

# Can A Wife Declare Bankruptcy Without The Husband?

## 1 Chapter 7 vs. Chapter 13:

- **Chapter 7:** Known as liquidation bankruptcy, involves selling assets to settle debts quickly.
- **Chapter 13:** Referred to as reorganization bankruptcy, allows retaining assets and repaying debts over time.

## 2 Community Property vs. Separate Property:

- **Community Property:** Assets acquired during marriage, shared equally, accessible by creditors.
- **Separate Property:** Owned before marriage or acquired separately, excluded from bankruptcy if only one spouse files.

## 3 Impact on Credit Score:

- Bankruptcy can significantly lower both spouses' credit scores, impacting future financial endeavors.

## 4 Joint Debts:

- Treatment depends on bankruptcy type and state laws.
- One spouse's bankruptcy may discharge their liability, but the other remains responsible unless they also file.

## 5 Alternatives to Bankruptcy:

- **Credit Counseling:** Nonprofit agencies offer guidance and budget plans.
- **Debt Consolidation:** Combine debts into one loan for simplified payments and potentially lower interest.

## 6 Free Consultation Options:

- **Nonprofit Organizations:** Upsolve and similar nonprofits provide free tools and guidance.
- **Legal Aid:** Low to moderate-income individuals may qualify for free legal aid services.
- **Pro Bono Attorneys:** Some attorneys offer free consultations or pro bono services.