Legal services offices typically see many clients who seek legal help because of an actual or threatened repossession, or more commonly because of a deficiency suit. Many legal services programs establish consumer law units so that they can develop expertise in these and other consumer cases. With a larger number of clients seeking help, a consumer law unit has the ability to spot patterns and identify creditors that are systematically abusing the repossession process.

In private practice, any attorney with a general consumer practice will probably see some repossession clients, but usually at a relatively low volume. If the attorney wants to attract more repossession cases, there are a number of ways to get the word out. The attorney might offer to handle repossession cases on referral from the local legal services program. Bankruptcy attorneys may be willing to refer clients who are facing repossession or a deficiency judgment but for whom bankruptcy is not the best solution. Another option is to check for the names of the less reputable secured creditors in court dockets and to contact the people they are suing, taking care to comply with all applicable bar governance rules. In jurisdictions that require secured creditors to notify the police before or after a repossession, those records may be obtainable under the state’s public information law. They provide another list of debtors who may welcome advice and representation by an attorney who is well versed in repossession law.

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