

**DEBT COLLECTION LAB**

# **How State Policies Affect Court Judgments in Debt Collection Lawsuits: A Comparative Study Across Four States**



**Frederick F. Wherry**  
Princeton University  
Debt Collection Lab

**Hannah Hill**  
Princeton University  
Debt Collection Lab

**October 2024**

## About the authors

---

**Frederick F. Wherry** is the Townsend Martin, Class of 1917 Professor of Sociology at Princeton University and is the founding director of the Debt Collection Lab. He is an economic and cultural sociologist studying how households experience and navigate debt. He is currently writing a book about debt and debt collection, under contract with Crown and expected in 2025. He has authored, co-authored or edited nine volumes, including *Credit Where it's Due: Rethinking Financial Citizenship*, *The Oxford Handbook of Consumption*, and *Measuring Culture*. Professor Wherry received his MPA at the School of Public and International Affairs and his PhD in Sociology from Princeton.

**Hannah Hill** is the lab manager of the Debt Collection Lab at Princeton University. She is a former Cobell Scholar and current Cobell Leader, investing in and empowering Indigenous communities. Her policy interests include consumer debt, housing, education, and transportation and how they impact economic mobility across vulnerable populations. Hannah received her BA from the University of California Berkeley and her Master of Science of Public Policy from Georgetown University. She authored the quantitative study “Faculty Diversity and Student Success: Exploring California Community Colleges’ Transfer Rates Post-Ban on Affirmative Action”.

## Acknowledgments

---

Our deepfelt gratitude and thanks to all those who participated in this study. Your expertise and experiences surrounding the debt collection process have helped illuminate the confusing processes. We especially thank our partners at January Advisors for their work to collect much of the quantitative data and we thank our co-leads at the Debt Collection Lab: Dalié Jiménez, Claire Johnson Raba, Lois Lupica, and Jeffrey Himpele as well as our collaborators.

Peer reviewer: Casey Chiapetta, The Pew Charitable Trusts

Data check: Jacqueline Uy, The Pew Charitable Trusts

Research assistants: Jennifer Butler, Jabari Cook, Ferdose Idris, Sam Kosai, Vance Puchalski

*Support for this project was provided by The Pew Charitable Trusts and Princeton University. The views expressed herein are those of the authors and do not necessarily reflect the views of The Pew Charitable Trusts nor Princeton University.*



**PRINCETON  
UNIVERSITY**

## Executive Summary

---

When defendants engage with civil courts about debt collection lawsuits across the United States, they encounter courts that are governed by different policy environments. Drawing on quantitative and qualitative evidence, this study uses a comparative design to investigate whether a debtor sued in a policy environment with fewer consumer protections is more likely to receive a default judgment as a case outcome than those sued in a policy environment with more consumer protections. We used the National Consumer Law Center's (NCLC) scorecard to determine how many relevant protections those policy environments provided in four jurisdictions:

- Harris County, TX
- Philadelphia County, PA
- New Haven County, CT
- St. Louis County, MO

We define states that implemented laws to receive a grade of B or better in the NCLC scorecard as having more consumer protections and those earning a grade of C or worse in the NCLC scorecard as having fewer consumer protections.

The evidence for the study comes from the quantitative analysis of 190,085 cases across four jurisdictions, during the years 2020-2022. Using a difference-in-difference design, we measured whether and how more protections may lead to reductions in default judgments as well as reductions in other negative outcomes for defendants. We theorize that if there are more protections from post-judgment enforcement – like wage and bank garnishments – plaintiffs are less likely to file to receive a default judgment because they will have more difficulty enforcing the judgment. Greater garnishment protections might also incentivize plaintiffs to enter into consent agreements as a more sure way of being paid. Both, we theorize, would translate to fewer default judgments.

We conducted interviews with nineteen consumer attorneys, three paralegals, one judge, and one defendant, and observed proceedings in six courtrooms. This qualitative data allowed us to contextualize our quantitative findings. We focused on the concerns of consumer advocates and defendants regarding the revival of debt filings older than 10 years and the persistent issues related to defendants receiving critical court information when being sued.

## Main Findings

---

- Legal representation is associated with a 91.1% decrease in a defendant's likelihood of receiving a default judgment, emphasizing the efficacy of and need for legal guidance.
- After courts ended COVID shutdowns and resumed normal services, plaintiffs who were both third-party debt collectors and bulk filers like LVNV Funding LLC, Midland Credit Management, and Portfolio Recovery Associates LLC were 35.4% more likely to obtain a default judgment than other plaintiffs who are original creditors and do not file cases in bulk.

- Less than 1% of plaintiffs filed more than 50% of the lawsuits in the docket for 3 out of the 4 jurisdictions. The court docket in each jurisdiction was dominated by about 10 companies who are the repeat-players in the courts.
- Notification to a defendant that they are being sued sometimes does not happen. Across the four jurisdictions, only New Haven County requires the plaintiff to verify the defendant's correct address.
- Banning wage garnishments appears to be a contributing factor to fewer default judgments. However, the potential reduction in the likelihood of a default judgment is not realized when the plaintiff is a bulk filer, suggesting that consumer protection policies do not meet their intended aims against high-frequency, bulk filers.
- Defendants sued in states with a higher NCLC scorecard grade were a little more than twice as likely receive a default judgment than defendants sued in the two states with a lower grade.
- Attention to default judgments may be overshadowing another court outcome that can have similar consequences. These are the consent agreements—which reflect payment plans entered between the parties. The rate of consent agreements sometimes near the rate of default judgments. Many defendants entering into these agreements may not be aware of the potential costs and benefits of doing so.

## Key Recommendations Regardless of Policy Environment

**(1) Improve the availability and quality of legal information.** Compared to plaintiffs, defendants regularly encounter several challenges when they try to navigate the court system on their own. The information they receive about how to manage each step of the legal process is typically unclear and difficult to understand for people without a legal education. The courts should provide clear information online and in-person at the court, improve forms to include needed legal information, and employ court navigators who can help court users find the right courtroom and court-relevant services.

**(2) Prevent consent agreements without informed consent.** Judges should explain what a consent agreement means, that continuances are available, and that consent agreements can be modified if both parties agree. This could give defendants more time to become informed of the costs and benefits to entering into the agreement.

**(3) Make it easier for defendants to request continuances.** Continuances allow a party to postpone the court hearing to a later date. It is crucial for defendants to know that they can exercise their right to a continuance - as plaintiffs do - to carefully weigh their options and to reassess their financial capacity to enter into a consent agreement or to pursue other strategies of defense.

**(4) Courts should develop scripts to encourage informed participation.** In Philadelphia Municipal Court, a script developed by local legal aid is available for a defendant to read upon entering the room explaining what continuances are and how to ask for them, as well as what default judgments and consent judgments are in layperson’s terms. See Appendix A for an example of a script that is likely to encourage the informed participation of defendants.

**(5) Ban wage garnishments.** Wage garnishments encourage aggressive debt collection practices and occur in ways that give defendants little or no time. Wage garnishments should only occur when the defendant is given a 30 day warning before the first deduction.

## Background

---

Across the country, thousands of people are sued every day for debts. And when they are sued, defendants encounter courts that are governed by different policy environments. How do these different policy environments affect how defendants and their advocates experience and perceive the justice system? Drawing on quantitative and qualitative evidence from four counties (Harris County, Texas; New Haven County, Connecticut; Philadelphia County, Pennsylvania; and St. Louis County, Missouri) this study uses a comparative design to understand how the experience of defendants in states with more consumer protections differs from those in states with fewer protections.

We use the NCLC scorecard that assesses how well states protect people earning minimum wage with two children in the household. The scorecard’s grades range from A to F, but no state received an A grade in 2023. The five protections indicated in the scorecard are the following:

1. Preventing creditors from seizing so much of the debtor’s wages that the debtor is pushed below a living wage;
2. Allowing the debtor to keep a used car of at least average value;
3. Preserving the family’s home – at least a median-value home;
4. Preserving a basic amount in a bank account so that the debtor’s funds to pay essential costs such as rent, utilities, and commuting expenses are not eliminated; and
5. Preventing seizure and sale of the debtor’s necessary household goods.<sup>1</sup>

We define low-protection environments as those receiving a grade of C or lower, and high-protection environments as those receiving a grade of B or higher—meaning that debtors sued in protective states are entitled to more rights and exemptions than those sued in permissive states with more lax regulations. Two of the states in our study have

a grade of B (Connecticut and Texas), marking them as having high protection; and two have a nearly failing grade of D (Missouri and Pennsylvania), marking them as having low protection.

Across high and low protective environments, debt collection lawsuits begin when a plaintiff files a petition or complaint with the court. In the jurisdictions for this study, the plaintiff pays the court clerk a filing fee that ranges in our study from \$20.50 to \$116.75 per case. The plaintiff is required to issue a summons to the defendant named in the case, whether through local law enforcement, a certified server, or the court, in some instances. The defendant then has between 2-4 weeks to file an answer with the court. Sometimes the plaintiff and the defendant will choose to resolve the matter outside of the court system, which results in the plaintiff dismissing the case. At other times, the defendant will either file an answer and appear in court or will come to court without filing an answer. Most frequently, the defendant does nothing and fails to appear at their hearing or file a written response. In these cases, the plaintiffs usually request a default judgment.

One of the two most common outcomes in a debt collection case is a default judgment. A default judgment is requested by plaintiffs in cases where the defendant is not present. A default judgment is not decided on the facts of the case, rather it is decided based on participation. According to a Pew report, default judgments can be detrimental to defendants because the “judges do not independently evaluate the merit of a case before them; they rely on the defendant to argue that the case is invalid. With no defendant to argue, and regardless of the reason for the defendant’s failure to respond, court procedure dictates that the plaintiff wins automatically via a default judgment.”<sup>2</sup>

In the event a defendant chooses to not participate – whether for work commitments, childcare commitments, or simply being afraid – and receives a judgment by default, the debtor loses the opportunity to submit exemption forms that could alleviate their financial burden, protect their income, or negotiate a consent agreement with the potential to reduce monthly or overall payments. Not only do default judgments charge the full claim amount, the debtor is also found to be responsible for court costs subject to interest. Lastly, any judgments – including defaults – can open the door to liens against real property, garnishments against the debtor, allowing the plaintiff to seize income in the form of wages or in bank accounts.

The other common outcome in a debt collection case is a consent agreement. A consent agreement, otherwise known as judgment by agreement, consent judgment, or stipulated agreement, is a mutually agreed upon payment plan that the defendant enters willingly. This outcome is typically seen when defendants answer the summons, appear in court, and are encouraged to talk with the plaintiff’s attorney unsupervised. Sometimes it can also happen if the defendant and plaintiff come to an agreement outside of court. While a default judgment is all consequences, consent judgments can be beneficial to debtors both financially and psychologically. While this study and regression models focus on the default judgment outcome, consent agreements are discussed in depth in the qualitative results section.

## Key Questions

---

In our study, we examine one of the most common debt collection outcomes – default judgment – across four jurisdictions. We ask whether having more consumer protections (as outlined in the NCLC Scorecard) lead to a lower rate of default judgments. Below are three hypotheses that guided our analysis.

**Hypothesis 1:** *The more consumer protections for judgment debtors in the post-judgment process, the harder it is to enforce a default judgment. Therefore, we expect the likelihood of receiving a default judgment to be lower in Connecticut and Texas, compared with Missouri and Pennsylvania.*

**Hypothesis 2:** *We expect that defendants sued by bulk filers will have a higher chance of default judgments compared with defendants pursued by one-shot plaintiffs, no matter the policy environment. This is because they are more accustomed to filing over different policy environments.*

## Methodology

---

To test these hypotheses, we both conduct a set of difference-in-difference analyses, quantitative analyses, and bring in qualitative data from interviews conducted across the four jurisdictions. We take a quasi-experimental approach by comparing how defendants fare in courts governed by more consumer protections relative to courts operating under fewer protections. We are not able to randomize which consumers enter a court that is governed by high versus low consumer protection environments. However, we are able to estimate the difference in how defendants experience the courts in each policy environment (the first difference of concern in our analysis). We are then able to contrast how big these differences are between the different policy environments (the second difference of concern).

Using a difference-in-difference design takes advantage of both divergences to “clean” away factors that vary over time so that we can estimate just how much these policies make a difference for defendant outcomes. If there are no significant differences between consumers in Connecticut and Texas relative to consumers in Missouri and Pennsylvania, we would expect them to fare similarly under a single policy regime. By taking account of the differences among defendants within each state, and making comparisons between states, we can estimate the relationship of these policy environments with default judgments.

## Quantitative data

The quantitative analysis is run on four counties, totaling 190,085 completed debt collection cases, during the years 2020-2022. These cases were obtained by scraping the online court portals and databases for Harris County, New Haven County, and St. Louis County. Philadelphia Legal Assistance provided us with a data extract for Philadelphia County. In Harris County, Texas, there were 119,953 cases filed in this three-year period; in St. Louis County, Missouri, there were 30,493 cases; in Philadelphia County, Pennsylvania, there were 37,273 cases; and in New Haven County, Connecticut, there were 2,366 cases. The table below shows the filing rate for each county over the three-year period while Table 2 on the next page describes which courts we pulled data from, which case types we examined, and what the jurisdictional limits are for each court.

Table 1. Filing rate of completed debt cases per 100 adults

	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>Harris County, TX</b>	1.3	1.2	0.9
<b>New Haven County, CT</b>	0.1	0.1	0.05
<b>Philadelphia County, PA</b>	0.8	1.2	1.0
<b>St. Louis County, MO</b>	0.7	1.7	1.5

*Note: These rates were calculated using ACS 5-year estimates of the over 18 population. New Haven County does not have Census data available for 2022. We used the average over 18 population between 2020 and 2021 as a proxy estimate.*

Our quantitative data distinguishes bulk filers from individual filers. Three national third-party debt collection companies are the top filers in each county between 2020-2022: LVNV Funding, Midland Credit Management, and Portfolio Recovery Associates.<sup>3</sup> We refer to them as bulk filers because they submit stacks of debt collection lawsuits at a time to the courts. We also classify other bulk filers as any third-party debt collector or original creditor who accounts for 5% or more of the court's docket in debt collection lawsuits.



Table 2: The jurisdictions in this study vary in case type and jurisdictional limit but are all the primary venue or debt collection lawsuits in that county.<sup>4</sup>

	<b>What court we obtained data from</b>	<b>What case types we looked at</b>	<b>Jurisdictional limit</b>
<b>Harris County, TX</b>	Justice of the Peace Courts	Civil debt claims	Limited jurisdiction, cases are heard up to \$20,000
<b>New Haven County, CT</b>	New Haven Judicial District	Civil Collections	Unlimited jurisdiction, no specific upper limit
<b>Philadelphia County, PA</b>	Philadelphia Municipal Court	Small claims	Limited jurisdiction, cases are heard up to \$12,000
<b>St. Louis, MO</b>	(County) 21 <sup>st</sup> Associate Circuit Court	Associate civil debt claims	Limited jurisdiction, cases are heard up to \$25,000
	(City) 22 <sup>nd</sup> Associate Circuit Court		

### Qualitative data

We gathered qualitative data to help us make sense of our quantitative findings and to identify other questions to test with future research. Across the four jurisdictions, we interviewed nineteen consumer attorneys, three paralegals, one judge, and one defendant. We also observed eight courtroom proceedings across six courtrooms in Harris, Philadelphia, and St. Louis counties. The size of our interview sample was not large enough to reach saturation, but several key themes emerged across all four sites: some defendants do not participate in their court hearing because they were never served notice of the trial; some defendants become aware that they have been sued only through the surprise of having their wages garnished or a lien on their property; and defendants who appear in court without a lawyer increasingly find themselves being channeled into consent agreements that the defendants sign without consultation from an objective party about potential consequences of doing so, such as a judgment based on noncompliance entered if they miss payments or them having entered into an agreement when they otherwise would have been collection proof (i.e., they do not have garnishable assets nor wages).

### Recruitment

We first identified potential participants through a targeted approach, leveraging consumer advocacy organizations and lawyers doing pro bono work within the chosen jurisdictions. Upon establishing contact with initial respondents, the snowball sampling

method was employed to facilitate the expansion of the participant pool. Participants, upon completion of interviews, were encouraged to disseminate information about the study to other individuals within their social networks who might have experiences relevant to the research inquiry.

This iterative process of participant referral not only broadened the diversity of experiences represented within the sample but also engendered a sense of comfort, as potential participants were more inclined to engage with the study through the endorsement of their peers, resulting in 24 total participants with a 34% overall participation rate. One limitation is that the snowball sampling method did not reach many in the New Haven jurisdiction. While this method did reach several in the Philadelphia jurisdiction, few chose to participate.

Table 3. Interview Sample: Response and Participation Rates by County

	<b>Total Requests Sent Out</b>	<b>Responded</b>	<b>Response Rate</b>	<b>Participants</b>	<b>Participation Rate</b>
Harris County, TX	14	12	86%	11	79%
New Haven County, CT	9	7	78%	2	22%
Philadelphia County, PA	33	7	21%	3	9%
St. Louis County, MO	15	9	60%	8	53%
<b>Total</b>	<b>71</b>	<b>35</b>	<b>49%</b>	<b>24</b>	<b>34%</b>

### **Analysis**

To analyze the bulk court data, we modeled four logistic difference-in-difference regressions to examine the policy environments associated with the likelihood of a defendant receiving a default judgment. The two-way fixed effects for counties and years provide controls for the unchanging (but unobserved) characteristics in these jurisdictions. Due to the small range of years available (2020-2022), two-way fixed effects for counties and years control for the unchanging characteristics in this geospatial temporal analysis. Although we use Census data in our descriptive exploration of the counties' characteristics, we had to exclude them from our regressions to avoid collinearity in the models. The estimates we provide are odds-ratios to allow for interpretation. The main outcome of interest is whether a default judgment is more likely to happen in low-protection policy environments compared with a high-protection policy environment.

To analyze the qualitative data, after the interviews were transcribed by a third-party service, they were coded using MaxQDA qualitative analysis software. There was a total of 10 themes and 38 subcodes, covering the full range of the debt collection process from how defendants are first notified to the emotional and financial aftermath of judgments.<sup>5</sup> We aggregated subcodes by jurisdiction to see what the geographic trends are in the debt collection process in what was talked about by every participant in that jurisdiction and which topics were referenced the most. Additionally, we aggregated subcodes by NCLC grade to see how participants view current challenges and wins, as well as opportunities for reform. In that way, we were able to identify concerns shared in states with high protection policy environments that protect income and assets compared with policy environments where there were fewer protections.

## Findings

---

The volume of debt collection cases is so high that if most debtors had attorneys to defend them in court, it is hard to imagine how the system would operate effectively. The courts would become overwhelmed by the sheer number of cases requiring more time from the court than a rubber stamp default, largely due to the small group of high-frequency plaintiffs responsible for the majority of filings. In some jurisdictions, there are 10 companies that account for less than 1% of the plaintiffs, yet these repeat-players file most of the debt collection cases in the courts. We refer to these companies as “bulk filers,” and they consist of both original creditors and third-party debt collectors who dominate the system, placing immense strain on judicial resources. Currently, there are no statutes that limit the number of debt cases a plaintiff can file per year.<sup>6</sup> In all four jurisdictions, plaintiffs are able to e-file debt collection cases through various portals.<sup>7</sup> Table 4 on the next page lists the names and rankings of the top 10 filers in each jurisdiction.

**In New Haven County, Connecticut**, the top 10 bulk filers of debt collection lawsuits filed 46.6% of the total share of the 2,366 debt cases between 2020 and 2022. These top 10 represent only 1.8% of the total number plaintiffs filing debt collection lawsuits with the court.

**In Harris County, Texas**, the top 10 bulk filers of debt collection lawsuits filed 72.4% of the 119,953 debt collection lawsuits between 2020 and 2022. These top 10 represent only 10.4% of the total number plaintiffs filing debt collection lawsuits with the court.

**In St. Louis County, Missouri**, the top 10 bulk filers of debt collection lawsuits filed 70.7% of the total share of cases between 2020 and 2022. These top 10 represent only 1% of the total number plaintiffs filing debt collection lawsuits with the court.

**In Philadelphia County, Pennsylvania**, the top 10 bulk filers of debt collection lawsuits filed 78.5% of the total share of cases between 2020 and 2022. These top 10 represent only 1.2% of the total number plaintiffs filing debt collection lawsuits with the court.

Table 4. Top 10 filers across the four jurisdictions, 2020-2022.

	Harris County, TX	New Haven County, CT	Philadelphia County, PA	St Louis County, MO
1.	LVNV Funding LLC	Discover Bank	LVNV Funding LLC	LVNV Funding LLC
2.	Conn Appliances Inc	American Express National Bank	Midland Credit Management Inc	Metropolitan St. Louis Sewer District
3.	Midland Credit Management Inc	Bank of America	Portfolio Recovery Associates LLC	Midland Credit Management Inc
4.	Portfolio Recovery Associates LLC	Capital One Bank USA	Discover Bank	Portfolio Recovery Associates LLC
5.	Bank of America	Velocity Investments LLC	Capital One Bank USA	Cavalry SPV I LLC
6.	Cavalry SPV I LLC	Portfolio Recovery Associates LLC	Philadelphia Federal Credit Union	Capital One Bank USA
7.	Oportun Inc.	Citibank	TD Bank	Bank of America
8.	Citibank	LVNV Funding LLC	Police and Fire Federal Credit Union	Citibank
9.	Credit Corp Solutions Inc	US Bank National Association	ABC Bail Bonds	Jefferson Capital Systems, LLC
10	Jefferson Capital Systems, LLC	American Builders and Contractors Supply Co.	Credit Corp Solutions Inc	Midland Funding

Note: Original creditors are highlighted in blue; third-party debt collectors and debt buyers are highlighted in orange. Midland Funding is a separately registered business entity from Midland Credit Management.

New Haven only has one third-party debt collector in its top five filers (Velocity Investments LLC) but it isn't the one of the top recurring third-party debt collectors nor does it appear in the top ten filers of the other three counties. LVNV Funding LLC, the number one filer in all three other jurisdictions, falls to number eight in New Haven County while Portfolio Recovery Associates LLC is just out of reach at number six. Midland Credit Management Inc., either second or third top filer in the other counties, is not ranked at all in New Haven. Those recurring third-party debt collectors dominate in every jurisdiction but New Haven County. Of note, third-party debt collection agencies are required to register with Connecticut.

## Quantitative Results

---

Our original hypotheses were:

**Hypothesis 1:** *The more consumer protections for judgment debtors in the post-judgment process, the harder it is to enforce a default judgment. Therefore, we expect the likelihood of receiving a default judgment to be lower in Connecticut and Texas, compared with Missouri and Pennsylvania.*

**Hypothesis 2:** *We expect that defendants sued by bulk filers will have a higher chance of default judgments compared with defendants pursued by one-shot plaintiffs, no matter the policy environment. This is because they are more accustomed to filing over different policy environments.*

The findings below support hypotheses 1 and 2.

Table 5 lists the difference-in-difference regression results reported in odds-ratios for ease of interpretation. Robust standard errors are clustered at the county level and reported directly below the coefficient in parentheses. All four models include two-way fixed effects for both year and county. Model (1) is the base multivariate regression before adding treatments. Model (2) incorporates the bans garnishment treatment. Model (3) incorporates the NCLC grade B treatment. Model (4) includes both treatments for the full, final model.

**Legal representation.** Across all four models, legal representation for the defendant is both substantially and statistically significant in estimating the likelihood of a default judgment. Defendants with legal representation were 91.1% less likely to experience a default judgment compared to defendants with no legal representation, reaffirming the idea that those with access to legal information and guidance fare far better than debtors who attempt to navigate the court by themselves or are ineligible to receive assistance from local legal aid organizations. This finding is limited, however, as those who have lawyers have self-selected to participate in the court process; whereas those without lawyers may or may not have chosen to participate in the court process.

**Wage garnishment bans.** In Model (2), there is a statistically significant relationship between the likelihood of a default judgment and whether the jurisdiction bans wage garnishment. Defendants sued in counties with statewide garnishment bans (Harris County, Texas and Philadelphia County, Pennsylvania) are 5.6% less likely to receive a default judgment than defendants who do not live where garnishment bans are in place (St. Louis County, Missouri and New Haven, Connecticut).

Table 5. Regression Analysis for Likelihood of a Default Judgment, 2020-2022

	<i>Dependent variable:</i>			
	Default Judgment			
	Base (1)	Treatment: Bans Garnishment (2)	Treatment: NCLC Grade B (3)	Both Treatments Included (4)
Defendant has representation	0.089*** (0.037)	0.089*** (0.037)	0.089*** (0.037)	0.089*** (0.037)
Filing rate per 100,000	1.000*** (0.00004)	1.000*** (0.00004)	1.000*** (0.00004)	1.000*** (0.00004)
Plaintiff is bulk filer	1.128*** (0.010)	1.066* (0.034)	1.108*** (0.026)	1.037 (0.034)
Plaintiff is 3 <sup>rd</sup> party debt collector	1.204*** (0.011)	1.538*** (0.017)	1.565*** (0.017)	1.567*** (0.017)
Treatment: state bans wage garnishment		0.944** (0.028)		
Treatment: state has NCLC grade of B			2.073*** (0.062)	2.020*** (0.063)
After COVID-19 shutdowns		1.225*** (0.037)	1.212*** (0.029)	1.195*** (0.037)
After COVID-19 shutdowns, in states banning wage garnishment		1.154*** (0.041)		1.024 (0.049)
After COVID-19 shutdowns, in states with NCLC grade of B			1.248*** (0.036)	1.243*** (0.043)
Plaintiff is bulk filer after COVID-19 shutdowns		0.819*** (0.055)	0.837*** (0.044)	0.834*** (0.056)
Plaintiff is bulk filer in states banning wage garnishment		1.518*** (0.033)		1.132*** (0.040)
Plaintiff is bulk filer in states with NCLC grade of B			1.586*** (0.026)	1.503*** (0.031)

Plaintiff is bulk filer and 3 <sup>rd</sup> party debt collector		0.655*** (0.026)	0.659*** (0.026)	0.657*** (0.026)
Plaintiff is 3 <sup>rd</sup> party debt collector after COVID-19 shutdowns		0.736*** (0.030)	0.735*** (0.031)	0.732*** (0.031)
Plaintiff is bulk filer in states banning wage garnishment, after COVID-19 shutdowns		0.926 (0.054)		1.014 (0.065)
Plaintiff is bulk filer in states with NCLC grade of B, after COVID-19 shutdowns			0.908** (0.044)	0.897** (0.054)
Plaintiff is bulk filer and 3 <sup>rd</sup> party debt collector, after COVID-19 shutdowns		1.339*** (0.046)	1.352*** (0.046)	1.354*** (0.046)
Constant	0.847*** (0.040)	0.797*** (0.049)	0.671*** (0.051)	0.698*** (0.053)
Observations	190,085	190,085	190,085	190,085
Log Likelihood	-118,395.900	-118,099.300	-117,985.400	-117,976.800
Akaike Inf. Crit.	236,811.800	236,232.600	236,004.800	235,993.700

Note:

\* p<0.1; \*\* p<0.05; \*\*\* p<0.01

**NCLC grade.** In NCLC grade B counties, the default rate for New Haven County between 2020-2022 was 53% while Harris County's default rate was 32.8%. In NCLC grade D counties, the default rate for St. Louis County was 37.2% while Philadelphia County's default rate was 44.5%. In Model (3), defendants in counties with a state NCLC grade of B (Harris County, Texas and New Haven County, Connecticut) were 107.3% more likely to receive a default judgment than those with a grade of D (St. Louis County, Missouri and Philadelphia County, Pennsylvania). In Model (4) with both treatments incorporated, the likelihood dropped slightly but remains high at 102%.

**COVID shutdowns.** Overall, defendants sued after COVID shutdowns ended are 19.5% more likely to receive a default judgment than during shutdowns, all else held equal. This suggests that factors like the absence of physical intimidation of finding and being in a courtroom and the removal of logistical challenges such as transportation, arranging childcare, and time to attend court may have influenced this increase,

pointing to areas for further exploration of virtual court services.<sup>8</sup> After courts resumed normal services post-COVID shutdown, defendants sued by a bulk filer are 16.6% less likely to receive a default judgment had they been sued by the same plaintiff before shutdowns ended. This could be an indication of several different possibilities: a gradual return to economic stability, consent agreements are being utilized more, and/or bulk filers working to get more cases dismissed and settled outside of court. However, these models do not supply insight into these possibilities and warrants more investigation into additional counties and years of data, and if possible, data on different types of dispositions apart from default judgments.

***Third-party debt collectors.*** Overall, defendants sued by third-party debt collectors are 56.7% more likely to receive a default judgment than if sued by an original creditor. This could be attributed to debtors feeling a sense of responsibility for debts they feel they owe with original creditors whereas debtors contacted by third-party collectors may not know who they are and do not want to engage.

Defendants sued by third-party debt collectors who are also bulk filers (LVNV Funding LLC, Midland Credit Management, and Portfolio Recovery Associates LLC) are 34.3 percent less likely to default than those sued by original creditors and non-bulk filers. However, when accounting for courts resuming normal services after COVID shutdowns, debtors sued by LVNV Funding, Midland Credit Management, and Portfolio Recovery Associates became 35.4% more likely to receive a default judgment than if they had been sued by an original creditor who was not a bulk filer. When a defendant is sued, we would expect there to be no difference in whether their case results in a default judgment by virtue of who the plaintiff is. But the uptick in cases post-COVID shutdowns suggest who the plaintiff is now matters: being sued by LVNV, Midland, or Portfolio will make it more likely that the case results in a default judgment. This suggests the high-frequency users of the court are getting favorable outcomes that differ in a patterned way from other plaintiffs.

## Qualitative Results

Delving into the qualitative evidence, we begin to understand what wage garnishment bans mean for the different jurisdictions. Although Texas has one, an experienced consumer lawyer noted, “They can still take everything in your bank account.” The law is nuanced in language; garnishing income in a defendant’s bank account is entirely different from garnishing paychecks directly through a defendant’s employer. Texas’ laws do not explicitly prohibit garnishing bank accounts and thus allow a loophole. And although Connecticut does not have a wage garnishment ban, the court automatically enters judgments as payment plans. Missouri similarly does not enact a wage garnishment ban, however, there are buffers in place for low-income head of households that limit garnishments to be 10% of their disposable income, compared to the federal garnishment limit of 25%. Missouri also does not protect wages once deposited.



**Consent Agreements.** One way that courts have managed the high-volume of debt collection cases is by encouraging plaintiffs and debtors to enter a consent agreement as to inform debtors that they are still receiving a judgment against them. Debtors may choose this route to avoid arguing their case in front of the judge. One common concern that some attorneys expressed about this arrangement is that unrepresented debtors are unlikely to realize the potential benefits and risks of entering a consent agreement. The plaintiff has all the leverage and information about how the agreement might advantage their side, but the defendant typically does not have the resources to affirmatively assert their rights or to assess risks and benefits of the proposed terms in that moment.

Consent agreements can have these potential benefits:

- Debtors can negotiate terms that may be more favorable than those imposed by a court, providing them with more control over repayment plans;
- Signing a consent agreement can reduce expenses by avoiding multiple continuances or a prolonged court trial;
- People want finality in their cases;
- Avoiding the full court process may have emotional or psychological benefits, especially if debtors are afraid of punishment for failure to pay, ashamed, or embarrassed; and
- As long as payments are made as agreed, debtors can avoid wage garnishment or bank account garnishment, which is the complete and unexpected depletion of funds to meet basic needs and expenses. Although it is illegal, debtors may also lose their jobs because wage garnishment can create a headache for the employer.

However, consent agreements can have these negative consequences:

- Debtors may agree to terms that are difficult to meet such as monthly payments that are too high for their income and other expenses or if the debtor's financial situation worsens, leading to further financial strain;
- Sometimes, the amount agreed upon in a consent judgment may be higher than what might have been obtained through wage garnishment or other court-imposed repayment plans, increasing the overall financial burden on the debtor;
- Debtors may unknowingly sign away their protected income, such as Supplemental Social Security Income or disability if they are uninformed about their rights;
- Debtors may be foregoing valid defenses; and
- As a judgment, creditors gain the power to execute and lien property unless execution is stayed by agreement.

Defendants might also feel pressure to engage in these agreements if a judge is seeming to suggest that it is a good idea. Fifteen interviewees across Harris, Philadelphia, and St. Louis counties highlighted the negative consequences of consent agreements. For example, one consumer attorney in St. Louis County with decades of experience said, "I wish they would ask every time, 'Do you understand this consent judgment is a judgment and not just a settlement, and they will be able to garnish [your wages] ... if you fail to pay?'" The same attorney in St. Louis County explained why defendants might

believe that entering into a consent agreement is the preferred outcome of the court: They are being told to consider it by the judge.

“[The judge] will, at the very beginning of a docket call, say ‘If you want to go to the hall, you may.’ But most of them say, ‘What I want you to do is go out in the hall and talk to [the plaintiff’s attorney].’ It won’t be required, yet it [might feel as though it] is, because you’ve got a person in a black robe up there saying, ‘You should go out in the hall.’ Well, the judge is not saying, ‘you must,’ but [the defendant is thinking,] ‘I guess I should.’”

Very few defendants know they can ask for a continuance so that they do not need to decide on entering into an agreement that day, giving them an opportunity to weigh their options. Another consumer attorney in St. Louis remembered having to inform their client that one quick conversation with a debt collector and some signed paperwork made it final: “What you agreed to was a [consent] agreement four years ago. The payments you’ve been making ever since then were not preventing a judgment, it was just preventing execution on a judgment. So, there’s nothing you can do to avoid the judgment now. It’s already been entered.”

While consent agreements have the potential to negotiate favorable payment terms if the debtors are financially well-versed and offer a sense of finality to the end of courtroom proceedings, the testimonies collected from participants in this study provide insight into how debtors can be trapped in unsustainable payment plans when they are uninformed or misinformed and don’t know it – until it’s too late.

**Notification.** A 2023 report from The Pew Charitable Trusts highlighted the need to improve defendant notification.<sup>9</sup> It is, therefore, not surprising the anecdotes shared by attorneys, paralegals, and a former client feel that challenges in notification persist for debtors. Initiating debt collection lawsuits requires notifying defendants, typically through the service of a summons and complaint by mail or in-person. This documentation includes information on the plaintiff’s identity and the location of the court. It also includes a deadline by which the defendant must respond, which can be as early as 14 days or as long as 30 days in the four jurisdictions in this study, as seen in Table 4 on the next page.

Proving that notification was not served is difficult, except for some lucky turn of events. In one instance, an attorney recounted an instance in which a plaintiff had an affidavit that a defendant was served at a location in Kansas City. When asked for proof, the debtor was able to show that they were indeed incarcerated in a penitentiary in another state at the supposed time of service. Another attorney recalled a client who, when asked to provide evidence challenging service of process, produced a passport indicating a trip out of country at the supposed time of service. In another case, a client produced timestamped sales receipts from shopping trips to Hobby Lobby and Michael’s locations on the other side of town to challenge service. And yet in another instance, the Ring camera at a neighbor’s house showed notification being delivered to the wrong address.

Table 6. The Process for Defendants Receiving &amp; Responding to Notification

	Harris County, TX	New Haven County, CT	Philadelphia County, PA	St. Louis County, MO
How does the defendant take the next step in their case after being served a summons?	Written answer	Written answer	Written answer	Written answer
How many days does the defendant have to respond in small claims suits or associate divisions?	14	30	20	Varies*
Is the plaintiff required to verify the defendant's correct address?	No	Yes	No	No
Is there a fee to respond to the summons?	No	No	No	No
Is there an answer form made for debtors representing themselves?	No	Yes <sup>10</sup>	No	No

\*Revisor of Missouri, Title XXXV Civil Procedure and Limitations, 513.031.2.

Table 6 compares the notification process across the four jurisdictions. Most jurisdictions provide the defendant with 3 to 4 weeks to respond to the notification. However, in Harris County, Texas, defendants only have 2 weeks to respond. Only one jurisdiction, New Haven County, requires the plaintiff to verify the defendant's correct address.<sup>11</sup> Debtors, attorneys, and some mediators feel that the notification process is not fair when service of summons to the defendant is improper and when notification is so confusing that the defendant doesn't understand the consequences of not participating in the hearing. This plays out in the four jurisdictions of study:

1. In Harris County, the instructions to file an answer when notified of a debt suit only reference the deadline to submit.<sup>12</sup> There are no digital or physical mailing addresses in which to return the answer, nor are there any consequences listed such as a default judgment if the defendant were not to respond.
2. In St. Louis County's 21<sup>st</sup> Associate Circuit (St. Louis County) for debt cases, "not all forms used by the court will be made available on the Internet."<sup>13</sup> This includes forms to file an answer or respond to a summons. Likewise, in the 22<sup>nd</sup> Associate Circuit (St. Louis City) court, there are no forms or instructions listed about how to file a response as the defendant.<sup>14</sup>

Whereas in Philadelphia County and New Haven County, defendants receive better (though not perfect) information:

3. In Philadelphia Municipal Court, defendants are served a packet of information when sued. This packet, available online, informs the defendant of the 20-day timeframe in which they must take action to file a response to the court as well as the consequences of possibly losing money, property, or other rights important to the defendant should they fail to respond.<sup>15</sup>

4. In New Haven County, the small claims answer form is listed on the court's website and the form itself explains how to file the answer in-person, by mail, fax, or electronically, as well as what happens if the defendant does not file an answer. The form also instructs the defendant on how to countersue and how to file a motion to move the case from small claims to the civil docket.<sup>16</sup> Additionally, New Haven County's form makes it clear that the date listed on the form is the answer date, **not** the court date to appear. This is crucial in clarifying the order that must occur (answer first, then appear in court) to debtors who may misunderstand and think they have more time to take action.

## Challenges

---

One of the challenges we faced was that those suing the court at high rates seemed to be unable to spell their own name (e.g., "Cavalry" vs "Calvary") or filed as a mononym, rather than listing the company's official BBB registered name ("LVNV" instead of "LVNV Funding, LLC"). Other common banks such as TD Bank and JP Morgan appeared with numerous spaces or periods between different sections of the name and some misspellings. To standardize bulk filer plaintiff names in the data to ensure uniformity when conducting the analyses, we used fuzzy matching to create a list of possible name matches then reviewed plaintiffs in the preliminary top 20 filers to allow for fluctuations of rankings when aggregated with the proper name spelling.

## Limitations

---

The findings here are suggestive and a causal arrow cannot be drawn. Having more consumer protections and a higher NCLC score may not lead to lower default judgment rates, but banning wage garnishments might make a significant difference in de-incentivizing default judgments. It appears to matter who the plaintiff is, with different patterns for bulk filers who are debt buyers versus large original creditors.

To cross-validate the findings of this study, we invite further research on this matter by expanding additional years as to better control for patterns pre-COVID, during COVID, and post-COVID influences and policies. Moreover, this study only looked at four jurisdictions. As we obtain more data at the Debt Collection Lab, we wish to greatly increase the sample size of jurisdictions included, especially in the Midwest and West.

Data limitations prevented us from being able to answer other questions. Across the four jurisdictions, only St. Louis County provided additional types of dispositions including consent judgments and dismissed by both parties outside of court. There, dismissed by parties make up 42 percent of the docket, followed by default judgments at 37.2 percent, followed by consent judgments at 10.3 percent. With more robust data, we could answer questions looking at the impact of policy environments on consent agreements and dismissals.

## Recommendations

---

Both plaintiffs and defendants should have adequate information to make informed decisions about how to participate in a legal proceeding, including whether they are being sued, what protections and exemptions there are and how to claim them, what support there is to ensure that informed decisions are being made to proceed with the case or to opt for a consent agreement, and how to ensure that judges hear both sides—making the effort to inform defendants of the likely consequences of not participating in their cases and allowing reasonable accommodations for those who have difficulties attending the hearings. Upon reviewing these quantitative and qualitative findings, we offer the following recommendations.

***Ban wage garnishments.*** Wage garnishments encourage aggressive debt collection practices and occur in ways that give defendants little or no time to prepare for being garnished or rebudgeting. Wage garnishments should only occur when there is the voluntary consent of the defendant who has at least a 30-day warning before the first deduction. While the quantitative results suggest that being sued in a state that bans wage garnishments overall slightly reduce the odds of receiving a default judgment, these odds are either negated or neutralized when looking at how bulk filers or third-party collectors fare with default judgments in that state. Banning wage garnishments may be one part of the puzzle that slowly decreases a debtor’s chances of receiving a default judgment. Future research should look to investigate extending protection of wages once deposited into a debtor’s bank account.

***Prevent consent agreements without informed consent.*** Allowing plaintiffs and defendants to enter into a consent agreement can be beneficial if the defendant is in a position to provide voluntary, informed consent. To ensure that defendants know their rights, an info sheet should be posted on the outside of the courtroom outlining rights they are entitled to such as hardship exemption requests, continuance requests, and types of protected income, since consent agreement discussions between defendants and plaintiffs are unsupervised in the hallway. The judge should also inform the defendant of consequences if they fail to adhere to the agreement and inform them of ways that the agreement might be modified to prevent the defendant from falling into unnecessary complications in the future before finalizing the agreement and submitting it into court records. This all falls under the court providing legal information, not legal assistance.

***Make it easier for defendants to request continuances.*** It is crucial for defendants to know that they can exercise their right to a continuance – as plaintiffs do – to carefully weigh their options and to reassess their financial capacity before entering into a consent agreement or to pursue other strategies of defense. Continuance forms should be physically and readily available to defendants either directly outside of the courtroom or immediately when entering the courtroom. Philadelphia Municipal Court currently implements this recommendation, as recommended by local legal aid organizations in the area. St. Louis County and Harris County do not. New Haven County’s remote justice guide references “chang[ing] the date” of a remote court proceeding, however, does not include a link to the online continuance form or uses the

specific legal terminology. The guide only recommends visiting or emailing the Court Service Center.

***Provide better legal information and expand services.*** Compared to plaintiffs, defendants regularly encounter several challenges when they try to navigate the court system on their own. The information they receive about how to manage each step of the legal process is typically unclear and difficult to understand for people without a legal education or access to a lawyer. Many are uninformed about their rights and what income and asset protections are available to them as defendants. The difference is stark; represented debtors are 91.1% less likely to have a default judgment entered against them than their fellow debtors trying to navigate the complicated legal system on their own. Whether they are told about any legal support services available to them often varies depending on the judge who is handling their case. Therefore, the courts should provide better legal information and partner with legal service providers to support both parties in getting the legal advice they need to take action in their case. It is important to note that the courts taking this action will enable debtors who are ineligible for free legal aid to still receive important legal information regarding their rights.

***Courts should develop scripts to encourage informed participation.*** In Philadelphia Municipal Court, a script developed by local legal aid is available for a defendant to read upon entering the room in English, Spanish, Portuguese, and Mandarin Chinese explaining what continuances are and how to ask for them, as well as what default judgments and consent judgments are in layperson's terms. See Appendix A for an example of a script that is likely to encourage the informed participation of defendants.

## Conclusion

---

Across all four jurisdictions with varying amounts of consumer protections in debt collection, the results suggest that default judgments that occur when the defendant does not appear at the hearing may not be a function of the defendant's behavior alone. Who the plaintiff in the case is matters. Debtors sued by third-party debt collectors who are high frequency users of the court are statistically more likely to have default judgments entered against them than debtors sued by original creditors. However, debtors who have legal representation face substantially better chances of avoiding a default judgment. While in an ideal world every defendant would have representation, the current court systems are not built to sustain mass legal representation of defendants. The system would collapse, and it would take years to get through backlogged dockets of the volumes we see today. There are, however, important steps that courts can take to educate defendants of their rights, such as improving the availability and quality of legal information, preventing consent agreements without informed consent, and developing scripts to encourage participation.

Based on the initial findings released in this report, future research should expand on this study by expanding the time frame of analysis. There are variations in how city and county courts process debt collection lawsuits. Incorporating additional counties for

each of the four states investigated in this report may help narrow or specify these variations, even when upholding the same consumer protections. Additionally, wage garnishment bans provide an opportunity for future and larger scale research. Do wage garnishment bans provide a disincentive for bulk filers to use the courts because the restriction prevents efficient extraction of monies from defendants? Will we see a decrease in case filings per 100 adults in states after they ban wage garnishments? Finally, future research can better address fairness in the courts as well as *perceptions* of fairness from plaintiffs and defendants. What policies and procedures are most likely to enable defendants to be defended? And under what conditions might courts inadvertently tip the scales to either the side of the plaintiff or to that of the defendant? By pursuing these questions through the systematic collection of data, we can assess how justice works and for whom.

## Appendix

### Appendix A: Script for Room 5, Municipal Court, Philadelphia

<b>ENGLISH</b>
<b>PHILADELPHIA MUNICIPAL COURT</b>
<p><b><u>Consumer and Debt Opening</u></b></p> <p>Good morning/afternoon, my name is _____. I am a Trial Commissioner for Municipal Court. I am not a judge who will decide your case. I want to welcome you and tell you about what will be happening today. This is the trial date and you are entitled to proceed to trial today. Both sides may request a continuance, but you are entitled to speak with a Judge no matter what.</p> <p>If you have questions after I am finished, please speak with any of the court staff. They cannot give you legal advice, but they can help you understand court procedures.</p> <p>Also, if you speak a language other than English, please let the court staff know. We will get an interpreter for you.</p> <p>The cases on today's list in courtroom 5 are debt collection cases. This means that people or companies have sued claiming that they are owed an unpaid debt. They are the Plaintiffs and are usually represented by attorneys. If you are here because someone claimed you owe them money, you are the Defendant. You also have the right to be represented by an attorney.</p> <p>We will call each case to make sure everyone is here. Please stay in this room even after we call your name. If you leave, and we call your name, you may lose your case automatically. This is called a DEFAULT JUDGMENT. The court gives DEFAULT JUDGMENTS when a person being sued in the case is not here. If the Plaintiff is not here, the court will dismiss the case.</p> <p>Plaintiffs, please know how much money you claim the Defendant owes. This should not include court costs. It also should not include a claim for attorney's fees if there is not proof that the Defendant has agreed to pay attorney's fees.</p> <p>If both sides are here, you can talk to each other alone if you want. This gives you a chance to see if you can reach an agreement. We call this "settling" your case. It is your choice whether you talk with the other side about settlement.</p> <p>Defendants, you will most likely be talking to an attorney who is here for the person or company who claims you owe them money. Remember, attorneys for the debt collectors represent their client's needs. They do not represent you. They should not give advice or pressure you into agreeing with them.</p> <p>Both sides have the right to come to an agreement. But you should reach an agreement only if you are sure it is fair and you want to accept it. You also have the right to have a Judge hear your case and decide the outcome.</p> <p>Consumer debt issues vary. If the case goes before a Judge, the plaintiff must prove their claim. The defendant then may show why they do not owe the money claimed.</p>



Things that often come up at a debt collection hearing are:

- Whether the plaintiff can actually prove you owe the amount claimed
- Sometimes, the plaintiff is not the original person or company you owed money to. When this is true, they must show that they have the right to get that debt from you.
- Whether there is any fraud or mistake
- Whether all your payments are accounted for
- And whether the plaintiff filed the lawsuit on time.

If you come to an agreement, it will be written and binding. This means you cannot appeal it and it is final.

Some agreements, called “Judgments by Agreement” or JBAs, are court judgments entered against you. A court judgment can be a lien against your home or any property you own. It will likely affect your credit rating. It may affect your ability to get housing. If you break the agreement, plaintiff also can attempt to take money from your bank account. Other settlement agreements are not court judgments. This is an important decision for both sides to make.

If you do not come to an agreement or if you decide not to talk about your case with the other side, tell the court staff. You are entitled to proceed to trial today before a Judge. If both sides want to not proceed today and have a trial in the future, I can give you both a date in the future for that. If you want a trial a Judge will hear the case. If either party objects to a postponement request, a Judge will decide that question.

If you need time to find an attorney to represent you, you may ask the court to continue the case and schedule it for a future date. If you cannot afford a lawyer, you may contact Community Legal Services to see if they can assist you.

It is your choice whether you talk with the other side about a settlement agreement or have a Judge decide your case after a hearing. The court has no preference.

Again, while we cannot give you legal advice, court staff and a Judge can help you with questions about court procedures. Please feel free to ask.

Thank you.

## References

---

<sup>1</sup> National Consumer Law Center, “No Fresh Start,” <https://www.nclc.org/resources/no-fresh-start-2023/>

<sup>2</sup> The Pew Charitable Trusts, “How Debt Collectors are Transforming the Business of State Courts,” May 6, 2020, <https://www.pewtrusts.org/en/research-and-analysis/reports/2020/05/how-debt-collectors-are-transforming-the-business-of-state-courts#:~:text=If%20the%20defendant%20does%20not,default%20judgment%20for%20the%20plaintiff.>

<sup>3</sup> The exception is New Haven with the regular debt claims. Midland Funding was a top filer in small claims, but do not show up in top 10 for regular debt claims.

<sup>4</sup> The Pew Charitable Trusts, “How Philadelphia Municipal Court’s Civil Division Works,” 2021, <https://www.pewtrusts.org/en/research-and-analysis/reports/2022/10/how-debt-collection-works-in-philadelphias-municipal-court>; Harris County Justice Courts, “Justice Court Suits,” <http://www.jp.hctx.net/suits/faq.htm>

<sup>5</sup> MaxQDA schema available upon request to authors.

<sup>6</sup> The exception is St. Louis small claims court, which allows 12 cases per plaintiff per calendar year. This court is excluded from this analysis as the majority of the debt collection cases are filed in the 21<sup>st</sup> and 22<sup>nd</sup> Associate Circuit courts, which do not limit the number of cases filed by plaintiff per year.

<sup>7</sup> Harris County: eFileTexas; Philadelphia County: Unified Judicial System of Pennsylvania’s e-filing; St. Louis County: Missouri eFiling; and New Haven County: Connecticut Judicial Branch e-filing.

<sup>8</sup> New Haven County still offers virtual hearings in addition to physical hearings. [Quick Ref Guide Remote Hearings.pdf \(ct.gov\)](#). January 17<sup>th</sup>, 2024.

<sup>9</sup> The Pew Charitable Trusts, “Why Civil Courts Should Improve Defendant Notification,” 2023, <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2023/03/why-civil-courts-should-improve-defendant-notification>

<sup>10</sup> JD-CL-12 “Appearance”, page 2. [APPEARANCE \(ct.gov\)](#) Connecticut Judicial branch also supplies a video walkthrough for pro se debtors. [Self-Represented Parties Information Series: Filling Out and Filing an Appearance Form \(youtube.com\)](#)

<sup>11</sup> Practice Book, Connecticut Judicial Branch. Sec 24-9. [PB.pdf \(ct.gov\)](#)

<sup>12</sup> [CV-Answer 502.5.pdf \(hctx.net\)](#)

<sup>13</sup> [Associate Civil - St. Louis County Courts - 21st Judicial Circuit \(stlcountycourts.com\)](#)

<sup>14</sup> [Court Forms \(stlcitycircuitcourt.com\)](#)

<sup>15</sup> [Complaint-Package.pdf \(phila.gov\)](#) <sup>15</sup> Pennsylvania requires that every complaint in a civil action include a Notice to Defend which contains the following language: "YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE." 231 Pa. Code § 1018.1 (2023); Pa. R. C. P. 1018.1.

<sup>16</sup> [CVO40A1.pdf \(ct.gov\)](#)