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Written Testimony IN OPPOSITION OF H.B. No. 6924, An Act Increasing The Amount Of Damages That May Be Claimed In A Small Claims Action

Cheryl diane Feuerman, March 05, 2015

I am submitting written testimony on behalf of Connecticut Legal Services' (CLS) Consumer Law Project for Elders (CLPE) to urge you to oppose **House Bill No. 6924** which we believe will encourage increased filing of debt collection cases by debt collectors.

I am the Project Manager of the CLPE. The CLPE provides legal assistance, free of charge, to seniors through-out the State of Connecticut who have consumer problems. We have assisted thousands of seniors since the inception of the CLPE in 2002. Of those who contact us, only a few wish to file a small claims matter against an entity. Instead, many of the consumer matters we see involve a Connecticut senior in over his/her head with medical or credit card debt, often due to a catastrophic event such as the death of spouse. This debt can result in a law suit brought against the senior by a debt collector.

Although small claims court was created for individuals to more easily access the court system, the debt collection industry is increasingly using small claims court to avoid the requirements of proving their case in Superior Court. Many seniors are unable to attend the hearings scheduled so many of these cases result in a default judgment, often without the proof required to establish the ownership of the debt. Those that can attend the hearing are often unrepresented and find themselves in the midst of a system that favors the debt collector --- rather than appearing before the magistrate, they are told by the magistrate to first meet with the debt collector's attorney. These seniors report they feel compelled to enter into payment agreements they often can not afford regardless of whether they owe the debt or they are collection proof. Clearly the debt collection industry has the upper hand in these circumstances. Small claims court judgments are final and may not be appealed.

This bill would undoubtedly favor the debt collection industry and increase the number of cases that debt collectors bring in small claims court against vulnerable low income seniors. We urge you to oppose **H.B. 6924, An Act Increasing The Amount of Damages That May Be Claimed in a Small Claims Action.**

Thank you for your consideration and the opportunity to submit written testimony.

Cheryl diane Feuerman
Project Manager, Consumer Law Project for Elders
Connecticut Legal Services, Inc.

