

LANE COUNTY LAW LIBRARY LEGAL RESEARCH GUIDE -- # 12: DEBT COLLECTION—CREDITOR’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.

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”, “foreclosure”, “consumer protection”)

(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 in the Lane County Law Library contain some information on collecting a debt. Some of them also contain *examples of forms*.

1. **CREDITOR’S RIGHTS AND REMEDIES**, by Oregon State Bar, 2002 rev. :
KFO 2620 .C74 2002 RES
2. **COLLECT YOUR JUDGEMENT IN 5 EASY STEPS**, by Adrienne M. McMillan : KF 1024 .Z9 M36 2007
RES
3. **FAIR DEBT COLLECTION**, by Robert J. Hobbs, with 2007 updates : KF 1600 .A3 .H63 2004 TRE

B. OTHER RESOURCES

State & County Resources

1. **Oregon Department of Consumer and Business Services**
<http://www.oregon.gov/DCBS/index.shtml>
2. **Oregon Fair Debt Collection Practices Act (ORS 646.639-646.643)**
<http://www.leg.state.or.us/ors/646.html>
3. **Oregon Department of Justice—Debt Collection Page**
Information for debt collectors about Oregon rules & regulations applicable to debt collection
<http://www.doj.state.or.us/finfraud/debtcollection.shtml>
4. **Oregon Administrative Rules—**
Dept. of Consumer & Business Services: Division of Finance & Corporate Securities
http://arcweb.sos.state.or.us/rules/OARS_400/OAR_441/441_810.html



5. **Oregon Law Help—Debt Collection, Garnishment, Repossession**

<http://www.oregonlawhelp.org>

(click on the **consumer** tab, and then on **debt collection, garnishment, repossession**)

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—Complying with Credit Practices Rule**

<http://www.ftc.gov/bcp/edu/pubs/business/credit/bus04.shtm>

3. **Federal Trade Commission—Fair Debt Collection Act**

Includes links to Advisory Board opinions and reports

<http://www.ftc.gov/os/statutes/fdcpajump.shtm>

Other Internet Resources

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

creditors rights

debt collection

1. **Findlaw—Creditor’s Rights & Collection Options—Small Businesses**

Article with information about collection, including court proceedings, liens, collection agencies, and secured transactions

<http://smallbusiness.findlaw.com/business-operations/debt-collection-creditor-rights.html>

2. **Findlaw—Extending Credit and Debt Collection—Small Business**

Links to articles and other resources, including sample collection documents

<http://smallbusiness.findlaw.com/business-operations/debt-collection-credit/>

3. **The Association of Credit and Collection Professionals:**

ACA International is a not-for-profit trade association for professional businesses and individuals in the credit and collection industry.

<http://www.acainternational.org/default.aspx>

The ACA has a member directory for Oregon:

<http://www.acainternational.org/memberdirectory.aspx>

