



**NATIONAL ASSOCIATION OF RETAIL COLLECTION ATTORNEYS
PROVIDES VALUABLE CONSUMER TIPS FOR
RESPONDING TO A COLLECTION ATTORNEY**

To help people understand the legal collection process and work responsibly to repay debts or exercise their right to present their case to a judge, the National Association of Retail Collection Attorneys (NARCA) provides consumers with *“Tips for Responding to a Collection Attorney”*

NARCA’s Consumer tips include:

1. When you receive a letter or phone call, respond.

The matter can’t be resolved if you don’t respond. The attorney wants to work with you – help them by initiating an open dialogue. This is your opportunity to present your viewpoint. Many attorneys have Spanish-speaking or multilingual employees who will be able to help you. Don’t hesitate to ask for this assistance.

2. Keep good records.

Your records are vital to issues of your identity and payment history when discussing a delinquent bill. Keep files of your bank records and other financial records and contracts, history of places lived and worked, and copies of correspondence concerning your debts (including verification that you have paid-off the amount owed in-full). If the amount of the debt is incorrect, you will need to be able to show that you have made payments that were not credited or some other reason why the amount claimed is not what you really owe. Having good records and communicating with the collection attorney are very important to resolve this issue.

3. Be honest about what you can afford.

If you are unable to pay the full amount at once, collection attorneys will work with you to come up with an achievable payment plan. Be sure to agree only to a plan that you can stick with to avoid further collection efforts. Many times collection attorneys will set up debt repayment plans for consumers. A successful plan can help consumers get out of debt.

4. Speak up if the debt is not yours.

This is where good records come in handy. You have the right to request further information if you are contacted about a debt that you do not recognize. If the debt truly is not yours or you are the victim of identity theft, be prepared to explain your situation to the collection attorney. The attorney may want to see a police report if you have filed one. If you have any information as to whose debt it is, share that information with the attorney.

5. **If you have a lawyer, have them contact the collection attorney.**

Once this step is taken, the collection attorney can only communicate with your attorney, not directly with you. Be sure to give the collection attorney the name, address and phone number of your attorney so they can be in contact.

6. **Don't ignore a summons from a court.**

A Court Summons is an official legal document that requires you to either respond to the Court or appear in Court within a specified amount of time. The paperwork with the summons may contain a court date or instructions on what to do if you dispute the claim. If you think you don't owe the debt, pay close attention to these papers. If you do owe the debt, contact the law firm that filed the case right away; you may be able to arrive at a solution before the case goes to court.

7. **Be involved – the outcome is in your hands.**

If you do not appear in court and do not contact the attorney about repayment, a judgment may be entered against you. A judgment is a legally binding document from a court of law and efforts will be made to collect the judgment amount from you. Depending on your circumstances and in which state you live, a court judgment can lead to severe consequences including wage garnishment, bank account attachment, and liens on your property. It is important to try and resolve your debt before these actions are taken.

Consumers can help themselves and protect their credit – and their futures – by following these reasonable tips.