



Lane County

Law Library

ACCESS - RIGHTS - EDUCATION

Creditors' Rights Research Guide

GENERALLY: Debt Collection from the creditor's perspective involves many of the same statutes and regulations as for Debtors' Rights, be sure to check on the United States Code, Oregon Revised Statutes and Administrative Rules for what processes there are and limits on creditors actions.

This guide is not intended to give you every resource related to collection actions or being a creditor, rather, it is meant to point you towards some of the most often relied upon materials at our library and from trusted on-line sources.

Disclaimer: It is against state law for library staff members to engage in any conduct that might constitute the unauthorized practice of law (ORS 9.160 and 9.21.) They may not interpret statutes, cases, or regulations, perform legal research, recommend or assist in the preparation of forms, or advise patrons regarding their legal rights. They may, however, assist patrons in locating materials or links that would aid individual research.

SUGGESTED RESOURCES:

BOOKS:

CREDITOR'S RIGHTS AND REMEDIES, by Oregon State Bar, 2002 rev. 2006 Supp:

KFO 2620 .C74 2002 RES. Written by the Oregon State Bar for attorneys, but is an organized and practical guide to collections and being a creditor. On reserve.

COLLECT YOUR JUDGEMENT IN 5 EASY STEPS, by Adrienne M. McMillan : KF 1024 .Z9 M36 2007 RES. Geared towards a national audience, be sure to check that any advice given by this book complies with Oregon law. Very straight forward language and layout. On reserve.

CREDITOR'S RIGHTS IN BANKRUPTCY, Located in the Treatises section under KF 1524.M87 1988 TRE.

FAIR DEBT COLLECTION, by Robert J. Hobbs, with 2007 updates: KF 1600 .A3 .H63 2004 TRE. Many books in the library are geared towards defending against creditors or asserting counterclaims but may be useful for creditors.

FUNDAMENTALS OF COLLECTING MONEY JUDGMENTS: A part of our handbooks and audio CLE collections, AT-343.

OTHER PRINT ITEMS: The library catalog may direct you to other helpful resources related to creditors' rights (see search terms below):

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<http://www.libraryworld.net/cgi-bin/opac.pl?command=signin&libraryname=lanecountylib&guest=allow>

WEBSITES:

State & County Resources

1. **Oregon Department of Consumer and Business Services**
<http://www.oregon.gov/DCBS/index.shtml>
2. **Oregon Department of Justice—Debt Collection Page**
Information for debt collectors about Oregon rules & regulations applicable to debt collection
<http://www.doj.state.or.us/finfraud/debtcollection.shtml>
3. **Oregon Law Help—Debt Collection, Garnishment, Repossession**
<http://www.oregonlawhelp.org>

Federal Government Resources

1. **Federal Trade Commission—Complying with Credit Practices Rule**
<http://www.ftc.gov/bcp/edu/pubs/business/credit/bus04.shtm>

COMPUTER SUBSCRIPTIONS: (ASK A LIBRARIAN FOR TRAINING)

Lexis – All published Oregon cases, Federal Cases.

Westlaw – All Oregon and Federal cases and some practice related materials.

HeinOnline – Law Review articles related to collections and creditors' rights, use the search box.

HELPFUL KEYWORDS: Creditor, creditors' rights, collections, debt collection, garnishment, levying, judgments, statute of limitations.

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