Summary

Defending Consumers and Their Assets

The only treatise to detail consumer defenses to debt buyer and creditor collection lawsuits on credit card, medical, and other consumer debts.

How to Defend a Collection Lawsuit

- Responding to collector’s requests for admissions
- Required attachments to the collector’s complaint
- A debt buyer’s proof of ownership of the debt
- Defenses to account stated, contract, on account, quantum meruit and other causes of actions
- Statute of limitations
- Other common consumer defenses to the debt: identity theft, wrong consumer, only authorized user, etc.
- Limits on finance charges and attorney fees
- Consumer counterclaims and class counterclaims
- Special protections for active duty military personnel
- Government collections
- Detailed chapter on medical debt
- All new chapter on criminal justice debt
- Dishonored check collections

Steps to Take After Judgment for the Collector or Consumer:

- Revolutionary new Treasury Rule protecting Social Security funds in bank accounts
- Other protections against bank account freezes, wage garnishments, and property seizure
- Setting aside default judgments
- Attorney fees for prevailing consumers
- Cleaning up the consumer’s credit report.

Praise

"I use the NCLC books in my bankruptcy practice and to expand my practice in other areas... I have used the Collection Actions book to expand my practice into collection defense. In light of the change in bankruptcy law, I have been able to expand my practice to defend collection cases for debtors who if they filed bankruptcy would have been 100% plans. I have gotten better results for my clients that I would have in bankruptcy court and I avoided the bankruptcy on my clients record. Collection defense involves the same debt buyers and the same claims...” — Patrick Kavanagh, Law Offices of Patrick Kavanagh, Bakersfield, CA

Related Titles

1. Fair Debt Collection
2. Class Actions
3. Fair Credit

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