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2008-09 Term

October 9, 2008

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Honorable Jeff Van Drew  
21 North Main Street  
Cape May Court House, NJ 08210

Honorable John J. Burzichelli  
935 Kings Highway, Suite 400  
Thorofare, NJ 08086

Re: Senate Bill 1988/Assembly Bill 2493

Dear Senator Van Drew and Assemblyman Burzichelli:

On behalf of the Middlesex County Bar Association, please accept this letter to express our opposition to the pending legislation, S.1988/A.2493, which seeks to impose state Consumer Fraud Act penalties upon persons, including attorneys, that engage in debt collection for failure to follow procedures that are already required under the federal debt collection statutes and regulations.

The proposed legislation is duplicative of the existing federal statutory scheme and imposes penalties that are unduly harsh. New Jersey's Consumer Fraud Act was not intended to apply to debt collection practices, it was designed to protect consumers against unscrupulous practices of merchants and professionals that sell services or products. The application of that law to debt collection is a stretch beyond the intention of the drafters.

For these reasons, in addition to those cited in the litany of other expressions of opposition to this bill cited by others, the Middlesex County Bar Association opposes the proposed legislation imposing even further regulation on debt collection practices.

Respectfully,

*Mary P. Nelson*

President

MPN/jpc

Cc: All Middlesex County Legislator  
Hon. Nia H. Gill, Chair, NJ Senate Commerce Committee  
New Jersey State Bar Association  
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