



# Scope

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## Collections Around the World

**D**avid Franklin, attorney of Franklin & Franklin in Montreal, Quebec, gave a seminar at the IACC 37th Annual Convention held this past January in Ft. Lauderdale, Fla., on “American Collections in Canada and Latin America.”

During his presentation, he explained in some detail the differences in collecting for U.S. clients versus clients in Canada. He pointed out that there are many differences an agency needs to be aware of before they try to collect in a foreign country.

“Canada is made up of 10 provinces and each province may have some variance in law to the next. It is important to work with a knowledgeable Canadian lawyer,” Franklin said.

Franklin continued the session by explaining some of the specific differences in the law for a few of the provinces. For example, in two of the provinces, Quebec and Ontario, even though they are in the same country there is a different legal system. In Quebec, it is civil law and in the sister states (provinces) it is common law. Franklin reiterated that this is why you need to know the law and rules of each area.

Although Franklin spoke mostly on the differences in Canada and between the U.S. and Canada, he also touched briefly on the differences in other countries. He then ended the session by pointing out documents and obstacles that you need to be aware of when



**There are many differences an agency needs to be aware of before they try to collect in a foreign country.**

sending claims to other countries.

*The above article is a summary of the session “American Collections in Canada and Latin America,” which Franklin presented at IACC’s 37th Annual Convention this past January.*

David Franklin is also the author of a recently published book that deals with collecting in many different countries and what some of the laws are in various jurisdictions relating to the topic of international commercial debt recovery. The information included is not the exhaustive explanation for each law, yet a summary and can be used as a quick guide.

Franklin felt the need to do this book when he noticed that many agencies were asking what the different laws were in the countries they were collecting in.

He realized that there wasn’t really one central piece of literature that included this basic information. He decided that there was a need to present something like this to the commercial collection industry.

He began putting ideas together for the book and contacted his global network of lawyers and others in the industry. The book of 858 pages ended up with many contributors, either through country studies or articles and includes an overview of about 50 different jurisdictions and the laws concerning international commercial litigation for these countries.

The book is titled *International Commercial Debt Collection*, and is published by Thomson (<http://www.carswell.com/description.asp?docid=4363>).

David Franklin may be reached by e-mail at [d.franklin@franklinlegal.com](mailto:d.franklin@franklinlegal.com).

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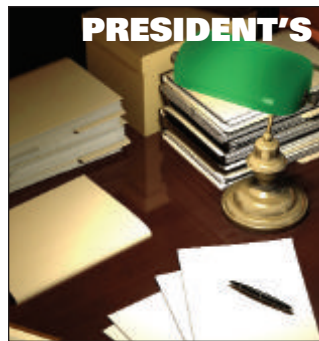
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## PRESIDENT'S LETTER

# Remember the Golden Rule

*By Richard Brownlee*

**E**dwin Markham, poet, is quoted as making the statement "We have committed the Golden Rule to memory; now let us commit it to life." The question of what is ethical, and what is not, seems to be coming up in conversations that I have had with several people recently. Maybe it is a matter of trust, but in general I have always had the faith that people and companies will act in an ethical manner.

However in today's society such a belief may be a little naïve. The pressures of making sales, collecting the money, trying to beat out the competition; it seems to create an environment where some may feel they have to cross that line.

Ask ten people what their definition of ethical is, and you will probably get ten different answers. The dictionary gives a partial definition as "being in accordance with the rules or standards for right conduct or practice."

The IACC has a Code of Ethics and expects members to abide by them. In fact, most organizations do, but they will differ in content, and determining what is acceptable and what is not. Though, one thing is certain, if someone in our industry fails to conduct themselves in an ethical manner it can make us all look bad and add fuel to the fire surrounding our industry.

You have seen recently how the media can spin a story that has everyone shaking their heads. A code of ethics is often a formal statement of the organization's values on certain ethical and social issues. The members of the IACC have consistently shown their desire to better the collection industry by letting the credit community know they operate under such a code.

Now I won't begin to claim that there are not instances where a dispute over ethics is the center point. However, I would simply



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encourage everyone to remember the "Golden Rule" and we will all be better for it.

The IACC 20th Annual Mid Year Management Conference is quickly approaching. I hope everyone is making their plans to attend. As I mentioned in my previous President's letter, some people asked me what they could do to get more out of their membership. Well for starters, attending the mid year meeting, and annual meeting is good. This year's meeting in San Diego is setting up to be one of the best ever! There were a lot of new faces in Florida this past January. However there were a lot of familiar faces that I did not see. Don't miss it! I look forward to seeing everyone.

Auf Wiedersehen für jetzt

# Call for Volunteers

IACC would like to see more members become actively involved in various aspects of the association. Therefore the IACC Board is looking for members to volunteer to serve on any of the below committees. Please let us know if you are interested in helping. Send your information to [bobrowski@commercialcollector.com](mailto:bobrowski@commercialcollector.com).

## Committees and their duties/current goals:

### Agency Certification Committee

- Encourage Board agencies to become certified if not already.
- Increase the number of Certified Agencies.
- Request feedback from members on the value of the program for future discussion.

### Associate Membership Committee

- Review monthly pending associate memberships.
- Develop incentives that will help retain current associate members.
- Contact terminated associate members and encourage them to rejoin.

### Meetings/Convention Committee

- Help plan Mid Year Management Meeting and IACC Convention.
- Request feedback from the general membership on the kind of programming they would like to see at future meetings.

### Education Committee

- Help plan and coordinate IACC webinars, training manuals...

### Grievance Committee

- Review all grievances.

### Legislative Committee

- Monitor Legislative activity concerning collections, particularly the interstate collection issue.

### Agency Membership Committee

- Review monthly pending agency memberships.
- Develop incentives that will help retain current members.
- Contact terminated members and encourage them to rejoin.

### Membership Authentication

- Monitor and contact terminated/non-members who are using the IACC logo or claiming IACC membership.

### Nominating Committee

- Submit a list of IACC members to fill vacant board positions.

### PR/Advertising Committee

- Seek new ways to promote IACC.
- Review and approve all proposed outside advertising.

### International Development Committee

- Develop ideas to attract international members.
- Contact new members and welcome them to the association.

## MEMBER REPORT

### ASSOCIATE PENDING MEMBERS:

**Davis Law Firm, LLC**  
Birmingham, Ala.

### NEW PENDING AGENCY MEMBER

**CLL AlterConsult**  
Moscow, Russia

### CERTIFIED COMMERCIAL COLLECTOR:

**Thomas Hayes**  
PRO Consulting Services, Inc.  
Houston, Texas

**Joseph Berger**  
Johnson, Morgan & White  
Boca Raton, Fla.

**Cory Prescott**  
Johnson, Morgan & White  
Boca Raton, Fla.

For more information on the IACC Certified Commercial Collector Program, visit the IACC Web site at [www.commercialcollector.com](http://www.commercialcollector.com) and click on "Certification."



## MEET A MEMBER



### Jocelyn Nager Knows Personal Contact Goes a Long Way

**S**uccess doesn't just fall into your lap, you really have to work at it and Jocelyn Nager, president/managing partner at Frank, Frank, Goldstein & Nager, P.C. in New York, N.Y., knows all about hard work.

She started her career attending State University of N.Y. at Binghamton, where she received her undergraduate degree. She received her J.D. at Hofstra University in Long Island, N.Y. Soon after that Nager answered an ad she found in a law journal for a commercial litigator in a collection attorney's office. This is what started her work in the commercial collections industry. She stayed in that position for about nine months and then answered another ad in 1989, which landed her a position as an associate at the law firm she currently owns.

"Working for one of the two oldest commercial collection firms still operating in New York, I knew I had to work hard and that is what I did. I'm proud to say that I am the owner of one of the few female-owned collection firms in New York that is devoted exclusively to the collection of bad debt," Nager said.

In the mid 90s, after working at the firm for a few years, Nager was given the opportunity to become partner. Now, Nager as the managing partner has many goals for the firm. A couple of the goals include increasing the commercial end of the business and also growing the firm.

"I still do a lot of the everyday tasks like calling debtors, processing papers and responding to inquiries. But I also do a lot of networking and meeting with different people to continue the growth of



*Jocelyn Nager*

business. I truly believe that personal contact with people is what helps to sell your business. Marketing comes from meeting people, so personal contact is our way of marketing our firm. You also meet many interesting and great people along the way," Nager said.

Nager also noted that the networking and sharing of information within the IACC membership is one of the benefits

*continued on page 7*

## Benefits to Bank On

Are you taking advantage of all the benefits your IACC membership has to offer? IACC strives to bring its members education, resources and information in order to provide the highest quality collection services in the industry. Take a look at these benefits and see if there isn't something else you should be utilizing.

- When You Need the Very Best – client information brochure
- IACC's Commercial Collection Guidelines for Credit Grantors brochure
- IACC Agency Certification Program
- IACC Certified Commercial Collector Program
- Licensing service
- Insurance coverage
- IACC Listserve
- IACC Web site
- IACC Annual Convention
- IACC Mid-Year Management Conference
- Member discounts

If you have any questions about any of these benefits, or want to know more about a specific benefit, contact IACC at [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com) or +1(952) 925-0760.





International Association of Commercial Collectors, Inc.  
20th Annual Mid-Year Management Conference

# BACKSTAGE PASS

June 5-7, 2008

Hard Rock Hotel San Diego  
San Diego, Calif.

Get ready to set the stage for your company to succeed! Join your commercial collection colleagues in San Diego for this day and a half conference where you can rock to the beat. Follow along note by note by attending the educational sessions which will focus on topics vital to the commercial collections field. This valuable information will make your company stand out to the crowd.

In addition to the informative sessions, there will also be opportunities for networking with your industry peers to share experiences, knowledge and fun. You don't want to miss out on this very exciting meeting!

Please visit <http://www.commercialcollector.com> or  
call IACC at +1(952) 925-0760 for more information.

## **Sessions:**

Staying Warm  
While Cold Calling

Personnel  
Challenging You:  
What's Your  
Best Move?

Break the Rules &  
Close More Sales

Coaching and  
Teambuilding for  
the Collections  
Industry

Employee  
Compensation  
and Motivation  
and Best Ideas

## **Special Events:**

Welcome  
Reception

San Diego Padres  
Baseball Game

Golf Outing  
(optional)





# Sustaining Members 2007-2008

Special thanks to the following companies for choosing to be an IACC sustaining member for 2007-2008.

**Access Capital Services, Inc.**  
Visalia, Calif.

**Action Professional Services**  
Sioux Falls, S.D.

**A.G. Adjustments, Ltd.**  
Plainview, N.Y.

**American Lawyers Quarterly**  
Cleveland, Ohio

**Anderson, Crenshaw & Associates LLC**  
Dallas, Texas

**BCI Financial Services, A Division of Badger Creditors, Inc.**  
Wausau, Wis.

**Behar, Gutt & Glazer, P.A.**  
Aventura, Fla.

**The Bessenbacher Co.**  
Kansas City, Mo.

**Brockman, Bailey & Gates, Inc.**  
Boca Raton, Fla.

**Buffaloe & Associates**  
Nashville, Tenn.

**Butterfield & Associates, Inc.**  
Louisville, Ky.

**Campbell Hightower & Adams**  
Tempe, Ariz.

**CBF Commercial Collections, Inc.**  
Kansas City, Mo.

**Central Collections Corporation**  
Hicksville, N.Y.

**Checkmate Strategic Group, Inc.**  
Rocklin, Calif.

**Clovis & Roche, Inc.**  
Metairie, La.

**Cohen & Krassner**  
New York, N.Y.

**The Commercial Bar**  
Easton, Md.

**Credit Decisions International Ltd.**  
Park Ridge, Ill.

**Credit Management Company**  
Pittsburgh, Pa.

**Creditors' Alliance, Inc.**  
Bloomington, Ill.

**Creditron Financial Services, Inc.**  
Erie, Pa.

**Dennis A. Brebner & Associates**  
Waukegan, Ill.

**Diversified Adjustment Service, Inc.**  
Minneapolis, Minn.

**First Collect International, Ltd.**  
London, England

**The Forwarders List of Attorneys**  
Princeton, N.J.

**George Y. Yiangou & Co.**  
Nicosia, Cyprus

**George Y. Yiangou & Co. Ltd.**  
Athens, Greece

**General Bar Law Directory**  
Cleveland, Ohio

**Glassberg, Pollak & Associates**  
San Francisco, Calif.

**Goldman & Warshaw, P.C.**  
Montville, N.J.

**Greenberg, Grant & Richards, Inc.**  
Houston, Texas

**H & R Accounts, Inc.**  
Moline, Ill.

**Hesse & Hesse**  
Accra, Ghana

**Hunter Warfield, Inc.**  
Tampa, Fla.

**Immerman & Tobin Co., L.P.A.**  
Cincinnati, Ohio

**Industrial Credit Service**  
Bellevue, Wash.

**International Collections, Inc. D/b/a Atradius Collections**  
Itasca, Ill.

**Jacobson, Sobo & Moselle**  
Plantation, Fla.

**John B. Ingleson, Attorney At Law**  
Murfreesboro, Tenn.

**Johnson, Morgan & White**  
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**Joseph, Mann & Creed**  
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Manchester, N.H.

**Law Offices of Kind and Dashoff**  
Baltimore, Md.

**Law Offices of Skinner & Skinner**  
San Juan Capistrano, Calif.

**M. Leonard & Associates**  
Van Nuys, Calif.

**McMahan & Sigunick, Ltd.**  
Chicago, Ill.

**Metro Commercial Corp.**  
North Hollywood, Calif.

**Miller & Cohen, P.C.**  
Longmont, Colo.

**Milton J. Moser Associates, Inc.**  
Bensalem, Pa.

**NRH & Associates**  
Picayune, Miss.

**Premium Credit Services, Inc.**  
Minneapolis, Minn.

**PRO Consulting Services, Inc.**  
Houston, Texas

**Randall & Richards, Inc.**  
Tucson, Ariz.

**Real Mercantil Trading Do Brazil**  
Palm City, Fla.

**Revenue Assurance Partners, LLC**  
Mandeville, La.

**Revenue Recovery Consultants, Inc.**  
Fairfax, Va.

**Rosenfeld & Stein, PA**  
Miami, Fla.

**The Royal Mercantile Trust Corp. of America**  
Stuart, Fla.

**RSI Enterprises, Inc.**  
Phoenix, Ariz.

**S & S Financial Company, Inc., Db: Steadman & Steele**  
Houston, Texas

**Smith, Carroed, Levy & Finkel LLP**  
Commack, N.Y.

**Stevens Business Service, Inc.**  
Lowell, Mass.

**Strauss, Factor, Laing & Lyons**  
Providence, R.I.

**Svea Finans AS**  
Etterstad, Oslo, Norway

**Sweet & Walker, A Professional Corporation**  
San Francisco, Calif.

**Teller, Levit & Silvertrust, P.C.**  
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**Terry D. Zimmerman, Attorney At Law**  
Akron, Ohio

**Thomas & Thomas Attorneys**  
Cincinnati, Ohio

**Wagner, Falconer & Judd, LTD.**  
Minneapolis, Minn.

**Wallick & Associates, LTD.**  
Warwick, R.I.

**Weinstock, Friedman & Friedman, P.A.**  
Baltimore, Md.

**Wexford & James, LLC**  
W Des Moines, Iowa

**Wiles, Boyle, Burkholder & Bringardner Co., L.P.A.**  
Columbus, Ohio

**Zarzaur & Schwartz, P.C.**  
Birmingham, Ala.

of membership that she really appreciates. Nager said she feels that it is a very open atmosphere at IACC meetings and that you really have the chance to learn and get to know people and form great relationships in the process.

"I like that you can learn and share techniques. There is a lot to know about commercial collections and it's interesting to hear what others in the industry have experienced," Nager added.

Nager finds that some of the interesting or unique aspects of commercial collections compared to other areas of the industry are that you can be more direct with the debtor while maintaining a professional demeanor. When Nager's office receives a commercial claim they call the debtor and ask how they would like to pay the monies due to the client. You can be more straight forward and open. Communication is the key says Nager.

Nager was quick to say her firm has a fantastic and professional staff. Every claim receives personal attention regardless of its size and they are extremely sensitive to the industry and people's needs. They are known for their attention to each claim.

On a personal note, Nager, her husband and two children live in Manhattan. Nager said she enjoys vacationing, hiking and walking. She's on the Board of National Association of Women Business Owners New York City (NAWBO), is VP of membership and she is a committee member of the Executive Associates of New York. She is also currently completing the process for the business to become a Certified Minority/Women-Owned Business Enterprise (MWBE). She is also part of the shore walkers group.

## IACC Board Welcomes Robert Ingold

Shortly after the Annual Convention, the IACC Board voted to install Robert Ingold as the final new Board member for the 2007-2008 year. IACC would like to welcome Robert and thank him for serving in this position. Robert is president of Commercial Collection Corp. of NY in Tonawanda, N.Y. He will serve a three-year term on the board of directors. Welcome Robert!

## Blue Book Update

The March 2008 updated version of the IACC Blue Book is now posted at [www.commercialcollector.com](http://www.commercialcollector.com). The IACC Blue Book, the roster of IACC members, has been an important part of IACC since the beginning of the association. Networking has always been one of the primary benefits of membership in IACC, and for decades the Blue Book offered a quick and easy way to locate fellow IACC members in any part of the country or, more recently, any corner of the world.

With new technology, IACC has created an online searchable database of members. Many members, however, still enjoy the convenience of a printed copy. To download the newest version, please log in as an IACC member and visit the Blue Book link on the left-hand side of the IACC home page.





## SURVEY RESULTS

# IACC 2007 4th Quarter Benchmarking Survey Results

**T**hank you to all agency members who responded to IACC's recent requests for benchmarking numbers. The results are listed below. Please note that the number of agencies responding each quarter can significantly affect the average statistics. Therefore, the median numbers tend to be a more consistent indicator of trends. Results, submission form and deadlines are available at <http://www.commercialcollector.com>. **Remember, the more responses we receive, the more accurate these statistics will be. Please complete and return your surveys!**

### Third-Party Collections

#### IACC Benchmarking Survey – 4th Quarter, 2007

|         | # of Accounts | Total \$ Amount | Average Account Size |
|---------|---------------|-----------------|----------------------|
| Total   | 795,758       | \$1,169,409,234 | \$166,186            |
| Average | 22,104        | \$32,483,590    | \$4,616              |
| Median  | 3,664         | \$11,202,516    | \$3,663              |

#### IACC Benchmarking Survey – Average Responses for Last Four Quarters

|         |        |              |         |
|---------|--------|--------------|---------|
| Q4 2007 | 22,104 | \$32,483,590 | \$4,616 |
| Q3 2007 | 17,655 | \$37,190,760 | \$5,132 |
| Q2 2007 | 22,172 | \$25,729,078 | \$4,380 |
| Q1 2007 | 25,327 | \$20,259,501 | \$3,879 |

#### IACC Benchmarking Survey – Median Responses for Last Four Quarters

|         |       |              |         |
|---------|-------|--------------|---------|
| Q4 2007 | 3,664 | \$11,202,516 | \$3,663 |
| Q3 2007 | 3,371 | \$13,948,860 | \$3,892 |
| Q2 2007 | 3,116 | \$6,458,560  | \$3,241 |
| Q1 2007 | 976   | \$4,540,849  | \$2,925 |

### First-Party Collections

#### IACC Benchmarking Survey – 4th Quarter, 2007

|         | # of Accounts | Total \$ Amount | Average Account Size |
|---------|---------------|-----------------|----------------------|
| Total   | 481,048       | \$1,045,391,335 | \$160,538            |
| Average | 28,297        | \$61,493,608    | \$9,443              |
| Median  | 1,718         | \$9,000,000     | \$3,395              |

#### IACC Benchmarking Survey – Average Responses for Last Four Quarters

|         |        |              |          |
|---------|--------|--------------|----------|
| Q4 2007 | 28,297 | \$61,493,608 | \$9,443  |
| Q3 2007 | 20,005 | \$39,403,672 | \$13,411 |

#### IACC Benchmarking Survey – Median Responses for Last Four Quarters

|         |       |             |         |
|---------|-------|-------------|---------|
| Q4 2007 | 1,718 | \$9,000,000 | \$3,395 |
| Q3 2007 | 349   | \$1,552,700 | \$8,728 |

\*As we continue to track this we will have more information for past comparison.

# Scope

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