

This Weekly Newsletter
is brought to you by

HOOK LAW CENTER
Legal Power for Seniors

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After Death- Who Pays the Credit Card Bills?

After the death of a loved one, no one wants to be thinking of such everyday realities as paying the deceased person's credit cards, but it is something you may have to deal with. Typically, after someone dies, the estate pays any outstanding bills. If there is a shortage of funds, the creditors sometimes are left holding the bag, but it could be you in certain instances.

The first case in which you may be responsible is if you are a joint cardholder with the deceased. This frequently happens with spouses or with young adults who may need an older person to co-sign in order to get their first credit card. If you are an authorized user only, you're not liable for the debt, but if you co-signed as a joint cardholder, you are. (August 20, 2012, "After Death, Who Inherits Credit Card Debt?" Bankrate.com)

The second case in which you may be liable is in a divorce. Divorce is sometimes such a complicated affair, that this can be frequently overlooked. The separation agreement may specify that the ex-spouse is responsible for the credit card balance, but if they don't do it, or if the ex-spouse dies before the debt is discharged, you could be responsible. Additionally, community property states such as Texas have further complications. Community property can be used in debt settlement. An exception to this would be if the spouse held property apart from the community property. Separate property could not be touched for the debt settlement. In community property states, laws vary widely, so it is best to consult an attorney for advice. (See Bankrate.com article above.) One piece of advice can't be given too strongly-- don't use a credit card after someone's death. This advice is especially the case if you are in doubt about

After Death - Who Pays the Credit Card Bills? (con't.)

the estate's ability to discharge the debt. Then, you could be committing fraud if you knowingly encumbered debt which you knew could not be paid.

Finally, realize that if you are a beneficiary of an estate, all debts will have to be paid before a final distribution of the estate can be made. This can be a lengthy process, so don't expect to be able to resolve the situation quickly. Furthermore, credit card debt is considered unsecured debt, and it will be paid after secured obligations such as mortgages are met. You may not be liable at all for the credit card debt. Always consult an attorney before paying any debts connected with an estate. (See Bankrate.com above.) The attorneys at Hook Law Center are well-prepared to help you through this process.

Don't forget to click the "Like" button on our Facebook page for a chance to win great prizes!



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Puppies From California?

Hook Law Center: Kit Kat, did puppies recently arrive at the Portsmouth Humane Society from California?

Kit Kat: Why, yes. The headline in the [Virginian-Pilot](#) dated 9-22-12 read, "Stars Arrive in Portsmouth." And that's just what these little folks are. There were 19 of them straight from the Pasadena Humane Society. They were mostly Chihuahuas and Terriers, and they had really interesting names like--Dr. Dre, Danny DeVito, Nicole Richie, Arnold Schwarzenegger, J-Lo, and Cameron Diaz to name a few. Earlier in the year, the Pasadena Humane Society sent out an alert that they had a surplus of "designer pocket breeds," meaning small dogs popularized in such movies as [Legally Blonde](#). They're all healthy and really cute. They also have been spayed and neutered. If you're interested, check the Portsmouth Humane Society's Facebook page or call (757) 397-6004.



THANK YOU



The Hook Law Center hosted an **Open House**, Wednesday, October 10, 2012, at our Virginia Beach office. It was an opportunity for our clients to interact with our staff on an informal basis. We wanted to share more photos from our event.



THANK YOU TO ALL WHO ATTENDED!

Upcoming Events

■ Hook Law Center is presenting a Veterans Aid & Attendance Seminar on Wednesday, **October 24, 2012** at 6 p.m. at Leigh Hall, 890 Poplar Hall Drive, Norfolk, VA 23502. For more information on other upcoming seminars, please visit hooklawcenter.com/resources/upcoming-seminars.html or call (757) 399-7506.

■ Andrew Hook is speaking on the subject of the 2012 Tax Issues to the Virginia Society of Enrolled Agents on **October 25, 2012** in Virginia Beach, VA. The information that will be shared in this seminar is available for review. Please see the attached document for more information.

■ Montero Medical Missions is sponsoring the Health Fair For Veterans. The opening ceremonies will be held on Saturday, **October 27, 2012** at 9 a.m. at the Chesapeake Regional Medical Center, Lifestyle Building, 800 N. Battlefield Blvd., Chesapeake, VA 23320. The health fair will be held from 9 a.m. until 3 p.m. Veterans will receive assistance with their health care needs including ten screening stations. Future locations for the health fair will be announced at a later date.

■ Andrew Hook is speaking at the Virginia BPRO (Benefits Program Organization) Fall Conference in Fredericksburg, VA on **October 31, 2012**. Our Benefit Program Specialist, Natalie Hale, will also be attending the Fall Conference.

Distribution of This Newsletter

Hook Law Center encourages you to share this newsletter with anyone who is interested in issues pertaining to the elderly, the disabled and their advocates. The information in this newsletter may be copied and distributed, without charge and without permission, but with appropriate citation to Hook Law Center, P.C. If you are interested in a free subscription to the *Hook Law Center News*, then please telephone us at 757-399-7506, e-mail us at mail@hooklawcenter.com or fax us at 757-397-1267.

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