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INSTRUCTIONS FOR SENDING THIS LETTER

1. Make a lot of copies of the letter. You may need to send them out more than once. Of course if you have a computer, you can enter it as a separate document and customize it.
2. Fill in the blanks. If it is too difficult to add up how much you owe to everyone, fill in that blank with an estimated total. **BE SURE TO INCLUDE THE ACCOUNT NUMBER.**
3. If you are disabled include a copy of a note from your healthcare provider. It doesn't need to be fancy – just on stationery. Usually health care providers are happy to do this. If you have a disability determination, include a copy. **(NEVER SEND ORIGINALS!)**
4. **FOR THE CREDITOR ADDRESS:** Be sure to use the complete mailing address. If you don't know the address call the creditor. If they don't want to give you their address, hang up. Wait a couple of hours and call back. This time ask them where to send a payment. You will get more cooperation that way.
5. **IF YOU ARE MAILING THE LETTER TO CREDIT CARDS:** Look on your most recent statement. Find the "correspondence" address. It is required to be included by law but they usually put it in fine print. Sometimes it's on the front; sometimes on the back. It could say: "Write to us at. . ."; Correspondence address;" "Questions about your bill?" "Disputes." If you mail your notice to the "payment address on the payment coupon", chances are pretty high it will be discarded. So be careful to use the correspondence address!
6. Be prepared to send them out more than once. It sometimes takes a few weeks for the creditors to get the message. If the bill is turned over to a collection agency or a lawyer, send them a new copy of the letter.
7. If you receive a lawsuit, give me a call or call another attorney of your choice. You may not have to file bankruptcy. You may even be able to ignore the suit and let them take a judgment, but before you make that choice you should get some legal advice.
8. If you receive a garnishment order, call me or another attorney right away.
9. If they continue to call you on the phone, tell them to stop calling you and that you are invoking your rights under the federal Fair Debt Collection Practices Act. **THEN HANG UP!** If they continue to call, make it clear that you are keeping a log of the phone calls and that you are talking to attorney about suing them.
10. If you receive legal papers at your door or by certified mail **ACCEPT THEM AND OPEN THEM IMMEDIATELY.** Then call an attorney if you need further advice. Chances are good that if you follow these steps your creditors will stop bothering you on the phone. If not, bankruptcy is an option but you would rather avoid it, so try this first.

GOOD LUCK!

DATE: _____

TO: _____

RE: Account Number _____

Dear Sir or Madam:

I am writing to exercise my rights under the Fair Debt Collection Act. I recently consulted with an attorney to discuss filing bankruptcy or other possible options to get control of my bills. Right now, I owe over _____ to all my creditors including your bill. There is no foreseeable way for me to pay this amount.

After reviewing my financial situation, the attorney advised me that I am "judgment proof" - meaning all my assets are exempt from collection under RCW 6.15. My only income is _____ per month which comes from _____ .

I do not believe that my creditors may garnish these payments. I have no other source of income.

I am requesting that you cease from calling me on the phone which you are required to do by the Fair Debt Collection Act (15 USC Sec. 1692). If you continue to call me, I may sue you for damages and attorney fees.

I have cut up all my credit cards and am sending this letter to each one of my creditors.

Thank you for your cooperation.

Sincerely,

Name

Address _____
