

Agenda for Conference Call (March 24, 2016)

1. At our last meeting, the committee ultimately decided to require a single administrative fee that would approximate the average cost to employers of handling a garnishment. We did not decide, however, whether to provide for a flat amount or for a multiple of the minimum wage. We need to decide this. See Section 203(d)(2) of the March 2016 Interim Draft. In addition, Steve Martin has asked us to reconsider our decision not to provide for a per-deduction fee. Please see the document entitled “Message from Steve Martin” for this part of the discussion.
2. At our last meeting, the committee agreed to define as bad-faith conduct a failure by a creditor to cure a wrongful garnishment within 5 days after being notified that it is wrongful. Because we did not have anyone in the room from the creditor community at the time, we agreed to bracket the provision for further discussion. It appears in the March 2016 Interim Draft at Section 401(c).
3. We need to select a new name for the act. The best Steve and I can come up with is the Uniform Employer and Bank Garnishment Act. Please consider other possibilities.
4. We have developed an alternative version of the bank garnishment provisions that protects all deposits, whether direct or otherwise, and we are in the process of vetting it with the banking community. During the call, we will bring everyone up to date on our discussions with the bankers.
5. Next steps.

Conference Call Documents: Agenda, March 2016 Interim Draft, Message from Steve Martin, Bank Garnishment – Alternate Version