



888-889-8899 | DellutriLawGroup.com

1436 Royal Palm Square Blvd. | Fort Myers, FL 33919

For lawyer stories and DLG news and updates, be sure to follow us on social media!

  @DellutriLaw

  @DellutriLawGroup

PRST STD
US POSTAGE
PAID
BOISE, ID
PERMIT 411

Inside This Issue

- 1 Do You Have a Zombie Killer on Speed Dial?
- 2 The Secret to Outrunning Greedy Creditors
- Our Clients Say It Best
- 3 DLG Attorney Amanda's Biggest Pet Peeve
- 4 What Is Zombie Debt or Ghost Debt?

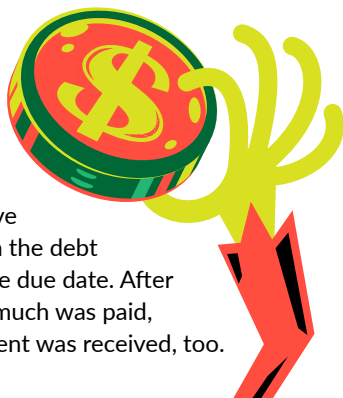


What Is Zombie Debt or Ghost Debt?

Ghost debt or zombie debt is debt you thought was dead a long time ago, and then when you least expect it, comes back to haunt you. Many times, it is something you have completely forgotten about. Just because you don't hear about a debt for several years or the debt was "written off" by a creditor, it does not mean the debt is no longer owed. Nothing could be further from the truth. The debt is still out there lingering ... *somewhere*.

The real issue is whether a creditor or debt collector can collect the ghost or zombie debt legally. Believe it or not, debts can be owed for a very long time.

To keep track of your debts and your sanity, I want you to keep a file folder on all debts you owe. Of course, you can do this on your computer in an electronic file format as well. If you pay your bills electronically each month, you will have a conveniently created record of when the debt was due, how much was owed, and the due date. After payment is made, you will know how much was paid, when it was paid, and when the payment was received, too.



In both of the aforementioned scenarios, you will be glad you kept careful records because, when it comes to your credit report, the creditors often get the trade lines wrong. They will try to keep the debt on your credit report as long as possible, so it hurts you.

A trade line on your credit report contains information reported to the credit reporting bureaus by either the original creditor to whom you owe money or, if a loan goes into default, the debt collector. If an organization reports to the credit reporting agencies, they are under a duty (under the Fair Credit Reporting Act) to accurately report the information. Many times, though, they do not.

On the other hand, if you fall behind on a bill, it's very important to know the last day you made a payment, as the statute of limitations in Florida begins to run when default occurs. The statute of limitations will determine the time frame that a debt can be collected using the court system. Once outside the statute of limitations, a creditor who tries to use the court system to collect a debt may be opening themselves up to a consumer law violation. But very few people know that **a creditor can still attempt to collect a debt beyond the statute of limitations as long as they are not utilizing or threatening to utilize the court system to do so.**

Continued on Page 3 ...

A Statewide Law Firm

Many of our clients never come into the office. We use technology to handle their cases virtually all across Florida.



888-889-8899
DellutriLawGroup.com

OCTOBER 2023

Growing Together With You

Debt Zombies Are Swarming Florida! If You Need Protection, Give Our Kill Squad a Call

I usually like to tell a good story here on the cover of the newsletter, but this month, I'm coming at you with a warning instead: **The debt zombie apocalypse is here, and it's time to barricade your doors!**

That might sound a little crazy, but I'm dead serious (pun intended). All over Florida, old debts are rising from the grave and coming back to haunt people like you, your friends,

and your neighbors. Just the other day, I got a call from a woman under zombie attack.

This poor lady — I'll call her Stephanie — was crying her eyes out on the phone because dirtbag debt collectors had garnished her bank account *and* frozen her mother's bank account, leaving them without a penny. Why did they do this? Well, Stephanie had a judgment against her for \$6,000. It was years old, and with interest, it had grown to \$24,000!

Because Stephanie takes care of her mother and is on her mother's accounts, the debt collectors went after both of them to get that \$24,000. Luckily, when Stephanie called me for help, I could give her some good news.

While we couldn't recover the money from her account, our legal team *could* fight off the zombies going after her mother's deposits. We had that option because her mother's money was from Social Security, and Social Security checks are one of several types of income protected from the "zombies." We immediately took steps to safeguard those funds and get Stephanie's grocery money back.

Stephanie isn't the only one under attack right now. A whole horde of debt zombies is descending on Southwest Florida! I've gotten more calls about garnishments in the last month than I usually get in a year. Some of those calls came from people who didn't even know about the debts or lawsuits hanging over them! One day, they

simply discovered their bank accounts were frozen or heard from their employer that a debt collector was garnishing their wages.

That exact scenario happened to one gentleman who reached out to me for help. (I'll call him Steve.) Steve rented a college apartment 15 years ago, and when his lease was up, he moved away. He thought he was free and clear. Yet, without his knowledge, the complex sued him over cleaning fees! They received a judgment against him, and he didn't find out about it until a debt collector garnished his bank account more than a decade later.

It's hard to believe you can lose a lawsuit without knowing it, but it can happen to anyone — you included. Here in Florida, if a creditor can't find you to serve you with papers, they can use "substituted service" to get a judgment against you *entirely without your knowledge*. That means if you've moved in the last 20 years, you might have an old credit card bill, apartment cleaning fee, or other debt lying dormant. You won't know for sure until the zombie rises from the grave, knocks on your door, and tries to eat your brain!

I hate Florida's garnishment laws, and I've made it my business to fight them. That's why my team at DLG is full of Florida-certified zombie killers! If you know someone who has zombie debt or has been recently garnished, pass along our number. We'll take those monsters down.

-Carmen Dellutri



Happy with our service? We'd love to hear from you! We are always honored when our clients and associates refer their friends, family, and colleagues our way — or simply say kind things about our firm. If there is anything we can do for you, please let us know. We're here to help!



Reach us any time at 888-889-8899 or DellutriLawGroup.com.

If you'd like to leave us a review, scan the QR code. We appreciate every word!

If you know someone who would like a copy of this newsletter, please visit this link to add them to our mailing list: DellutriLawGroup.com/resources/newsletters

PROTECT YOURSELF AND YOUR FAMILY FROM GREEDY CREDITORS

LEARN HOW TO BECOME JUDGMENT-PROOF!

Here's a secret most Floridians don't know: If you take a few simple steps right now, you can protect your bank accounts and other assets from creditors who might sue you later. They won't be able to garnish your wages, take your car, or claim a penny from your bank accounts — even if you owe them thousands of dollars!

Lawyers consider people who take these steps “judgment-proof” or “judgment-free” because even if a creditor sues them, wins, and gets a judgment against them, they're protected from the consequences. The creditor can try to collect, but either federal or state law will block their greedy hands at every turn. But how do they do it?

People who are judgment-free work with attorneys to use existing laws to their advantage. For example, someone judgment-proof might ...

- **Keep all of their assets in their home.** Florida law protects your homestead, so creditors can't take your house!
- **Ensure they only own cars worth less than \$1,000.** If your vehicle isn't worth much, your creditors aren't legally allowed to touch it.



- **Add their spouse to all bank accounts and other assets.** Joint assets are legally protected!

If you use strategies like these and play your cards right, your creditors will give up on pursuing you without taking a penny of your money. Why? Well, going after your debt would be a waste of their time, money, and resources! So, they'll let you get away scot-free.

As Carmen said on the cover of this newsletter, debt zombies are swarming Southern Florida at this very moment — and some of them might be coming for you. Your friends, your family, and your clients are at risk, too! Fortunately, a good lawyer can help you and the people you care about become judgment-proof and keep the zombies at bay.

Testimonial

Our Clients Say It Best



“With the overwhelming stress I had with creditors seeking garnishment and unforeseen medical bills, I had no choice but to reach out for legal advice. I did what most people do, and that’s typing a Google Search for ‘attorneys in SW Florida.’ I chose four. Out of those four, I received one answer, on a Saturday actually. Within five minutes, I was scheduled to meet in their office on the following Monday. Let me cut to the chase by saying my attorney listened to my situation and reviewed my credit reports and threatening creditor letters. On that very day, he had a game plan. He was aggressive in filing my case, and within three months it was already filed with the courts. As of today, my case is closed. So, today and every day moving forward, I walk without that feeling of garnishment or paying creditors money I just don’t have. I can’t thank all the staff enough at Dellutri Law Group who guided me from start to finish. My stress is gone. Reach out, make that call. I did!”

– John C.

Meet the Real Amanda Downing Your Attorney Shares Her Family History, Pet Peeves, and More!

Amanda Downing joined Dellutri Law Group in 2002, and in December 2008, we named her partner. It's hard to believe she's been with us for almost 22 years! If you've worked with Amanda, you can guess why she has stayed so long. She is as loyal to her team as she is to her clients.

That said, there's more to Amanda than her legal work — and we want to share those personal details with you! You deserve to know who you've trusted to handle your case (or your clients' cases). Academic qualifications are important, but they aren't everything, and we're "open books" about the rest. Here's a quick look at Amanda's life outside of work.

Who is Amanda when she isn't in 'attorney mode'?

Amanda was born and raised in Lee County. In fact, she holds an original Florida Pioneer Descendant Certificate, which means her family settled in Florida before March 3, 1845, when it became a state. They still own land records nearly a century old!

Amanda loves her home almost as much as she adores her family and friends. She spends most of her free time with her husband of 15 years and their three kids, who are seventh-generation Floridians.

What is Amanda passionate about?

If there's one thing Amanda hates with a passion, it's distracted driving. "Cellphones are the worst!" she says, noting they've caused thousands of accidents that injure innocent people. And driving under the influence is no better.

"Imagine driving down the road with your kids, completely minding your own business. You're following the rules of the road, not using a cellphone, and not allowing distractions. Then suddenly, out of nowhere, a drunk driver comes at you head-on down a one-way road," she says. "I hate having to go to bat for those victims because they never should have been put in that situation to begin with."

Amanda feels this so strongly that she chose Mothers Against Drunk Driving (MADD) as her Dellutri Law Group Passion Project. MADD provides financial aid to victims of drunk driving, educates kids and parents on its dangers, and advocates for victims' rights.

"They are fighting the same fight we are," she says. To learn more about MADD and join Amanda in supporting their cause, visit MADD.org.

... continued from Page 4

Likewise, you want to keep track of any changes in ownership. You may receive a letter from your mortgage company telling you they are transferring the servicing rights to another organization. That is not a letter you want to throw away. You want to save this letter and make a record of it so you know you are sending your mortgage payments to the proper entity each month.

If you think a debt is way too old, or you settled the debt with another debt collector, or you have been released from the debt in writing, yet the creditor or debt collector is mistakenly coming after you, please feel free to give the bankruptcy lawyers of Dellutri Law Group a call and request a complimentary strategy session. A portion of our practice involves suing debt collectors and others who violate consumer protection laws in the state of Florida. Many times, we can take these cases on a contingency fee, which allows you to hire me — Attorney Carmen Dellutri — and my team with no money down. If we are successful, the creditors and/or debt collectors must pay you damages and pay our attorney's fees and costs. We consider this a win-win-win scenario. Justice is served, we are paid for our hard work, and you are compensated for your damages!

A Huge Thank-You to Our Referral Partners!

A referral is the greatest gift we can receive from a client or fellow business! Last month we had ...

- 36 referrals from friends, family, or previous clients
- 19 returning clients for new matters
- 20 referrals from other attorneys
- 5 referrals from doctors and other professionals
- **We sent out 83 referrals to our trusted referral partners.**

What's the Good News?

THIS IS A FAVORITE QUOTE FROM
OUR VERY OWN ASHLEY BAKER.

"Have I not commanded you? Be strong and courageous. Do not be afraid; do not be discouraged, for the LORD your God will be with you wherever you go."

JOSHUA 1:9 (NIV)

