

Collage[®]

Commercial Collection Agency Association



VOLUME 2, ISSUE 2, SUMMER 2010

What Do You think of Collage?



By Emil Hartleb,
Executive Director
Commercial Collection
Agency Association

because of your *Collage* subscription.

We do hope you will continue to subscribe to *Collage* and will find its articles of benefit and interest to you. In that regard, we would appreciate your letting us know your thoughts on *Collage*. We have prepared a brief on-line survey that will provide your feedback. It will take less than a minute to complete. To thank you for participating in this survey we will send you a copy of latest version of the *Summary of Maximum Permissible Rates Under State Usury Laws*.

The following is a link to the survey:
www.zoomerang.com/Survey/WEB22AR6X46YNB.

Thank you and we wish you an enjoyable summer. ■

Welcome to the 2010 Summer Edition of *Collage*, the quarterly Newsletter of the Commercial Collection Agency Association of the Commercial Law League of America (CCAA).

Collage contains no advertising and we follow a strict privacy rule that no one will contact you

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Commercial Collection Agency Section Announces New Officers and Council Members

Meg Scotty of Brennan & Clark, Ltd, Villa Park, IL, has been elected Chair of the Commercial Collection Agency Association during annual elections held in early May in Chicago in conjunction with the meeting of the Commercial Law League of America.

Robert Tharnish of ABC Amega, Inc., Buffalo, NY is the new Chair-elect and Fredric Wasserspring of Lyon Collection Services, Inc., New York, NY is the new Treasurer.

Members serving on the Council of the Association include:
Annette Waggoner – Cosmopolitan Service Corp., Inverness, IL
Bruce Godwin – Williams, Babbit & Weismann, Inc., Boca Raton, FL
Bryan Leib – Leib Recovery Solutions, LLC, Gibbsboro, NJ
Greg Cohen – Caine & Weiner, Inc., Woodland Hills, CA
Lawrence Cassidy – Northern California Collection Service, Inc., Sacramento, CA
Robert Ingold – Commercial Collection Corp of New York, Tonawanda, NY
Sabrina Brackett – Recovery Concepts, Inc., Carrollton, TX
Marc Hirschel, Council Member & CCAA Representative to Board of Governors of the CLLA – McKenzie, Becker & Stevens, Inc., Lakeville, CT
Marc Bressler, Affiliate Attorney Council Member – Bressler - Duyk Law Firm, Edison, NJ
Ted McManamon, Affiliate Law List Council Member – International Lawyers Company, Inc., Bay Village, OH ■

We hope you find this issue of *Collage* helpful to you in your day-to-day activities. Please take a moment and share with us your opinions regarding *Collage* by clicking on the following link: www.zoomerang.com/Survey/WEB22AR6X46YNB and receive a free copy of the latest version of *Summary of Maximum Permissible Rates Under State Usury Laws*.

COLLECTION PROCESS

Effective Collection Practices



By Darrel Hewson, RMS Vice President

In today's difficult business environment, having an effective collection strategy in place is imperative to having a short DSO and healthy cash flow. Building this foundation is the fundamental challenge many companies are faced with as there are multiple facets to building a strong and robust collection strategy. These range from credit controls, contact matrices, dispute management processes, and Service Level Agreements (SLAs) to policies covering the nature and process of escalating payment demands.

Why not just continue to write off those bad debts? What hits the bottom line of your costs ultimately requires growth to the top line in sales. Let's use an example to illustrate how recovering from bad debts impacts your total business. Take a relatively small outstanding debt balance of \$2,500 and assume, for this example, the company is operating at a 3% profit margin. Here's the equation to use:

(Write-off) / (% Net Profit) = Additional Sales to Compensate the Write-off

So using the information in our example:

$$(\$2,500 \text{ Write-off}) / (3\% \text{ Net Profit}) = \$83,333$$

in Additional Sales to Compensate the Write-off

To most businesses, \$83k is a significant amount to have to come up with in sales to simply offset a write-off you may not have had to incur in the first place. So we'd like to provide you with 4 steps to help make your collection practices as effective as possible and improve your cash flow.

Step 1 – Have Everyone Complete a Credit Application

Credit control begins with the completion of a credit application by all prospective customers. Having complete and accurate data not only helps with your ability to make an appropriate credit decision, but it provides valuable information that can be used in the collection process. Your credit application should minimally include:

- The company's full and correct legal name
- Full addresses (both mail and shipping)
- Telephone, fax and emails of both the contract signer and Accounts Payable department

- Banking information
- Credit references

In some cases, where a company may not have sufficient credit standing, a personal guarantee by an officer or
See "Effective Practices" page 4

Collage

Officers and Council of Commercial Collection Agency Association:

Meg Scotty, Chair – *Brennan & Clark, Ltd*
 Robert Tharnish, Chair-elect – *ABC Omega, Inc.*
 Fredric Wasserspring, Treasurer – *Lyon Collection Services, Inc.*
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How Write-Offs Impact Sales

Write-Off	3%		5%		
\$500	\$25,000	\$16,667	\$12,500	\$10,000	\$8,333
\$1,000	\$50,000	\$33,333	\$25,000	\$20,000	\$16,667
\$2,500	\$125,000	\$83,333	\$62,500	\$50,000	\$41,667
\$5,000	\$250,000	\$166,667	\$125,000	\$100,000	\$83,333
\$7,500	\$375,000	\$250,000	\$187,500	\$150,000	\$125,000
\$10,000	\$500,000	\$333,333	\$250,000	\$200,000	\$166,667

Developing an Effective Collection Team



By Emil Hartleb,
Executive Director
Commercial Collection Agency Association

Putting together an effective collection team is an ongoing process requiring constant attention. The credit executive needs to continue to pay attention to the following key elements in developing their collection team:

1. Selection. of the right people for the job.
2. Training. Providing an opportunity for employees to learn and improve their collection skills.
3. Motivating. Creating an environment in which the talents and skills of the collection team can be maximized.

In this edition of Collage, we will look at the selection process and training. The Fall Issue of Collage will have articles on motivating collectors for improved performance.

It is axiomatic that putting the right people in place is central to developing an effective collection team. However, the selection process is more of an art than science. It is not always possible to be one

hundred percent effective in the employee selection process. This “lack of perfection” leads to turnover, either initiated by the employee, or by management.

It is important to learn from past hiring decisions, both good and bad, and build on those past good decisions and avoid repeating past bad hiring decisions.

When selecting collectors it is important to recognize the talents and skills that have been demonstrated in the past as essential for an excellent collector.

Those talents and skills are:

- The collector should be people focused. They should enjoy dealing with people, be outgoing and not introverted. Past job experience gives the interviewer an idea of the proclivity of the applicant. Has the applicant been involved in detailed type jobs that require little contact outside or inside the organization, or jobs that require a great deal of interpersonal contact both within and without the organization?

Collectors are continually dealing with people and deal with them in difficult situations. They must be persuasive as they attempt obtaining money from companies that invariably are short of money. Your collectors need to convince your customer to recognize that a debt is owed, give it priority and make payment in full now,

or enter into an acceptable payment arrangement to liquidate the debt.

- Collectors need to be results oriented. They must be focused on their job; the number one objective of which is to obtain payment of an outstanding debt.

If the collection applicant has had past collection experience, did they meet the objectives that were set for them? How much of their income was earned from incentives? These are questions that need to be asked and the interviewer should probe for specific answers and not vague generalities.

- Collectors need to have organizational skills. In today’s business environment, most collectors are handling a high number of accounts that are more complex because of the shortage of cash flow in many companies. Not only has the volume of files or accounts a collector is handling increased; the time given each account has also increased. Has the collection applicant had previous collection experience? What are the workloads and types of collection accounts that they have been handling? By types of accounts, we are referring to whether they are handling initial delinquency call accounts, which are slightly past due, or seriously past due accounts. If the former, workloads
See “Effective Collection Team” page 4

The next issue of Collage will address the motivation of collectors. One aspect of that topic will be incentive programs. The Credit Research Foundation has just issued an excellent paper on this topic entitled, *The Use of Incentives to Enhance Collection Performance*. If you are interested in this subject we recommend that you purchase this paper. It will provide you with an overview of what your peers are doing regarding incentive programs for their collectors. By clicking on the following link, you will be taken to the CRF Web site, where this paper may be purchased.

www.crfonline.org/store/pc-64-2-the-use-of-incentives-to-enhance-collection-performance.aspx

Effective Practices

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stockholder of the company may be prudent if the guarantor has available assets. The Personal Guaranty can be in the form of a Guaranty of Payment or in the form of a Guaranty of Collection. The difference being that the Guaranty of Payment allows the first attempt at collection to be made against the Guarantor, while the Guaranty of Collection requires you to first exhaust all your efforts against the company before going to the Guarantor.

Your credit application should also include your “Terms of Agreement”. Included in this should be such things as your standard rates and conditions, late fees, and any collection costs and/or court fees that the debtor may be responsible for should they default. With these critical details included, the customer’s completion of this document will then be able to be used as legal proof of their understanding and acceptance of these important elements of your business transaction with them.

Should the collection ever need to escalate to a legal process, the courts will look to this acceptance of terms by the debtor as a very strong factor in your

favor. In most cases, courts will not award costs unless they have been agreed to with the Terms of Agreement. This is why it is important to state if late fees, collection costs and/or court fees would be charged to the debtor.

We recommend you consult with legal counsel to make sure that you obtain their professional advice in preparing your credit application and Terms of Agreement. This is also important as there are different laws governing the collection remedies available to you as a creditor for a corporation versus a business under sole proprietorships, as well as regulation that can vary from state-to-state or country-to-country.

Step 2 – Create and Document Your Collection Process

Companies that have implemented and maintained comprehensive collection processes and procedures have a much stronger portfolio base than those companies who have not enforced strict credit and collection policies. The reason for this is because it sets the expectations for a true business partnership and relationship, with nothing left unresolved. There are parts to your plan which will be consistent with all other businesses and how they do things, and then there will be parts that will be

unique to your company’s needs and the expectations of the customers within your industry.

Designing and implementing a vigorous contact strategy or “treatment matrix”, which includes personal contact via telephone calls and written communications strategically positioned and timed based on risk, dollar balance, age, customer sensitivity and first payment defaults, is imperative to creating a viable collection process. It’s also extremely important to have included in your documented process regular intervals at which time you revisit your treatment process to make adjustments consistent with any changes in your portfolio and your customer’s payment habits. Many of the more sophisticated collection tools available today calculate account/customer level risk information for you such as the Current Days to Pay or Average Days to Pay. Integrating this level of risk data into your process and plans allows you to dynamically impact those accounts who are most adversely impacting your past due and Days Sales Outstanding (DSO), and those that pose the greatest risk of becoming a bad debt.

Best-practices continually illustrate establishing customer segmentation as a key to a company’s success in collecting

Effective Collection Team

continued from page 3

in the 800 to 1,000 files or account area is considered a good guideline. If seriously delinquent accounts, workloads in the 350 to 450 files or account area is considered a good guideline.

Obtaining information on the past experience of the collection applicant will give you some idea of their organizational abilities and how they might fit into the collection environment within your company.

To hire someone with experience or someone without experience for a collection position is a question that often comes up. There are pros and cons to both approaches. Hiring someone with

experience means that you immediately obtain the benefits of that experience. However, it is important that when hiring someone with “experience, “that it is the right type of experience. Because someone has spent two or three years in a collection position does not mean that they have all the talents and skills you are seeking. Hiring someone without experience means that an investment needs to be made in training that employee and there is a learning curve.

The ultimate question you are addressing in your employment interview and need to answer is; “Does this applicant fit the profile you have of a collector that will be an asset to your collection team?”

Whether you hire someone with or without experience training is always an issue. Those hired with little or no experience will need more extensive training. Those hired with experience

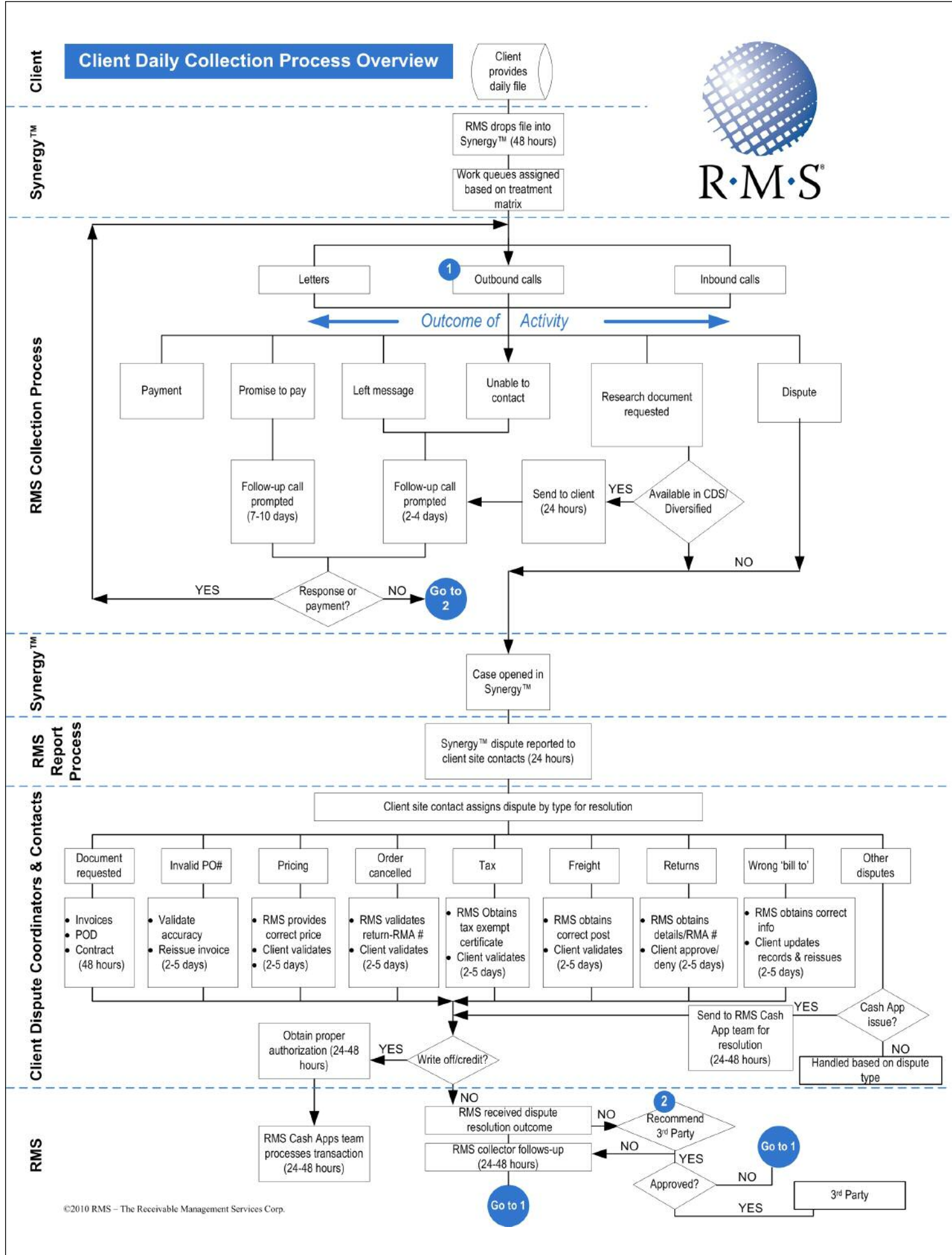
will still need training in the way your company operates. They may also need some remedial training.

Given today’s tight budgets, cost-effective training alternatives are always being looked at.

Usually companies use existing collectors to help in the training. In addition there are many on-site seminars, collection manuals and on-line seminars that are additional tools available to you in training your collectors.

The Credit Research Foundation and the Commercial Collection Agency Association have joined to produce an excellent on line and cost effective collection seminar called the Principles & Methods of Collection. You can obtain more information on this program by clicking on the following link: <http://classes.crfonline.org/Public/Course%20110.aspx?PageView=Shared>. ■

Client Daily Collection Process Overview



their open A/R. This segmentation is in regard to the customers in your portfolio and arranging them into tiers based on the balances due. For example, Tier One customers may be comprised of high balance accounts. In most cases, this tier usually represents only 10% of the total customers, but 60% of the outstanding dollars. Using this model, your Tier Two accounts are those with moderate balances and Tier Three customers represent small dollar balances. The Tier Three group usually accounts for 60% of the accounts, but only 10% of the dollars so it is the direct opposite of your Tier One accounts. Utilizing this segmentation model allows your company to assign the most skilled collectors to the section of a portfolio with the most exposure, your high balance Tier One accounts.

A skilled collector can provide a customer service oriented call designed to uncover and validate issues which need to be resolved in order to gain closure, which is ultimately the prompt payment of the open balance. Developing the skills of your collection team, supported by a documented process, management backing, and the technology tools they need to do their job efficiently and effectively, will allow your team to succeed.

Another critical aspect of an effective collection strategy is capturing collector activity/notes on an account that all your team can access and understand. These notes should include the dates, times, names, and titles of each and every contact effort that is made and the result of the contact whether the person you were attempting to reach was available or not. In a dispute, these detailed notes will help facilitate the resolution of any customer issues, and support collection escalation when necessary.

Since most customers intend to pay their obligations lets first look at the reasons why customers won't pay their bills before we look at what to do when they can't pay their bills.

Step 3 – Include a Dispute Management Plan (Won't Pay)

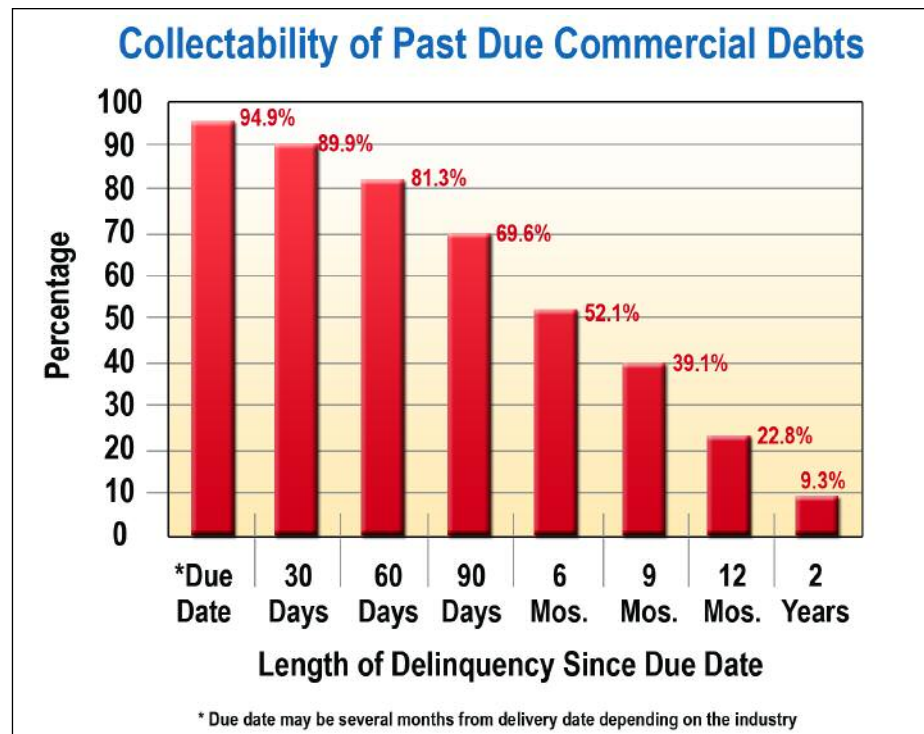
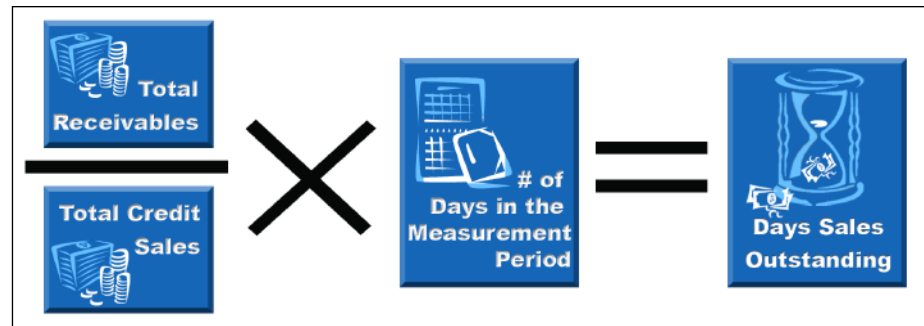
Despite your best efforts, miscommunications and disputes will arise from your collection process, so having a dispute management plan in

place is integral to having a successful credit and collection process. Like a good collection strategy, a good dispute management process will have established timelines and Service Level Agreements (SLAs) supported by requirements on tracking communications and defining the dispute type. Creating this history as your team works through the dispute process will enable you to identify the root cause of the dispute and see if this is something unique or showing a pattern of repeating itself so that it may be addressed in your regular process reviews.

Some valid disputes stem from processes and situations that occur below or above what your A/R team is

responsible for in the Order-to-Cash process stream. These situations will need to be addressed and supported by other areas of your organization. For example, a customer may be disputing both a delivery charge and the product/service quality; different departments within your organization may need to be involved in resolving these questions. Often, collectors become the facilitators between the customer and company to resolve a dispute, so providing them with the necessary tools and support company-wide to manage the relationship will provide substantial dividends.

With a documented process in place, your collectors can provide the customers with reasonable and specific



expectations as to when and how their dispute will be resolved, including when they can expect to hear back from your team on any disputes. With a dispute management plan and process, including internal SLAs with your businesses' internal counterparts, everyone involved knows exactly who will do what and how long it may take so that communications with the customer are clear. The leading collection tools have the functionality to track and measure compliance against metrics and report the results through the executive levels of your organization.

When working with past due customers, collectors need to have support from within their own organization so that they can leverage the need for payment against the customer's need for your product or service. A Credit Suspension Process should be included in your Dispute Management Plan that will not only provide the needed leverage to collect, but which can also mitigate overall exposure to delinquent accounts. Making sure that the suspension process is clearly understood by your entire organization, so that there is complete support and compliance, is critical. You do not want your sales team making promises that your finance team is not able to support – the internal conflict resulting only compounds the very awkward situation now created with the customer.

Step 4 – Know When to Ask for Help (Can't Pay)

No matter how effective your credit and collection process is, you will still have bad debt and you should have a process in place dictating when to move an account from your internal process to an outside agency. While companies can be reluctant to do this, the companies that have a well-defined process in place which includes this step, have a greater

recovery rate. There are many factors that can impact the timing of a placement to someone outside your team, but in general an account that reaches 120 to 150 days past due and does not have any open disputes identified, should be placed with an agency.

Successful recoveries by an outside collection agency should not be viewed as internal failure, rather part of a sound credit and collection strategy. For instance, the typical commercial transaction has a likelihood of being collected 94% of the time at 30 days past due. This same receivable at 120 days past due has only a 58% likelihood of being collected. If by day 180, the account has not been appropriately escalated, the odds of now collecting are reduced to just 27%.

Now is not when you want to just start looking for a collection agency or to just pick whoever you locate first – you want to have established a working relationship with a licensed, reliable agency in advance so that you can maintain your cash flow strategy. Selecting an agency with the right expertise and credentials will go a long way towards impacting your recoveries, while reducing any concerns you may have over your image in the marketplace and maintaining a good working relationship with your customers. Reputable agencies know the strategy to use on your behalf, and how to leverage collection tools such as skip tracing, credit bureau reporting and legal proceedings. A good agency will have trained, experienced personnel who will utilize the right amount of effort required to get payments made while following all of the state and federal laws governing collection practices.

The best collection agencies will utilize their tools and experience to make contact with the debtor, work

through any past relationship difficulties prior collection efforts may have created, provide alternative payment suggestions, and work with the debtor to develop a plan for payment they can achieve. This process ultimately satisfies both the creditor and debtor while strengthening working relationships.

To review, the 4 steps to effective collection practices are:

1. Have Everyone Complete a Credit Application
2. Create and Document Your Collection Process
3. Include a Dispute Management Plan
4. Know When to Ask for Help

Granted, developing these processes and training your team and their counterparts throughout your organization takes time and effort, but is sure to save you significantly in the long run. Utilizing these steps can also help you avoid reaching the point where pre-legal or legal litigation is necessary, however with appropriate discretion, it may be imperative to utilize this final collection tool as well.

Darrel Hewson is a Vice President of Business Development for RMS, a leading A/R optimization outsourcer. He has over 25 years of experience in the credit and receivables industry with a specialized focus in the development and implementation of Order-to-Cash solutions. Utilizing his Certification of Achievement in Six Sigma Green Belt and knowledge, Darrel leads a team of RMS experts and consultants to tailor these solutions to the unique requirements of each client.

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COLLECTION PROCESS

10 Questions to Ask Before Deciding to Sue a Debtor



By Robert Tharnish, ABC—Amega, Inc., Buffalo, New York

You placed your claim with a collection agency. They've done their best to collect, but the debtor isn't budging. You're told that your only option is filing legal action. That's going to cost you out-of-pocket for court costs and possibly non-contingent suit fees. Before making this decision, we suggest you get the answer to the following questions.

Is your claim large enough? Most attorneys in the U.S. will not file a collection suit under \$1,000 or even \$2,500. It's just not worth their while, and probably wouldn't be worth yours either.

Is the debtor still in business? Seems obvious. But if the firm is not in business, the assets have probably been distributed and/or sold. Unless you have a personal guarantee from the owner or an officer, there's not going to be anything to collect on.

If the debtor is not a corporation, is there an address where Service of Process can be made? In the U.S., Service of Process is the procedure whereby the debtor is given notice of the legal filing. In the case of sole proprietorships and partnerships, service must be made at the owner's primary place of business or residence. If the debtor is a corporation, service should be made on an officer of the company. If that's impossible, service can be made on the Secretary of State where the company is incorporated.

Does the debtor appear to have assets to satisfy a judgment? Unless you simply want to make a point, or are hoping the debtor's business will pick up in the future, suing a debtor that doesn't

have the ability to pay a judgment may not be worth the time and expense. However, some creditors will file suit just to get a judgment on record. In the U.S., the judgment remains on file for 10 years and acts as a lien on future assets.

Does the attorney (or your collection firm) have any previous experience with the debtor? If they have, they may also have a good idea whether the debtor has enough assets to pay a judgment. Or, exactly what his modus operandi is.

Some debtors won't pay until legal action is filed against them. Then they either offer a settlement or just pay up.

Is the debtor disputing the account? Are you sure you're right? If the debtor has any legitimate disputes, you're generally better off accepting a settlement. Disputes might relate to quality, timeliness of delivery, non-performance of the contract, pricing changes, etc. If the debtor feels he has a case, he might file a counter claim against you for damages.

Can you supply documentation to substantiate the debt? Here's a list of 5 things you must prove in court to have any chance at winning:

- You received an order from the debtor.
- You and the debtor agreed on a price for the merchandise or service.
- You delivered the merchandise or provided the service.
- You made a demand for payment.
- No payment has been received.

Has the debtor threatened to file a counter claim (countersuit)?

Defending against a countersuit can cost a lot of money and time. If you're not 100% sure that the debtor is wrong, and you are right, it's probably not worth taking the risk.

A countersuit is considered a separate action. Although you can use the same attorney for the initial filing and to defend the countersuit, the attorney will charge separate hourly fees for handling the countersuit.

Some debtors, even without legitimate disputes, will threaten or actually file

countersuits in an attempt to force you to back away from your lawsuit, or to accept a lower settlement.

Will you be able to supply a witness if one is required? If your case ends up going to trial (most are settled out of court), you will be required to provide a witness. An affidavit or deposition will not suffice. Before turning down any settlement offer, be sure to figure in the costs of providing a witness.

Do the costs warrant filing a suit?

Are they in line with what is owed?

Generally, initial court costs should not exceed 10% of the value of the claim. "Initial costs" include all of the filings required by the court to render a judgment. They usually do NOT include filing a Writ of Execution or any supplementary proceedings required to attempt collection, should the debtor choose to ignore the judgment.

To determine whether there is likelihood of obtaining a favorable judgment AND collecting it, carefully consider the answers to each of these 10 questions. If you've been utilizing the services of a professional collection agency and/or attorney, they should be able to guide you to the decision most favorable to your company.

Robert M. Tharnish currently serves as Vice President, International & Corporate Quality for ABC-Amega, Inc. located in Buffalo, New York. Mr. Tharnish is responsible for the identification and implementation of initiatives to improve ABC-Amega's delivery systems, work procedures, and interdepartmental communications to enhance ABC's ability to provide high quality service to their Clients. He also has executive responsibility for ABC-Amega's International Collection Department. He currently serves as Chair-elect of the Commercial Collection Agency Association of the Commercial Law League of America. He can be reached at (716) 878-2806 or by e-mail at Robert.Tharnish@abc-amega.com. ■

INTERNATIONAL COLLECTIONS

The Role of Power of Attorneys in International Litigation



By *Rebecca Robitaille, International Claims Manager and Legal Assistant to David Franklin, Ad.E. FRANKLIN & FRANKLIN*

The purpose of this article is to inform creditors regarding the complexities of suing internationally and more specifically the role of Power of Attorneys. It is important that creditors understand that international litigation is more costly and involved than litigation in the United States. Otherwise, they may have unrealistic expectations as to the timelines and progress of their international claim and will be less inclined to cooperate when their assistance is required.

A major requirement for international litigation is the creditor's valid Power of Attorney ("POA") document which authorizes one or more of the attorneys in the international law firm to proceed with litigation and settlement negotiations on the creditor's behalf. A POA may also be required for pre-litigation negotiations. Without the POA, the foreign attorney lacks credibility. A letter from the collection agency or the agency's attorney managing the foreign collection will not suffice.

In preparation for litigation, the POA must be validated for use in the foreign country. This process begins with an original, notarized POA document which then requires one of two methods of authentication. The method of authentication is determined by the country in which the document is intended for use.

The first method of certification is by obtaining an Apostille certificate, which is provided for under the *Hague Convention Abolishing the Legalization of*

Foreign Public Documents ("HLC"). The Department of State office where the Notary Public is commissioned is responsible for providing said certificate. The purpose of the Apostille is to certify the authenticity of both the signature and capacity of the public official (Notary) who signed the document, as well as the authenticity of any stamp or seal affixed to the document. This simpler form of authentication only applies to the approximately sixty member countries and states which are currently signatories to the HLC.

For those countries not party to the HLC, the chain authentication process is required. This is a time-consuming and multi-step process involving County (only required in some States), State, Federal and Consulate level certification. The County and State levels are required as a first step to certify the good standing of the Notary Public who signed the document and to certify the signature and any stamps and seals applied to the document. The certified document is then sent to the U.S. Authentications Office in Washington, DC for authentication by the Secretary of State. The process is finally completed at the appropriate Consulate office of the country where the POA is intended for use. The Consulate will affix their final legalization to the certified POA after which time it is ready to be forwarded to the international attorney.

Furnishing a valid POA is one of several obstacles to overcome in international debt collection, and in many countries, an essential part of litigation.

Rebecca Robitaille has over ten years of experience in the legal and management fields. She has been with the Montreal law firm of Franklin & Franklin (www.franklinlegal.com), focusing on international debt recovery and litigation, for almost four years. Rebecca speaks English and French and can be reached at rebecca@franklinlegal.com. ■

BEWARE

We have been receiving quite a few calls from creditors and attorneys regarding a collection agency in Fresno, California called Maxwell Turner & Associates.

These callers believe they have been scammed by this agency in two ways. First, they have asked for large suit costs and fee advancements and are alleged to have never sent the account to an attorney and to have pocketed these advancements, or second, attorneys have collected the money and it is alleged that Maxwell Turner & Associates has not remitted to the creditor.

This agency has been sued by the Kern County, California District Attorney. If you wish to file a complaint with the Kern County District Attorney we are providing a link to their Fraud Complaint Form, which you can download and send to the District Attorney's Office. www.ccaacollect.com/beware-maxwell-turner.htm

The agency appears to be out of business and the chances of any recovery are relatively slim.

Past experience indicates that these scams have a life of their own and it would not be surprising if similar scams cropped up over the next few months.

Beware and on guard! If you have a question about a collection practice please feel free to call us at 973-239-0721, Monday to Friday from 9:00 AM to 5:00 PM Eastern Time. ■

MEMBERS

MEMBERS OF THE COMMERCIAL COLLECTION AGENCY ASSOCIATION
HOLDING CERTIFICATES OF COMPLIANCE FROM THE COMMERCIAL LAW LEAGUE OF AMERICA

Members of the Commercial Collection Agency Association holding Certificates of Compliance from the Commercial Law League of America

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DECEMBER 2009

▲ indicates member's employees hold certified commercial collection professional (CCCP) designation. Go to www.ccaacollect.com for more information.

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