

Agenda for June 23, 2021 Meeting of the Uniform Law Commission's Debt Collection Default Judgments Drafting Committee

Discussion of Options for Future Work of the Committee

Options Recommended for Consideration

1. Draft within the scope which has been assigned to this project, *i.e.*, establish pleading and evidentiary requirements debt buyers must satisfy when seeking a judgment against a consumer that can be enforced (either with or without separate proceedings as provided by current state rules) by the attachment of assets, garnishment or otherwise taking possession of a debtor's real or personal property.
2. Expand the scope of Option (1) to include either (A) all debt collectors (as defined by current federal or state law); or (B) all creditors, including original creditors.
3. Expand the scope of Options (1) or (1) to also include requirements for, service, notice of intent to seek a default judgment, providing plain language information on how to respond to complaint and perhaps expanded options for the re-opening of default judgments.
4. Request permission to draft an Act dealing with licensing of debt collectors by a state agency which would could include the requirements set forth in Options (1) or (3). The act could incorporate compliance with approved consensus industry standards as evidence of satisfaction of standards of conduct contained in the Act.
5. Draft a model state court rule to address the issues identified in Options (2) or (3).
6. Ask the Executive Committee to transfer this project to Study Committee status or assign it to the Civil Litigation and Dispute Resolution Monitoring Committee and report at a later time on the feasibility of proceeding with an act.
7. Advise the Executive Committee that it is unlikely we can draft an act which would be enacted by a significant number of states.
8. Defer a decision until after a face-to-face Committee meeting (tentatively scheduled for November 19 & 20 in Chicago).
9. Other Options?

How Best to Determine the Views of Advisors and Recommendations of Committee Members.