



## Basics of Collections

1. **Initial intake:** We receive delinquent account from client. We determine whether it is based on an account or contract. Our client signs our fee agreement which is typically 1/3 of any amounts collected plus costs.
2. **Letters:** We mail up to 2 collection letters with disclosures required by law to debtor.
3. **Filing:** We file in small claims for debts up to \$6,000.00 or in Common Pleas for debts over \$6,000.00.
4. **Judgment:** Typically, we are able to receive a default judgment entry if the claim is uncontested. Otherwise we will proceed to trial to receive a judgment.
5. **Garnishment:** If you have the debtor's job information, we can file for garnishment and, if granted, we are paid directly by the debtor's employer.
6. **Debtor's exam:** If the debtor does not attend or respond to the court procedures, we can file for a debtor's exam. If the debtor does not attend the debtor's exam, they can be arrested. It is at the creditor's discretion as to whether they will utilize this step.
7. **Payment plan:** We work with the debtor to set up a payment plan that the creditor is agreeable to. We receive the payment and disperse the creditor's portion monthly.
8. **Lien:** Some judgments can be filed as liens on real estate.
9. **Satisfaction of judgment:** When the judgment is paid in full, we will prepare and file a satisfaction as required by law.

### **Chart--Time Periods Of Statute Of Limitations And Conditions Precedent**

Set forth below is a chart of the specific Ohio statutes of limitations:

<b>Action</b>	<b>Limitation Period</b>	<b>R.C. Section</b>
Recovery of real estate	21 years	2305.04
Contract in writing	8 years	2305.06
Contract not in writing	6 years	2305.07
Trespass, real property	4 years	2305.09
Recovery of personal property	4 years	2305.09
Fraud	4 years	2305.09
Identity Fraud	5 years	2305.09
Bodily injury	2 years	2305.10
Injury to personal property	2 years	2305.10
Libel, slander	1 year	2305.11
Assault, battery	1 year	2305.111
Malicious prosecution	1 year	2305.11
False imprisonment	1 year	2305.11
Medical malpractice	1 year (plus 180 days if proper notice)	2305.113
On an official bond	10 years	2305.12
Recovery of charges by and against carriers	3 years	2305.13
Architect, engineer malpractice	10 years	2305.131