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Divorce and Credit

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When you obtained credit, you and your spouse engaged in a contract agreeing to pay your bills. A divorce decree doesn't change that contract. When you divorce, each of you remains fully liable for your debts.

There are ways to prevent credit obligations from making divorce more difficult, and re-establish your own distinct credit lines: Communicate with your soon-to-be-ex-spouse. Ask each company and bank that extended you credit to transfer the debt to the name of the person who will be responsible. Keep your joint bills current. Ask the credit grantor to remove your spouse's name as an authorized user or close the joint account to additional charges. Inform all creditors that you are not responsible for debts charged by your ex-spouse on joint accounts after the divorce. Close as many joint accounts as possible.

- [Collection agencies can try to collect debt after it is deleted from your credit report](#)
- [Divorce decree does not remove contractual responsibility for debt](#)
- [Divorce decree will not remove property debt from your report](#)
- [How divorce can impact your credit scores](#)
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Do you have a question about consumer credit? You may find an immediate answer by using the search engine. If you can't find what you're looking for, please fill out the form, being as specific as possible.

Please note: The Ask Experian team cannot respond to each question individually. However, if your question is of interest to a wide audience of consumers, the Experian team will include it in a future column.

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Mar
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2011

[Divorce decree does not remove contractual responsibility for debt](#)

Posted by [experian.team](#) under [Life Events](#), [Report Advice](#)

Dear Experian,

My ex-husband took over a credit card with my name on it in the divorce, and it was also stated as such in our divorce decree. He has quit paying it, and it has been charged off. How can I get that off of my reports as I no longer was responsible for it after the divorce, which took place in August of 2009?

- EHI

Dear EHI,

Unfortunately, you have raised one of the most common misunderstandings about divorce decrees and shared debts.

The divorce decree is an agreement you and your ex-spouse have with the court. It simply states who has agreed to take responsibility for paying existing debts. The divorce decree does not legally change the contracts you have with your lenders.

In order to change the contract, you and your ex-spouse will need to speak directly with the lender. The lender must agree to change the contract, removing you from responsibility for the debt. Because the debt is delinquent, the lender is unlikely to do so.

Because the account is joint, you share equal responsibility for the debt. Because it is accurately reported, the debt will not be removed from our credit report unless the lender agrees to change your contract.

Your best option may be to pay the debt in full, if you can and seek recourse in collecting the debt from your ex-spouse. It will then be updated to show it has been paid. Doing so will minimize the damage, and it will eventually be deleted.

Thanks for asking.

- **The “Ask Experian” team**

TAGS: [contractual responsibility](#), [divorce](#), [divorce decree](#)

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Welcome to Ask Experian, hosted by Maxine Sweet, Experian's Vice President of Public Education. The blog responses draw on the knowledge of Experian's experts in credit reporting, credit scoring, direct marketing, automotive history, identity theft and other areas from across the company to answer readers' questions about these and other important topics.