

# COLLECTIONS

An important service that Black McCuskey offers its clients is debt collection which includes consumer and commercial collections. We believe we offer several advantages over the services typically provided by debt collection agencies.

First, it has been our firm's experience that communications made by an attorney have a much greater impact upon the debtor. A letter or telephone call from an attorney conveys the seriousness and determination of the creditor to collect what is owed, while letting the debtor know that a civil lawsuit and court date is imminent if they do not make payment. Second, the team at Black McCuskey has the knowledge of the relevant legal standards and experience to know what type of counterclaims, if any, may arise from the pursuit of certain types of collections and to advise the client of any such possibilities and the strategies for dealing with them. Third, our firm has the ability and expertise to handle all aspects of collection work, including the handling of any bankruptcy matters in the event that a particular debtor should file for bankruptcy. Collection agencies, on the other hand, often need to refer work to various outside attorneys whenever a collection matter is no longer "routine" and involves litigation or the filing of a bankruptcy petition.

In addition, Black McCuskey has committed attorneys, paralegal support and other important resources to the debt collection practice to serve our clients in this important area.

## SERVICE DIRECTORY

- Collection and demand letters, (dunning)
- Collections litigation
- Credit application preparation and review
- Creditor's bills
- Execution on personal property
- Fair Debt Collection Practices Act (FDCPA) compliance and review
- Foreclosure on real property, both commercial and consumer
- Garnishment of bank accounts and personal earnings
- Involuntary bankruptcy of debtor
- Judgment debtor's exams
- Perfection and enforcement of mechanic's, materialman's, and various possessory liens
- Post judgment collections efforts
- Pre-litigation analysis of debts/accounts receivable
- Purchase money security interests and uniform code filings
- Receiverships
- Skip tracing and debtor locating services
- Voluntary bankruptcy of debtor, stay of collection efforts, and avoiding discharge in bankruptcy

