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Mr. Chairman and Members of the Committee:

Good afternoon Chairmen Leone and Tong, Ranking Members Linares and Alberts, and members of the Banks Committee. Thank you for this opportunity to testify on SB 979, An Act Concerning the Protection of Exempt Funds in Bank Accounts.

My name is Linda Strumpf and I am a debt collection attorney in New Canaan here today to represent the Connecticut Creditor Bar Association (CCBA) as a member the Government Affairs Committee.

We oppose the proposed addition to this bill which prevents a Marshal from serving the same execution upon the same financial institution within the small window of a 45 day period, as presently required by this statute.

Prior to applying to the Court for a bank execution, the judgment creditor has commenced a lawsuit, obtained a judgment, and even after that, is only permitted to request a bank execution after the judgment debtor has failed to comply with the installment payment order issued by the Court. The installment order is usually for \$35.00 per week, no matter the amount of the judgment, and many times is less. At any time, the judgment debtor may apply to the Court for a reduction of the installment payment order. It is only after the judgment debtor has defaulted on the installment order, and has failed to apply to the court for a reduction in the amount of the order, that the judgment creditor can even request a bank execution.

Pursuant to present statute, the Marshal can only serve one bank at a time, must wait for the execution to be returned from one bank before sending to another, and the execution is only good for a 45 day period. There is no reason why a judgment creditor should not be able to serve the same execution upon the same bank within the required 45 day period. There is no issue that the money is owed. The judgment creditor is the injured party and is being prevented from collecting money rightfully owed after the judgment debtor was given every opportunity to arrange a payment plan to pay the debt.

We ask that the Committee clarify the law so that a bank execution may be served upon the same financial institution within the 45 day period. Attorney Cannella has set forth the proposed language in her testimony.

It serves the interests of this state not to place roadblocks in the path of judgment creditors, who are local small businesses, physicians, dentists, landscapers, oil companies, etc.

In these precarious economic times, these small businesses are trying to keep their doors open and remain afloat, and their inability to collect on a valid judgment creates an undue hardship and could be the difference between operating and closing, which would cause a loss of jobs and revenue in the state, which we can ill afford.

The proposed addition to the statute serves no purpose other than to assist a judgment debtor to avoid payment of a valid court judgment.

Thank you for your time and attention.

A handwritten signature in cursive script, appearing to read "L. Strumpf".

Linda Strumpf