

# Debt Collection Research Guide

## Overview

This research guide includes information and resources on debt collection. Debt collection is “the seeking of payment for past due bills and other outstanding debts.” (*Black’s Law Dictionary, 11<sup>th</sup> ed.*) The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

*Related guides: Bankruptcy, Foreclosure, Garnishment, Guardianship, Lis Pendens, Post-Judgment Remedies, Receiverships, Writ of Attachment (Property)*

## Statutes and Codes

Texas Statutes Online [www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)

Texas Finance Code

- Ch. 392. Debt Collection  
<https://statutes.capitol.texas.gov/docs/fi/htm/fi.392.htm>

Texas Civil Practice and Remedies Code

- Ch. 31 Judgments  
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.31.htm>
- Ch. 61 Attachment  
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.61.htm>
- Ch. 63 Garnishment  
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.63.htm>

Texas Rules of Civil Procedure

<https://www.txcourts.gov/rules-forms/rules-standards/>

- Rule 508 Debt Claim Cases
- Rule 713 Sale On Debt Not Due

## Secondary Resources in Print

**Texas Torts and Remedies REF KFT 1395 .T49**

- Vol. 3, Ch. 47 Unfair Debt Collection Practices

**Texas Transaction Guide REF KFT 1268 .K45**

- Vol. 14, §65.33 Consumer Debt Collection
- Vol. 15, Ch. 65F Debt Collection

**Texas Litigation Guide REF KFT 1730 .T4**

- Vol. 16, §242 Unfair Collection Practices

**O’Connor’s Texas Causes of Action REF KFT 1733 .O26**

- Ch. 30 Unfair Debt Collection

**O’Connor’s Texas Causes of Action Pleadings REF KFT 1735 .A65 O36**

- Ch. 30 Unfair Debt Collection (sample forms)

**Texas DTPA Forms and Practice KFT 1430 .B7**

- Ch. 1, §1.02.12.1 Debt Collection Practices (includes sample form template for letter to creditor to end collection calls)
- Ch. 5, §5.26 Unfair Debt Collection Practices (includes sample form templates for petition for unfair debt collection practices and petition against bank on auto lease)
- Ch. 6 §6.04 Original Answers (sample form)
- Ch. 10 §10.25 Motions for Judgment (sample forms)

**Texas Criminal Practice Guide REF KFT 1775 .T49**

- Vol. 5, §121.07 Racketeering and Unlawful Debt Collection

**Texas Claims and Defenses KFT 170 .D717**

- Vol. 1, §35.01 Unfair Collection Practices

### **Texas Small Firm Practice Tools REF KFT 1277.5 .S6T4**

- Vol. 1, Ch. 7 Credit and Collections

### **Texas Collections Manual REF KFT 1367 .C6 T49**

- Vol. 1, Ch. 2 Laws Affecting Debt Collection
- Vol. 1, Ch. 17 Defenses and Counterclaims
- Vol. 2, Ch. 27 Postjudgment Remedies
- Vol. 2, Ch. 29 Probate and Guardianship
- Vol. 2, Ch. 30 Justice Courts
- Vol. 2, Ch. 35 Bankruptcy

### **Texas Jurisprudence KFT 1265. T48**

- Vol. 12, Collection and Credit Agencies

### **Texas Jurisprudence: Pleading and Practice Forms REF KFT 1730 .A65 T482**

- Vol. 3A, Ch. 62 Collection and Credit Agencies

### **Texas Practice Guide: Creditor's Rights REF KFT 1280 .T4931**

- Vol. 1, Ch. 2 Liability for Unfair Collection Practices

### **Texas Practice Series REF KFT 1280 .T4**

- Vol. 28, Ch. 15 Debt Collection

### **West's Texas Forms REF KFT 1268 .W47**

- Vol. 1, Ch. 1 Federal Laws Governing Debtors and Creditors
- Vol. 1, Ch. 2 Texas Laws Governing Debtors and Creditors
- Vol. 1, Ch. 3 Remedies for Consumers Debtors
- Vol. 1, Ch. 4 Forms for Collection of Debt Without Suit
- Vol. 1A, Ch. 19, Collection of Debt by Injunction

- 2024 Ch. 15 Bankruptcy Update for Creditors
- 2023 Ch. 6 The Art of Collecting Judgments
- 2023 Ch. 19 Collecting Judgments Pending Appeal

## **Online Resources**

Debt Collection and Relief (Texas Attorney General) <https://www.texasattorneygeneral.gov/consumer-protection/financial-and-insurance-scams/debt-collection-and-relief>

Debt Collection Research Guide (Texas State Law Library) <https://guides.sll.texas.gov/debt-collection>

Debt Collection (Texas Law Help) <https://texaslawhelp.org/article/debt-collection>

Time-Barred Debts (Texas Law Help) <https://texaslawhelp.org/article/time-barred-debts>

What is the Texas Fair Debt Collection Practices Act? (Attorney Blog) <https://bblawpllc.com/what-is-the-texas-fair-debt-collection-practices-act/>

Debt Collection FAQs (Federal Trade Commission Consumer Advice) <https://consumer.ftc.gov/articles/debt-collection-faqs#repaying>

## **Legal Assistance**

**Legal Lines – Ask Attorneys simple legal questions (free service)**

- Tarrant County LegalLine Sign-up <https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up <https://www.dallasbar.org/index.cfm?pg=legalline>

**Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)**

## **CLE Materials**

### **Collections and Creditors' Rights KFT 1367 .C6S7**

- 2024 Ch. 4 "Debt Claim Cases: A View from the Bench" Key Pointers to a Good Case
- 2024 Ch. 7 Collecting Debt in Probate (and When There is No Probate)
- 2024 Ch. 12 Prejudgment Remedies for Collection Cases