

HAMPTON ROADS LEGAL SERVICES

We help you start fresh, whether it's through bankruptcy, divorce or child custody.

Christmas is the day
that holds all time together.

ALEXANDER SMITH

Monthly Newsletter

December 2021

Should I File Bankruptcy Before or After Christmas?

We are in the midst of the prime-time holiday season! As much fun as that is, for many, it also means a lot of added stress, especially when it comes to finances. Most people find themselves spending more money around the holidays, not only to purchase gifts but also hosting or attending holiday parties and possibly traveling. If you are already dealing with a large amount of debt, the holiday season is extremely stressful. In fact, you might be considering filing for bankruptcy to relieve some of that stress. So should you file before or after Christmas?

Well, the answer is; it depends!

One big mistake that we see people making is that they acquire large amounts of debts around Christmas because they plan on including that debt in their bankruptcy and therefore have it discharged. A discharge is an order that releases you from any personal liability of debt, which means you no longer have an obligation to pay it. Here is why that generally does not work around Christmas times.

Bankruptcy courts look back at the last 90 days before you file to see if you have made any extravagant purchases. Usually, that means that you charged more than \$500 for "luxury goods or services". Luxury goods or services basically mean all items or services that are not reasonably necessary for your support or maintenance. Unfortunately, Christmas gifts would likely fall under this category as they are not necessary purchases.

The credit card company can object to these charges as fraudulent and the Bankruptcy court could determine that they are non-dischargeable. Not only can this be very stressful for you if a creditor objects to the debt being discharged, but it can also be very expensive to try to defend against their objection. However, if you don't intend to spend large amounts of money around Christmas then filing before Christmas might be a better option for you. This would more than likely leave your Holiday bonuses, and cash gifts would be yours to keep because income is decided based on the 6 calendar months before filing. This is especially important for those who work at the shipyard and normally receive a large bonus in December.

If you are considering bankruptcy then a chat with our experienced Bankruptcy Attorney Edrie Pfeiffer will help you clear up any concerns. Call us at **(757) 276-6555** to schedule your appointment!

Recipe Corner

SANTAS CHRISTMAS TRASH COOKIES

- 14 tablespoons unsalted butter room temperature
- ½ cup granulated sugar
- ½ cup brown sugar
- 1 large egg
- 2 ¼ cups all-purpose flour
- 1 teaspoon baking soda make sure it's not expired
- ¼ teaspoon salt
- ⅓ cup crushed potato chips
- ⅓ cup crushed pretzels
- ½ cup mini white chocolate Reese cups
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- ⅓ cup milk or semi-sweet chocolate chips
- ½ cup m&m's I used red, green, and blue
- ⅓ cup white chocolate chips
- ¼ cup sprinkles of choice
- Sprinkles of flaky sea salt for tops of cookies

Preheat oven to 350° and line two baking sheets with parchment. In a medium bowl, whisk together flour, baking soda, and salt until combined, set aside. Using a mixer on, in a large bowl cream together butter and sugars for 1-3 minutes on medium speed until light and fluffy. Once the mixture turns pale yellow in color and has a light and fluffy texture, you're done. Do not over-cream mixture. Beat in egg until combined. Add dry ingredients to wet and mix until together until combined. (Dough will be very thick.) Add in potato chips, pretzels, m&m's Reese cups, chocolate chips, and sprinkles and mix together. Using a medium-sized scoop, scoop onto parchment paper and slightly press them down onto baking sheets and sprinkle with sea salt. Add additional pretzels, chips, candies, and sprinkles to the tops of cookies for decorative touches. If you want the cookies thick, don't press down as much, you can control how thick you want them. Sprinkle with some sea salt if you wish. You can also chill dough until ready to use, scoop the dough balls and store them in the fridge until ready to bake. Bake until edges are just starting to get golden, 7 to 8 minutes. Remove from oven and let cool 2 to 3 minutes, then transfer to a cooling rack to cool completely.



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