

Drafting Committee on a Uniform Wage Garnishment Act

Agenda

October 23-24, 2015

In addition to reviewing the latest draft of the act, we will discuss the following issues:

1. Report on plans to engage a plain-language specialist to assist with the drafting of Section 10 (the notice form to be provided to employees). Please note that no changes of significance have been made to the language of Section 10 pending the engagement of a specialist, and we will not consider that section during our review of the draft.
2. Discussion of whether to include forms in the act. The strong preference of the ULC, as reflected in the approach taken by the Committee on Style, is to not place forms in the act. Rather, the act should dictate the required information in the form and perhaps should dictate requirements about formatting, but the form itself should be included, if at all, in the Official Comments or an appendix. There have been exceptions to this approach, however (see, e.g., UCC Article 9). We will discuss whether the notice form to be given to debtors should also be treated as an exception to the general approach.
3. Discussion of administrative fees for employers. Please note that Section 5(b)(1) of the draft requires that employers being served with process be provided an administrative fee in an as-yet undetermined amount. We will discuss whether to retain that provision, how much we should recommend for the administrative fee, and whether we should also authorize a small fee to be deducted on a per-paycheck basis.
4. Discussion of issues beyond the current scope of our charge:
 - A. Independent Contractors (see Issues Memo)
 - B. Bank Accounts (see Issues Memo)
 - C. Notice Form in Foreign Languages (see Issues Memo)