
Editorial: Relief from old debts

Staff Reports

Wednesday, July 20, 2011

While Washington is consumed with the struggle over how to reduce the nation's debt, one member of Congress is promoting an idea that would help struggling individuals keep from being pulled into court by their very old debts.

The bill introduced by Democratic Rep. Steve Cohen of Memphis would clarify a principle already established by law -- that it is not permissible to sue or threaten to sue an individual whose debt has exceeded the statute of limitations.

The notion that too much time has passed to collect in the courtroom is sound. This is not to say such debts must be forgiven. It should remain legal to collect debts and for nonpayment to be reflected on credit reports.

But there is no excuse for moving ahead with a lawsuit when the statute of limitations -- six years usually in Tennessee -- has expired.

It should not be necessary to remind creditors of this, but, according to lawyers for Memphis Area Legal Services, they are often called on to persuade judges that "stale debt" lawsuits violate existing law.

One of the proposed law's primary benefits would be to discourage aggressive tactics by collectors. While people expect to be held accountable for their debts, strong-arm tactics and legal actions should not be part of the strategy for collecting debts incurred many years earlier.



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