



PONDER TUCK PONDER

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DEBT COLLECTION CONTACT INSTRUCTIONS

The following are creditor violations that should be noted and reported to our office:

- If a creditor calls you on the phone please record that contact on the provided sheet noting the time, date, name and telephone number of the person calling. You do not need to get mad with the creditor or collector as this will only serve to terminate the call before you can get valuable information that we may be able to use if a decision is made to sue this party on your behalf. I tell clients to be nice, act stupid and basically get information. For example, you can say that your husband is not at home and, if they want you to pay a specific amount of money then ask them who the certified check be made payable to, the amount of the check, the mailing address to use, the name of any party at that mailing address, and the name of the original creditor if you are dealing with a debt relief agency. If they think you are going to send them money, they will gladly give you all of this information. You can get the first name and phone number (including the extension) of the caller by saying you want to discuss this with your husband and call them back. Again, if they think you are going to pay you will get the information. So, the bottom line is to get the information for me and then let me get even with them for you.
- You have the right in New Jersey to record a telephone conversation from any person to you. This is called a two-party conversation. Any recording of a conversation between you and the caller is perfectly legal. **If you record a conversation, be sure to state that "I am recording your call and if you continue talking that will be considered your consent to being recorded."** Accordingly, if you have a recording device then use it and save the tape or the digital recording.
- If you use an answering machine, then save the tape or digital recording since most of these devices also record the time and date of each call
- If a creditor sends you a letter keep the letter and the envelope and provide it to our office. The envelope via the post-mark date will provide us with evidence of where the letter was mailed and more importantly the date of the mailing
- If a creditor talks with a minor in your home, then instruct and train all minors to tell the creditor to call back and leave a detailed "recording for mommy" of if you have an answering machine.
- If you do not have an answering machine, then immediately go to Wal-Mart or Target and buy one. It will be the best investment you have made in a long time.

If a creditor does the following please make a record on the provided sheet or bring the letter by the office:

- Creditor sends a letter to your friends, family or employer.
- Creditor calls your friend, family member or employer.
- Creditor threatens you with filing a lawsuit.
- Creditor warns that you may be arrested.



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- Creditor sends someone to speak with you or your family.
- You are receiving mail that states you won a prize and request you send personal information to claim the prize.
- You receive letters that look like legal papers and may be signed by a lawyer or judge.
- Creditor threatens to garnish your wages.
- Creditor threatens to repossess your furniture, clothes, jewelry or children's toys.
- Your employer suspends or fires you because a creditor has been calling you at work.
- Your employer threatens to fire or suspend you if the creditors don't stop calling.
- Creditor threatens to contact a social worker.
- Letters that contain badges or government symbols.
- Creditor uses offensive or demeaning language.
- Creditor calls late at night, early in the morning, or numerous times during the day.

Any other action that made you or someone else sick, nervous, scared, and threatened or caused you to miss work or incur expenses should be reported.

You need to understand that since you are now represented by a consumer attorney the legal power between you and your creditors has shifted from them to you. Your attorney has made a career of suing creditors and collection agents for their violations of numerous consumer protection laws. He stands ready, willing and able to do the same for you. All he needs is your cooperation and good evidence gather techniques.