

HAVING TROUBLE PAYING YOUR BILLS?

NOTE: The information provided by Legal Aid of Nebraska is for informational purposes only. You should not rely solely upon this information in regard to you and your unique circumstances. You should always consult with an attorney regarding the laws and your rights. As the COVID-19 public health situation changes and evolves, different branches of our government will continue to issue new laws and regulations. While Legal Aid of Nebraska strives to keep the information on this page up to date, the information provided here may change on a day-to-day basis.

I am having trouble paying rent, food, utilities and other necessities, are there assistance programs that can help?

If you are having trouble paying for things you need, like rent, food, or utilities, there may be resources available in your community to help. Call 211 to obtain information on possible community resources to help. <https://www.unitedwaymidlands.org/2-1-1/>.

If you are having trouble paying your utility company (like water, electric, gas), contact your utility company. Some utility companies in Nebraska will not shut off utilities for a temporary period of time. <https://neo.ne.gov/info/utilities/utilities.html>

Assistance may be available through the State of Nebraska's Department of Health and Human Services. You can apply for economic assistance programs, such as Aid to Dependent Children (ADC), Emergency Assistance and the Supplemental Nutrition Assistance Program (SNAP), disability related assistance, and Medicaid. You can learn more about state assistance programs, including how to apply, at this website <http://dhhs.ne.gov/Pages/default.aspx>, or you can apply by calling (800) 383-4278.

If you have lost your job, have had to take time off from work because you are sick or need to care for a family member, have had to take an unpaid leave of absence, you can apply for Unemployment Benefits. <https://www.dol.nebraska.gov/UIBenefits>

I have a car loan, or other loan through a bank, and I am having trouble making my payments, what should I do?

Call the bank your loan is with. It is better to call **before** you become late on a payment. Many banks have customer assistance programs, including in response to COVID-19. Let the bank know you have a hardship (like you got sick, lost your job, your hours were reduced, you had to take time off work to care for a minor child whose school or daycare closed, etc.). Write down the date, who you talked to, and what they said related to paying your loan. If any adjustments were made, (e.g. the bank agreed to provide you with more time to make your payment) see if you can get written confirmation from the bank.

I am having trouble making my mortgage payment, what should I do?

See [Legal Aid of Nebraska's COVID-19 Information for Homeowners](#) (link)

I am having trouble paying my credit card bill, what should I do?

Call your credit card company. It is better to call **before** you become late on a payment. Many credit card companies have customer assistance programs, including in response to COVID-19. Let your credit card company know you have a hardship (like you got sick, lost your job, your hours were reduced, you had to take time off work to care for a minor child whose school or daycare closed, etc.). Write down the date, who you talked to, and what they said related to paying your credit card bill. If any adjustments were made, (e.g. the credit card company agreed to provide you with more time to make your payment) see if you can get written confirmation from the credit card company.

What bills should I pay first?

If you have limited income, you should prioritize what bills you pay first. For more information, we recommend this prioritizing bills tool developed by the Consumer Financial Protection Bureau, found at this [link](#).

Debt collectors are calling me, what should I do?

Keep notes on everything discussed in the phone call, including: the name of a person who called you, what company they represent, when they called, a mailing address to send written correspondence to, what you discussed, and any requests made.

You do not need to admit that you owe the debt or make payment arrangements or other agreements. Don't succumb to pressure provide any personal or financial information.

If it is a valid debt but you don't know what to say to debt collectors or cannot afford to pay the bill right now, you can apply for help by [calling Legal Aid](#) or [applying online](#).

There is a court case filed against me to collect a debt, what should I do?

See above section on [COVID-19 Debt Collection Cases, Wage Garnishments and Bank Garnishments](#).

I heard that student loan payments are suspended. Is that true?

Yes! This should have happened automatically. Most federal student loan payments are automatically suspended until September 30, 2020. Perkins loans and loans still held by banks or guaranty agencies are not automatically suspended. You may need to contact your student loan lender to see what options there are if your loan is not covered by the *CARES Act Relief for Federal Student Loan Borrowers*.

Contact your student loan servicer if you have any questions.

Can my creditors take my stimulus check?

The CARES Act provides for \$1200 payments to many Americans with an additional \$500 for each child. It is unknown at this time whether these will be protected from garnishment by debt collectors. If the US treasury codes these payments as exempt public benefits then they will be protected from seizure. If they are not coded as exempt public benefits then they could potentially be garnished by debt collection agencies. **Check back often as this will be updated as soon as this is known.**

I think I need to file bankruptcy.

If you or your spouse lost your job or have unexpected medical costs, it is tempting to think that you need to file bankruptcy *right now*. Timing the filing of a bankruptcy takes extensive knowledge of the US Bankruptcy Code and an understanding of your specific circumstances. The filing date creates a hard line – medical bills obtained after the bankruptcy filing cannot be added, for example. If you are unemployed or underemployed, it may make more sense to wait to file bankruptcy once your monthly income is sufficient to cover your monthly bills again.

The CARES Act has a number of bankruptcy considerations. Your stimulus and other payments cannot be considered as income for purposes of the Chapter 7 means test and are not part of your “current monthly income,” another bankruptcy term. This means that you can keep your stimulus payments – you cannot be forced to pay your creditors with your stimulus check or be denied bankruptcy relief.

If you have a pending bankruptcy, the stimulus check is yours to use as you see fit.

If you have a pending Chapter 13 case, contact your attorney about suspending payments temporarily if you need to do so. The CARES Act allows for an extension of Chapter 13 plans if necessary.