There are fewer comprehensive research aids for state consumer credit statutes than for the UCC. Secured transactions treatises ignore or quickly pass over retail installment sales acts, small loan acts, and similar statutes. This treatise more extensively covers the repossession aspects of these laws, and Appendix B [1], infra, summarizes or at least cites key provisions that relate to repossession issues. This treatise cannot, however, examine in detail the thousands of varying state consumer credit statutory provisions.

Each state has its own peculiar mix of state consumer credit laws, and each statute varies significantly from similar statutes in other states. These statutes are frequently amended, and administrative regulations may be critical to their interpretation. This treatise cites important provisions of state consumer credit laws dealing with repossessions, and alerts the reader to other provisions. Another treatise in this series, Consumer Credit Regulation,[2] provides a comprehensive approach to the analysis of the regulation of financial terms in consumer credit transactions, and cites each state’s laws in an appendix.

Other research tools for finding and analyzing consumer credit laws are Consumer Credit Guide and Secured Transactions, both published by Commerce Clearing House. These services are organized by state, digesting consumer credit statutes and case law. Both are frequently updated to reflect recent developments. In some states, treatises on the state’s consumer protection laws, published by bar associations or commercial publishing houses, help fill this gap.

The index to a state’s code is another tool for finding consumer credit laws, and the state code annotated is a good source for case law. Shepardizing a statutory citation also leads practitioners to relevant case law. Uniform Laws Annotated (West Group) is a useful source for researching Uniform Consumer Credit Code (UCCC) law because case law is included from all states adopting the UCCC.

After isolating those state consumer credit statutes that apply to a transaction, search for any regulations or administrative opinions issued by the state attorney general, the state banking commission, or other credit administrator interpreting those statutes, and evaluate whether any aspect of the law is preempted by federal law.

**Footnotes**


**Source:** National Consumer Law Center, Repossessions [9th Ed.], updated at www.nclc.org/library

**Source URL:** https://library.nclc.org/repo/010202

**Links**
