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the best interest of creditors test calculates the minimum amount you must pay to your nonpriority unsecured creditors through your chapter 13 plan the test ensures that creditors won't be disadvantaged just because you filed for chapter 13 rather than chapter 7 bankruptcy

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chapter 13 is sometimes called the wage earner's bankruptcy and for good reason chapter 13 is bankruptcy for people who are making money but have fallen desperately behind trying to keep up with payments for things bought on credit your debts are reorganized and a program is set up to pay them

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in a process that can be expensive and confusing the means test clarifies whether you're eligible for chapter 7 bankruptcy or confined to chapter 13 the means test has two parts both

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although chapter 13 bankruptcy can be a good option not everyone meets chapter 13 requirements find out what qualifies you for chapter 13 and why chapter 13 eligibility depends on up to date tax filings debt amounts and the ability to afford plan payments

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you'll use chapter 13 means test forms to confirm your plan length we provide links at the end of the article your state's median income by family size is on the us trustee program's means testing page this article assumes you'll pay into a five year plan filers who qualify for a three year plan will have more payment leeway

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chapter 13 is called reorganization bankruptcy because the debtor must make payments on unsecured debts for three to five years most bankruptcy filers pick chapter 7 but if they can't pass

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chapter 13 bankruptcy basics this chapter of the bankruptcy code provides for adjustment of debts of an individual with regular income chapter 13 allows a debtor to keep property and pay debts over time usually three to five years

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to qualify for chapter 13 you must show the bankruptcy court that you will have enough income after subtracting certain allowed expenses and required payments on secured debts such as a car loan or mortgage to meet your repayment obligations

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means test in chapter 13 the same means test that is supposed to determine whether you can file chapter 7 bankruptcy is used to decide what you must pay to creditors in chapter 13 the test is not identical but the principle is the same use a standardized formula to calculate how much bankruptcy relief is available to this debtor

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what is the chapter 13 liquidation test when an individual files chapter 13 bankruptcy they have decided to voluntarily commit future income for paying certain debts this type of bankruptcy uses a court approved plan to determine which creditors are paid what and how much the debtor must pay to the trustee each month

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chapter 13 rules no means test required many people choose chapter 13 because their income is too high to pass the chapter 7 means test learn about the requirements you must meet to qualify for chapter 13 bankruptcy by cara o neill attorney university of the pacific mcgeorge school of law

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the chapter 13 means is based on your current monthly income cmi cmi is the average monthly income you received during the previous six month period to calculate cmi you must include your income from nearly all sources including wages salary tips interest dividends child support payments unemployment state disability payments

can you file for bankruptcy on student loans u s news ***Nov 13 2022***

the decision to file for chapter 7 or chapter 13 bankruptcy comes down to whether you pass the income test and whether you have assets says stanley tate a student loan lawyer

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