

MASSACHUSETTS LABORERS' LEGAL SERVICES FUND

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DEBT COLLECTION

Do not ignore a Small Claims or District Court lawsuit filed by a credit card bank, debt collector or other creditor. If you do, you will lose the case and a civil “default judgment” will enter against you.

A civil judgment accrues interest at the rate of 12% per year and is valid for 20 years. You might not hear from the collector again for a month, a year, or a decade, but collection could resume at any time. A creditor can use the judgment to put a lien on your house, garnish your wages, and even have you arrested if you fail to pay it. Judgments also get their own special place on your credit report, lowering your credit score.

If you call our office before a judgment enters, it may be possible in some cases to successfully challenge the debt and avoid paying it, or minimize the financial damage. In other cases, we can help work out a payment plan and avoid going to court.

And, although it may not prevent a creditor from placing a lien on your property, recording a Declaration of Homestead in the Registry of Deeds can protect you from losing your home to a lien creditor *if it's recorded before a judgment enters*. Even if you haven't been sued, everyone should have a Homestead on their property. There is a one-time recording fee of \$35.00 and the homestead is valid for as long as you, your spouse or your dependents reside in the home.

Please contact Massachusetts Laborers' Legal Services Fund to arrange a free consultation to discuss options on addressing debt issues, if you need representation in court, or to prepare a Declaration of Homestead.

REMINDER

Please contact our office as soon as possible when you are in need of an Attorney but certainly before you decide to retain a lawyer. ***Our office cannot represent you in a case in which you have previously retained an outside attorney.*** Please call us at 781-273-3939.

