

LANE COUNTY LAW LIBRARY LEGAL RESEARCH GUIDE -- # 11: DEBT COLLECTION—DEBTOR’S RIGHTS

Lane County Law Library

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Generally:

There are two parties involved in debt collection—the debtor and the creditor. When a debtor falls behind on repaying a creditor, the creditor may take steps to collect the unpaid obligations. Debt collection practices are governed by the Fair Debt Collection Practices Act.

****Some of the resources in this guide will have information about consumer information, foreclosures, and repossessions.** There are additional research guides specific to those topics available from the Lane County Law Library.

SUGGESTED RESOURCES:

A. LANE COUNTY LAW LIBRARY CATALOG

<http://opac.libraryworld.com/cgi-bin/opac.pl?command=signin&libraryname=lanecountylawlib>

(TIP: Select “All Words” in the drop down menu, and search the word “debt collection”, “consumer protection”, “consumer credit”)

(TIP: You will not find everything on line, so please be prepared to use some of these resources and others to help answer your questions.)

The following titles are available in the Lane County Law Library.

1. **SOLVE YOUR MONEY TROUBLES: GET DEBT COLLECTORS OFF YOUR BACK & REGAIN FINANCIAL FREEDOM**, BY Robin Leonard & John C. Lamb, 2007 : **KF 1501 .Z9 .L46 2007 RES**
2. **THE NATIONAL CONSUMER LAW CENTER GUIDE TO SURVIVING DEBT**, by Deanne Loonin, Odette Williamson, & Gary Klein, 2002 : **KF 1040 .Z9 .L66 2002 TRE**
3. **CONSUMER BANKING AND PAYMENTS LAW**, by Mark Budnitz and Margot Saunders, 2005 with 2007 supp. : **KF 1600 .A3 .B859 2005 TRE**
4. **FAIR CREDIT REPORTING**, by Anthony Rodriguez, et al, 2002 : **KF 1600 .A3 .R63 2002 TRE**
5. **FAIR DEBT COLLECTION**, by Robert J. Hobbs, 2004 with 2007 supp. : **KF 1600 .A3 .H63 2004 TRE**
6. **UNFAIR AND DECEPTIVE ACTS AND PRACTICES**, by Jonathan A. Sheldon, 2004, with 2005 supp. : **KF 1600 .A3 .S54 2004 TRE**
7. **CREDIT REPAIR**, by Robert Leonard and John Lamb, 2007 : **HG 3756 .U54 .L46 2007 RES**
8. **STUDENT LOAN LAW : COLLECTIONS, INTERCEPTS, DEFERMENTS, DISCHARGES, REPAYMENT PLANS, AND TRADE SCHOOL ABUSES**, by Deanne Loonin, 2006 : **KF 1600 .A3 .L873 2006 TRE**



B. OTHER RESOURCES

State & County Resources

1. **Oregon Department of Justice—Attorney General’s Office**
<http://www.doj.state.or.us/finfraud/index.shtml>
Financial fraud/Consumer protection page. Includes links to a consumer hotline, consumer complaint forms in English and Spanish, and other information about credit, debt, and consumer information
2. **Oregon Department of Consumer and Business Services**
<http://www.oregon.gov/DCBS/index.shtml>
3. **Oregon Fair Debt Collection Practices Act (ORS 646.639-646.643)**
<http://www.leg.state.or.us/ors/646.html>
4. **Oregon Law Help**
<http://www.oregonlawhelp.org>
Click on the “Consumer” link, and then “Debt Collection, Garnishment, and Repossession” for a list of articles and resources.

Federal Government Resources

1. **Federal Fair Debt Collection Practices Act (15 USC 1692-1692o)**
http://www.law.cornell.edu/uscode/html/uscode15/usc_sup_01_15_10_41_20_V.html
2. **Federal Trade Commission Bureau of Consumer Protection—Consumer Information page**
<http://www.ftc.gov/bcp/menus/consumer/credit.shtml>
3. **Debt Collection FAQ for Consumers:**
<http://www.ftc.gov/bcp/edu/pubs/consumer/credit/cre18.shtml>

Other Internet Resources

Some keywords to consider when using online catalogs such as library OPACs, or search engines to find information:

consumer credit, fair debt practices, debt collection, debt relief, consumer education

1. **Oregon Legal Research: Zombie Debt: Know your statute of limitation and other debt collection laws** (Article by Laura Orr, September 22, 2008)
<http://oregonlegalresearch.blogspot.com/2008/09/zombie-debt-know-your-statute-of.html>
2. **National Consumer Law Center:** <http://www.consumerlaw.org/>
Includes press releases and other news about consumer and credit-related legislation. See also the NCLC Manuals available in the Lane County Law Library, listed above.
3. **Nolo Press—Credit Repair & Debt:**
<http://www.nolo.com/legal-encyclopedia/bankruptcy-foreclosure-debt/index.html>
4. **AARP Bulletin Today: Scam alert: a dead debt?** (Article by Sid Kirchheimer, March 2, 2009)
http://www.aarp.org/money/scams-fraud/info-02-2009/a_dead_debt_.html
5. **Privacy Rights Clearinghouse**
A nonprofit consumer information and advocacy program with information about privacy rights and debt collection: <http://www.privacyrights.org/index.htm>
Debt Collection Fact Sheet: <http://www.privacyrights.org/fs/fs27-debtcoll.htm>
Debt Collection FAQ: http://www.privacyrights.org/fs/fs27a-debt_collection.htm
6. **King County Law Library’s DEBT COLLECTION LAWSUIT RESEARCH GUIDE** (for Washington State) and related Podcast:
<http://www.kcll.org/researchhelp/researchguides/debtcollectionguide.htm>

