

# The Most Dangerous Myth for People Sued by Debt Collectors

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## Thinking Someone Else Will Take Care of You in Some Way

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## The Most Dangerous Myth for Consumers in Debt

Consumers who owe money – debtors – often believe a lot of myths that are bad for them. Debtors can be desperate and will look for what seems the easiest, fastest way out of trouble. That makes sense – if you’re being sued you do need immediate action. But you must be on guard for myths that will hurt you by luring you into the wrong action, or no action.

And the worst myth being played to people being sued is the idea that *somehow* someone *else* will take care of them. It shows up in many ways and is always bad news. It isn’t necessarily your fault if you have believed this destructive myth – there are a lot of people peddling it. But your chances to beat the debt collectors and protect your money depend on your taking charge.

### The Myth - where does it show up and how does it do so much damage?

Let’s look at some of the biggest examples of the myth that someone ELSE will take care of you.

#### People Think the Debt Collectors will Try to be Fair

Everybody KNOWS this: Debt collectors make very little effort to be fair once a lawsuit is filed – and they don’t try much before that, either.

Once you’re in a debt collector’s sights, the only thing they really care about is getting your money. At the “harassment stage,” the debt collectors are paid depending on how much they can get you to pay,

and not many people think they trust them to tell the truth. And yet so many people tell me they have offered information or money to the debt collectors or asked them to give them a break in some way. They SAY they don't trust them, but then they depend on them to make a fair or helpful offer. And when they're talking to them about "how much they owe," they believe the debt collector instead of demanding proof.

You've learned to tell the truth, so you trust and believe the debt collector on the phone will tell you the truth.

And you do that even while you, yourself, might feel free to lie to them at any given point.

The debt collectors know all that, and you can't trust a word they say. ***You must take care of yourself***, and with debt collectors, that means checking every fact they claim and making them write down every promise they make. Anything short of those things is trusting someone you don't know, who doesn't care about you, and has strong financial incentive to rip you off, to do the right thing. That's naïve and foolish – and it happens all the time.

### People Think the Lawyers Will be Fair

I know, you've probably heard the joke: "How do you know if a lawyer is lying?" – "His lips are moving." It's fashionable to say bad things about lawyers, and everybody knows, in the abstract, not to trust them. But there are two major forces going against you in a debt case. First, lawyers are not all untrustworthy, and most of them don't sound like they are. They make their living by getting people to believe and trust them, after all. The second reason is more insidious: it is power. Lawyers in debt cases have the power to make your life very difficult. They can embarrass you, put you to enormous stress and expense, and they often treat you like dirt. In addition to that, they represent large, rich companies, while you are a financially stressed individual.

Faced with such a difficult situation, it's easy to hope for the best. And if you can hope it, you can believe it, right?

### Legal Ethics

The lawyers are supposed to be careful, at least, before filing suit. They have an ethical obligation not to bring meritless suits.

Do you believe they make that effort when suing debtors? Probably not – and you would be right. The courts wink at the collection process, allowing lawyers to "rely" on the statements of the creditors that you owe the money. In the case of debt buyers, ironically, the very agreements by which they buy debt say that the records cannot be trusted and are not guaranteed. But the lawyers forge ahead usually without the slightest idea of what's in the case, let alone whether it's right or not.

And the courts let them.

On a more fundamental level, a lawyer's main and almost exclusive duty is to the advantage of his or her client. It isn't ethical for a lawyer to "cut you a break" at the expense of his or her client. They won't ever do it.

And yet debtors share information and throw themselves on the mercy of these sharks by the thousands per DAY. That's trusting the myth.

## Trusting the Courts

Most people trust the courts. They know that a lot of judges are bozos in black gowns, and they know that most judges come from the plaintiff's side of the law. They know the legal system is skewed in favor of the rich even as the laws are skewed in favor of the rich. They know, theoretically, that trusting judges to take care of them is a big mistake.

And yet you would not believe how many people tell me the judge should have seen through something or not allowed the debt collector to do something – often without even having asked the judge for what they wanted.

Know this: it is not the courts's job to take care of you. They give only the briefest look, if any at all, at the outcomes of debt cases – they don't have time, they don't care, and they aren't even supposed to care. The legal system is designed as an "adversary" system. That is, it is a fight, and in any fight people could use various strategies. The court will let you use almost any strategy you choose, and if that causes you to lose it isn't their fault or concern.

The courts will not require the debt collectors to put on admissible evidence. If they did, most debt collectors would never win their cases. Instead, [it is up to you to object](#) to evidence you don't like and make the court keep it out. If you don't do that, the court lets it in.

And yet people expect the court to try to make the outcome of cases fair. They do not. Believing they will is believing the myth that someone else will take care of you.

In daily life, people do look out for each other quite a bit. In legal life, NEVER.

You wouldn't believe how many people do not even show up in court "because they don't owe the money." They somehow trust someone to see that and care, but this is just foolish.

## The Myth, outside of Court

People in debt frequently look to other people for help in the belief that those people will, in fact, help them. On the internet, there are people earnestly telling you that no one owes anybody anything (the "Accept for Value" idea), yet they'd be outraged if you didn't pay them – just as you would be outraged if you went to work and your boss told you that. To believe the A4V theory is to believe that someone is taking care of you. More than that, to believe the people hawking that, or any other program, is also to believe the myth.

## Even Me

Everything I'm saying here applies to me, too. You might be surprised how often I get emails or messages asking me what they should do and presenting pages of facts or laws. They want me to take care of them – they are *trusting* me to take care of them.

Representing yourself pro se means developing your OWN judgment. It requires carefully weighing facts and motivations and coming to your own conclusions. It means figuring out the facts and how to get them.

It takes work, and it takes time.

When debt collectors sue you for debt, you have a very good chance to win. But it is up to you to make that happen. Our materials and memberships exist to help you know what you need to do and to help you do it. We want to teach you how to defend yourself. Once you learn that, it changes your whole view of the world. It frees you from the myth that someone else will do it for you and lets you soar on your own wings.

## Your Legal Leg Up

[Your Legal Leg Up](#) is dedicated to helping people defend themselves from debt lawsuits without having to hire a lawyer. Lawsuits have a number of points where specific action is called for, and we have products to help you deal with most of these situations. We also have memberships that give you access to more materials and better training, and also provide a regular opportunity to ask questions and get answers in real-time. You can use this time to find out what the debt collectors are trying to do and what you might do in response, and you can get guidance on the issues that matter and how to think about and address them.

In addition to that, our website is a resource for all. Many of the articles and materials are reserved for members, but many others are available to everyone. Every page has a site search button in both the header and footer. Put in a key word – a word you think relates to what you're looking for – and enter. You will get a page of results.

### Products Related to this Article

Because this is a general article, there are not any products specifically related to this post. I do suggest asserting your rights early and often, and you might find our [Take Control of your Life](#) product helpful in that. I also suggest great care in researching and analyzing facts and law. You might find our [Guide to Legal Research and Analysis](#) product helpful for that.

Beyond that, if you are facing significant debt problems, I'd suggest our memberships.

## Memberships

Members get discounts on all products as well as unlimited opportunities to join our regularly scheduled teleconferences. This gives invaluable real-time assistance, answers to questions, help with strategies, and encouragement. You also get the [\*Litigation Manual\*](#) and the [\*Three Weaknesses Report\*](#) for free with membership. Find out about memberships by clicking the "About Memberships" link in the menu at the top of the page.

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What you will not receive is any marketing from other people – or much from us, either. Our goal is to make the site more useful to members and visitors, not to swamp anyone with sales materials. The information we send will have links to information or products that we think may be helpful.