidentially and privately, to a Kain & Scott team member right now by calling 800-551-3292 or texting us any questions you have to 320-281-1267.

The first step to getting your life back is to set up a *free* consultation. Kain & Scott can speak to you in a variety of ways including:

- 1) Phone conference (30 minutes)
- 2) Skype (30 minutes)
- 3) FaceTime (30 minutes)
- 4) In person (60 minutes)

Locations: Duluth, Brainerd, Little Falls, St. Cloud, Monticello, Buffalo, Elk River, Maple Grove, Eden Prairie, Eagan, Woodbury, Roseville, Mankato, Milaca, and Minneapolis.

ABOUT WESLEY W. SCOTT



Wesley W. Scott is the managing partner at Kain & Scott PA, Minnesota's oldest bankruptcy firm, dating back to 1972. Kain & Scott PA has dedicated 100% of its practice to helping Minnesotans navigate Chapter 7 and Chapter 13 Bankruptcies and repair their credit post-discharge. Minnesotans can exempt (protect) their wedding rings from creditors under Minnesota law thanks to the work of Mr. Scott and his firm. Currently, Mr. Scott is encouraging both Minnesota senators to consider discharging student loans in bankruptcy through novel and innovative ideas.

In 2016, The Lawyerist voted Kain & Scott's website as one of the top ten best designed law firm websites in the country. In 2017, Legal Network ranked Kain & Scott as the Top Lawyers in Minnesota, with the highest ethical and professional excellence.