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## What Happens To Your Bills After You Die?

### Credit Card Debt Repayment Is Often Not Legally Required

POSTED: 4:53 pm EDT October 19, 2011  
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**BOYNTON BEACH, Fla.** -- After losing her husband of nearly 50 years, Terry Coleman finds comfort in her Boynton Beach garden.

"Slugs are my enemies," she said. But paperwork also became her enemy almost immediately after Gerald's death from lung cancer.

"I had no notion of many things," she said frankly. The snowbirds had bills in New Jersey and Florida. Who insured their cars, she wondered. What about the credit card bills?

"And sometimes I get the bills and I pay them again," said Coleman.

Probate and estate planning attorney Jeffrey Skatoff answers many questions about handling bills after death. One of which is: who is responsible for the deceased's medical bills?

"The surviving family member has no obligation to pay medical bills," said Skatoff, who adds the deceased's estate might have an obligation. If the estate is solvent, it does. If it doesn't have enough cash to pay all the bills -- also known as insolvent -- the doctor or hospital can't demand to collect from anyone else.

For credit card bills, it all depends on whose name is on the card. If it's the deceased's name alone, those creditors can't go after any survivors.

"If they signed along with the person who is deceased originally, then they're obligated for that debt as well," said John Drapeau, a personal finance counselor at Credit Card Management Services in West Palm

Beach. "But if they haven't signed it, they're not responsible for that debt."

Drapeau said credit cards are the area in which survivors are most likely to be harassed.

"The phone starts ringing the moment someone passes away," said Drapeau. "And they're trying to look for payment on that debt. Collectors, if they're not scrupulous, may go ahead and threaten and intimidate some people which is against the fair trade commission."

A surviving spouse or child should pay the mortgage, if that person wants to stay, said Skatoff. He said the same goes for other secured property that one wants to keep whether it be a car, boat, motorcycle or something similar.

"They might want to pay the electric bill and the cable bill if they want to watch TV," said Skatoff.

"Having an estate plan that's relatively recent, and providing family members with the location of the documents and communicating with the family members about their intentions will make the process go smoothly and avoid the drama," said Skatoff.

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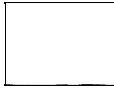
He said Florida's homestead law makes it exempt from creditors. "If the deceased had a house in their own name, and it was their primary residence in Florida then it has the status of Florida Homestead and that means it is exempt from their debts," said Skatoff.

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