



ATTY. RAYMOND BULAON

# Why wait until your debt problems become a financial emergency?

ARE you struggling with unpaid bills, lawsuits or perhaps an imminent judgment or wage garnishment by a creditor? Are you afraid of what creditors may do to you, your property or your assets? Most people have no clue so sometimes, the tendency is to ignore their debt problems and pretend that they don't exist. The truth, however, is that ignoring your debt problems can be the worst mistake you'll ever make.

People with debt problems often act like they can run away from their own shadow. Their shadow follows them wherever they go and whatever they do. They could change jobs, start another business, move to a new neighborhood or a different state but they just can't get away from their "shadow" no matter how hard they try.

The undeniable truth is that you simply cannot run away from your debt problems. You can fool yourself into believing that your debt problems will simply take care of themselves and that somehow, they will magically disappear. This is foolish and unrealistic. One day,

their debt problems blow up in their face and the most dreaded moment comes. They either get a lawsuit, a judgment or a wage garnishment and that is when they start to panic. By this time, their debt problems have gotten much worse than when they first started. Procrastination and poor planning do not help when you are facing debt problems. Why wait until your problems become a financial emergency?

I often meet people who have had debt problems and the worst credit for many years. They tell me that they don't even know how much they owe anymore but somehow, they've been able to hide from their creditors and that "they will just deal with the problem when the time comes." If you look at these people's credit report, they have a lot of negatives, collections, lawsuits, judgments, etc. Thus, they stand no chance in rebuilding credit until they do something about their situation.

Last week, a couple came to me because they were sued by a past creditor. This couple, unfortunately, had a property in Las Vegas that went into foreclosure two years ago and there was a second mortgage on the property for \$120,000 that didn't get paid. This second mortgage holder sued for payment on the

\$120,000 note last year but this couple simply ignored the lawsuit. At the time they were sued, the wife was unemployed and only the husband was working. Based on their financial situation at the time, they could have easily qualified to file for bankruptcy to wipe out the debt. But now, both are working and make more than enough income to be disqualified from getting bankruptcy relief. By not doing anything about their situation, they have made things worse. If they had acted sooner, they could have easily availed of the benefits provided by law- but they waited until it was too late.

If you are currently facing debt problems, do yourself a favor and find out what your options are. If you don't act now, you may actually making your situation worse and not even know it. Call Toll-Free 1-866-477-7772 to schedule a free office consultation. We have offices in Glendale, Cerritos and West Covina.

None of the information herein is intended to give legal advice for any specific situation. Atty. Ray Bulaon has successfully helped over 4,000 clients in getting out of debt. For a free attorney evaluation of your situation, please call Ray Bulaon Law Offices at TOLL FREE 1-866-477-7772.

(Advertising Supplement)

## BRIDGING FINANCIAL GAPS



EVANGELINA A. GIRON

# Understanding medicare

your doctors' services and outpatient hospital care. It also covers some other medical services that Part A doesn't cover, such as some of the services of physical and occupational therapists, and some home health care. Part B helps pay for these covered services and supplies when they are medically necessary.

A Medicare eligible individual can also elect to participate in a Medicare Advantage Plan, Part C and Medicare prescription drug coverage, Part D.

You can choose different ways to get the services covered by Medicare. Depending on where you live, you may have different choices. In most cases, when you first get Medicare, you are in the Original Medicare Plan. Or, you may want to consider a Medicare Advantage Plan (like an HMO or PPO) that provides all your Part A, Part B, and often Part D coverage. You make a choice when you are first eligible for Medicare. Each year you can review your health and prescription needs and switch to a different plan in the fall.

Medicare Advantage Plans are health plan options that are approved by Medicare but run by private companies. They are part of the Medicare Program, and sometimes called "Part C." When you join a Medicare Advantage Plan, you are still in Medicare. As long as you have both Part A and Part B, items

covered by Part A and Part B are covered whether you have the Original Medicare Plan, or you belong to a Medicare Advantage Plan (like an HMO or PPO).

Medicare Prescription Drug Plans are offered by insurance companies and other private companies approved by Medicare.

Today's Medicare is about choices among different programs. Whether you end up enrolling in the original Medicare administered by the federal government or elect to go to a Medicare Advantage Plan such as Scan Health, Blue Shield 65 Plus, among others, you have to ensure that the administration of your insurance policy best fits your medical needs.

Orientations and seminars are often held free for seniors prior to the enrollment season in November. You could check your local community centers for any announcements.

Evangelina can be reached at her marketing location at the Ground Floor of Eagle Rock Plaza (in front of Jollibee), 2700 Colorado Blvd., Los Angeles, CA 90041 or at her business address at 655 N. Central Ave., 17th Flr., Glendale, CA 91203, phone number (323) 356-3803 or (323) 254-6787.

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# Divorce: When the marriage bond is broken

"... To have and to hold, from this day forward, for better or for worse, for richer and for poorer, in sickness or in health, to love and to cherish, till death do us part."

WE get married with the best intentions (hopefully) and we dream of living with this one person till our old age. Most people view marriage as a commitment between the husband and wife to remain faithful to one another during their lifetime. Unfortunately, some marriages do not end this way. Some say about fifty percent (50%) of marriages in the U.S. end up in divorce. Others say that it is a myth and the divorce rate is much lower than that. Be that as it may, if and when a spouse does decide to get a divorce for whatever reason, it is best that both spouses deal with the matter in the most civil manner, particularly if minor children involved. This article does not advocate for or against divorce. However, when people find themselves in situations where they find that divorce is a necessary option, it is best to be informed of the legal process of a divorce petition.

California is a "no fault state", that is the spouse filing for divorce need not prove that the other did something wrong. In fact, under the CA Family Code, evidence of specific acts of misconduct of either spouse can not be admitted in court. The spouse simply needs to state the reason for the divorce, either (a) irreconcilable differences, which have caused the irreparable breakdown of the marriage; or (b) incurable insanity.

Under the law, irreconcilable differences are those grounds which are determined by the court to be substantial reasons for not continuing the marriage and which make it appear that the marriage should be dissolved. On the other hand, divorce may be granted on the ground of incurable insanity if proof is presented, including competent medical or psychiatric testimony, that the insane spouse was at the time the petition was filed, and remains, incurably insane. Most divorce petitions cite the first reason as the ground for divorce.

To be able to file for divorce in CA, at least one spouse should be a resident of the state for six (6) months and of the county where it is filed for three (3) months prior to the filing of the divorce



petition. Subject to certain conditions, the court can not issue a final judgment of dissolution or divorce until six (6) months have expired from the date the other spouse has been served with the summons or appeared in court, whichever occurs first. The six (6) months period may be extended for good cause.

Essentially, the divorce proceedings seek a final resolution of issues between the spouses: (a) division of property and debt; (b) child and spousal support; and (c) parenting arrangements and child custody. Some divorce petitions go to trial while others do not. The second scenario arises because the other party does not respond to the summons, in which case a default judgment may be obtained or parties are able to reach settlement agreement on all the legal issues before the case goes to trial. The key to getting a settlement agreement is for the parties to negotiate. However, going through a divorce is a very emotional issue for most, causing varying levels of upset, fear or anger on either side. It is for this reason that most couples negotiate the terms of their agreement through their lawyers. If the divorce proceedings do go to trial, their lawyers are able to guide them through the legal process until the final decree of divorce is obtained.

Lastly, it is best to remember that both spouses must insulate and protect their minor children from the divorce proceedings. At the end of the day, while the spouses reverted back to their unmarried state, both of them will still be mom or dad to the child.

Atty. Gwendolyn Malaya-Santos is a member of the State Bar of California and the Integrated Bar of the Philippines. To schedule for a free initial consultation, please call Tel. Nos. (213) 386.5651 (Los Angeles office)/ (626) 329.8215/ 951.275.4804 (Riverside). Attorney Santos' offices are located at 3540 Wilshire Blvd., Suite 1012, Los Angeles, CA 90010 and 11801 Pierce Street 2nd Floor, Riverside, CA 92505.

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## TAPAT SA BATAS



ATTY. RHEA V. SAMSON

NOONG aking mga huling artikulo ay aking tinalakay ang deferred action relief para sa widow ng US citizen (USC) na namatay bago ang second anniversary ng kanilang kasal. Ang deferred action ay exercise ng prosecutorial discretion na hindi muna ilagay sa removal proceedings ang isang dayuhan sa loob ng two years.

Ang deferred action relief ay pansamantalang remedy na binigay ng USCIS upang hindi muna kumabit sa widow ng USC and widow penalty. Ayon sa current immigration policy, ang widow ay maaaring mag-apply ng green card kung siya ay kasal sa USC ng two years bago ito namatay. Kayat ang widow na kasal sa USC ng less than two years ay walang remedy para makakuha ng green card. Ayon sa interpretasyon ng USCIS sa batas, kapag namatay ang USC bago makakuha ng green card ang widow, at ang kasal ay less than two years old, ang widow ay hindi na "immediate relative" at terminated na ang green card application niya. Dahil terminated na ang green card, ang widow ay maaaring mailagay sa removal proceedings. Ito ang tinatawag na

second wedding anniversary nila. Ayon naman sa circuit courts, independent sila kayat ang widow ng USC ay "immediate relative" pa rin kahit na mamatay ang USC bago ang second wedding anniversary nila. Ito ay dahil ang duration ng kasal ay hindi mahalaga kung ay kasal ay totoo at ang widow ay nakatupad ng lahat ng requirements para sa green card.

Dahil sa controversial issue ng widow penalty, nagbigay ng deferred action relief ng dalawang taon ang USCIS. Subalit ang deferred action relief ay magsususpend lamang ng removal proceedings at hindi magrerresolba ang immigration status ng widow ng USC.

Si Attorney Rhea V. Samson ay abogado dito sa California at sa Pilipinas. Siya ay nagturo sa Ateneo De Manila University ng Essentials of Philippine Business Law, Obligations and Contracts, Corporation Law, Partnership Law at Labor Laws and Social Legislation. Siya rin ay nagkatha ng librong, "Working With Labor Laws, A Comprehensive Guide on Conditions of Employment, Employee Benefits Under Special Laws, Termination and Retirement" na inilathala ng Ateneo de Manila University Press at University of Hawaii Press. Itong libro niya ay kasalukuyang textbook sa kursong Labor Laws and Social Legislation ng Ateneo de Manila University.

Nagbibigay si Attorney Samson ng free initial consultation sa kanyang opisina, Samson Law Corporation, 3550 Wilshire Boulevard, Suite 1765, Los Angeles, CA 90010; telephone no: (213)249-1605; fax no: (213)637-5637; email address: samson@samsonlawcorp.com; website: www.samsonlawcorp.com. (Advertising Supplement)

# Ang Widow Penalty

widow penalty. Sa kasalukuyan, ang US circuit courts ay split sa issue ng validity ng widow penalty. Ayon sa first, sixth at ninth circuit courts, ang pagkamatay ng USC bago ang second anniversary ng kasal nito at bago makakuha ng green card ang widow at hindi nagpapawalang bisa ng green card application ng widow. Ayon sa mga courts na ito, ang isang nag-asawa ng USC ay immediate relative pa rin kahit na namatay na ang USC bago ang kanilang second wedding anniversary. Nitong September 2009, ang district courts sa Texas, Maryland at Missouri ay sumunod na sa decisions ng circuit courts at nagsabing ang language ng batas ay hindi nagpapawalang bisa ng status ng widow bilang immediate relative.

Ayon sa batas, ang definition ng "immediate relative" ay anak, asawa at magulang ng USC, at para sa magulang, ang USC ay at least 21 years old. Para sa dayuhan na asawa ng USC ng at least two years noong namatay ang USC, at hindi hivalay sa USC noong namatay ito, ang dayuhan ay "immediate relative" pa rin kung siya ay nagfile ng petition within two years at hanggang siya ay mag-renew.

Ang isyu ay kung ang first at second sentence ay magkasama o independent sa isa't isa. Ayon sa USCIS, magkasama dapat ito dahil ang green card na based sa kasal sa USC ay napapawalang bisa sa pagkamatay ng USC bago ang

loyalty and faithfulness to the service. It was during his stint in the military that he earned the distinction of being called "Uncle Sam." He did not reject nor detest the moniker but accepted and maintained it with pride and honor.

It was also in the military that he developed and nurtured self-discipline. He abhorred all vices and followed regimen that resulted in stamina and strength. His being an Ilocano, known for partiality for vegetables, all the more contributed to his physical well-being. How does he maintain and sustain his stamina, strength and longevity? He gave this advice: "Avoid stress. Develop self-discipline. Don't indulge in vices."

But above all, he said: "Turn to God. Accept Jesus Christ as your Savior." The man called "Uncle Sam" practices what he tells others what to do. On Sundays, one can find him attending Bible study and joining worship in the Congregational Christian Church. He still memorizes Bible verses and challenges young people to do the same.

Uncle Sam will make history as he celebrates his centennial birthday in Historic Filipino town with Ester, his loving wife of more than 25 years. Uncle Sam and Ester request that instead of gifts, donations be made to flood-damaged churches in their native Ilocano communities. They are sponsoring the repairs of Community Christian Church in Bauang, La Union and other churches in the Ilocos Region. ■

# Fil-Am veteran to celebrate 100th birthday

SEVERO B. Sobrevilla, better known as Uncle Sam, will be celebrating his centennial birthday on November 1, 2009 at Congregational Christian Church at 2400 W. Temple St., Los Angeles, CA. 90026.

He was born on November 1, 1909 at Barrio Bautista, Caba, La Union in Northern Philippines. His parents are Mr. Santiago Sobrevilla and Mrs. Catalina Bautista-Sobrevilla. Caba is a coastal town facing the China Sea, so the youthful Severo developed his liking for fishing, which he still engages in this activity in such places as Redondo Beach and Venice Beach.

"Uncle Sam" immigrated to US in 1930 at age 21. He said his port of entry was in Seattle, Washington, but California was his real destination. Since 1930, he has been living in Los Angeles. His stay in L.A. was only interrupted when he joined the US Army in 1932, and then was assigned to New Guinea.

According to his vivid account: "I first came to the US in 1930 with 15 Ilocanos from La Union, two of whom are from my hometown. We took the boat called McKinley. That was the time when the Wright Brothers were still working on their airplane."

He served the US Army up to 1943. He recalled that the bombing of Pearl Harbor triggered the beginning of World War II which saw the Philippines siding with the Americans in the fight against Japan.

While in the US Army, he staunchly proved his

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LARRY YANG is a graduate of Georgetown University Law Center with a master's degree in Law and practices before California State Courts, United States District Courts, the California Appeals for the 9th Circuit and U.S. Bankruptcy Courts.

I look forward to help you: discharge debts; stop foreclosures; wage garnishments; stop harassments from collectors; stop repossessions.

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