

# Your Death Does Not Stop The Bill Collectors

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Death stinks. Losing someone you love is just awful. I know this from personal experience. Can you imagine losing someone you love and then having bill collectors come after you for their debts? Its happening.

I recently read an article in the Wall Street Journal about how debt collectors are now going after the families of some debtors after the debtor dies (click [here](#) to read the full article). In Georgia, when you die, your debts die with you. Your surviving spouse or children cannot be held liable in a court of law for your debts.

However, if you leave an estate, it is possible that some creditors might file a claim in probate court so that the estate will pay the debt. In contrast, if you have no estate, you would think that creditors would give up since the surviving spouse and children have no legal obligations to pay debts you acquired before your death.

According to the Wall Street Journal, the reality of death does not stop debt collectors from trying to collect. What really makes me sick is that the Journal reports that debt collectors will try to convince surviving family members to make a "morality payment" to satisfy the debt. The debt collectors will argue that since you may have benefited from some of the purchases that were made, you have some moral obligation to pay.

The truth is that most debt collectors pay pennies on the dollar to buy debt from credit card companies and then try to make a profit by shaking down family members to pay debts that they have zero legal obligation to pay.

The Journal reports that debt collectors have systematic approach in squeezing money out of grieving victims. The call usually starts with "a sprinkle of grief counseling." Then, the bill collector moves on to the topic of the moral obligation and how you need to put this behind you.

As a Georgia bankruptcy attorney, I am often asked by surviving spouses if they need to file bankruptcy to discharge the deceased person's debts. The answer is no. Unless you signed a contract with them, you are not liable and there is no need to file bankruptcy.

Any person in Georgia who is being hounded by a bill collector for debts that are not theirs should contact a local attorney.

Since surviving family members are not obligated for the debts, there is no reason to file bankruptcy in these types of situations.