

Foreword

The laws, regulations, codes, and rules that govern every aspect of life in the United States are absolutely byzantine in their complexity. The federal government, in its never-ending quest for uniformity (and as broad a power base as possible) has enacted laws on every imaginable human behavior and transaction. Meanwhile the states have done the same, attempting to assert their sovereignty (now forgotten by all but history professors) over the federal authority that eclipses them. And meanwhile, innumerable commissions, boards, bodies, and other appointed authorities great and small create rules, regulations, and reports that are all but impossible to keep track of.

America is a land rife with little kings.

The problem is especially burdensome for creditors and collectors, who must cope with this legislation at every moment of every day. The tidal wave of consumer-protectionism that has washed over our voters and politicians in the last several decades has resulted in loosely-worded laws, liberal interpretations, and jackpot juries galore. A legal misstep can mean a major inconvenience for well-capitalized creditors and collectors; it can be an “extinction-level event” for smaller entrepreneurs.

And where there are little kings, there are opportunistic counselors: in this case, predatory “consumer protection” attorneys who are just waiting for a violation, however unintentional or insignificant, to leverage a creditor or collector into capitulation over a debt—and into paying the legal fees associated with the counselor’s “work” in protecting the consumer.

This book and the CD-ROM packaged with it provide information to help those large and small entrepreneurs stay on the straight and narrow; to “color in between the lines”, as I call it. State laws are summarized here in both text and chart form. The charts are reproduced on the CD-ROM with the understanding that some will be reproduced by the purchaser of *States of Confusion: A CD-ROM Guide to State Collection Law* for the benefit of the collectors working on his collection floor.

These charts are divided into several categories, making it easy to find the answer to a question quickly. Can I garnish in Louisiana? How much? Are there special requirements for a letter to North Carolina? Am I, indeed, a debt collector in Arizona, even though I’m also the creditor? You might be surprised. This book will help you answer such questions quickly.

All the laws given in this book are cited so that you can review them with a minimum of research. However, bear in mind that the author of this book is not an attorney. The material in this book is for informational purposes only, and is not to be construed as legal advice. For that, you need a qualified attorney.

Don’t hesitate to consult one when that’s what you need. The rules are complicated and the stakes are high.