

Mr. BIEMILLER. Federal garnishment.

Mr. STEPHENS. As far as this bill was concerned. That's what I meant. Is it not true that if you go into the question of garnishment, garnishment is probably the least of the steps that are involved, is that not true? When you get a garnishment against a person, you have to have taken a judgment out initially, in order to run your garnishment? You just cannot go and tell the owner of the business that his employee owes you money. You still have to go through the process of suing the person on the account, get a judgment, and there are costs involved in that.

If you are going to look into the question of garnishment, that is merely an easier way to collect a judgment. You could proceed in that way or against any other property he might have, and that would not be a garnishment. You could attach his property. So we would have to look into that and look into attachments, and we are going to get so far afield that we will never get anything accomplished in truth in lending.

Garnishment is only one facet of it. I am sure that we would like to see some of the studies that your State groups have done.

Miss DRAPER. I don't think we have studies by our State groups. There have been resolutions.

Mr. BIEMILLER. We have them.

Miss DRAPER. At any rate, I have not seen them.

Mr. ANNUNZIO. Will the gentleman yield?

Has the lady ever paid dues in a union?

Miss DRAPER. Yes.

Mr. ANNUNZIO. What local?

Miss DRAPER. American Newspaper Guild.

Mr. ANNUNZIO. Did you ever attend a meeting of the State convention or a city council meeting, or industrial group or trade group? How can you sit there and say there have been no resolutions on garnishment or wages?

Miss DRAPER. I didn't say that. There have. This is what I was saying.

Mr. BIEMILLER. Mr. Congressman, you misunderstood the witness. She said there had been resolutions but she was not aware of any studies. I say there have been some studies made by our large State organizations.

Miss DRAPER. I might say I have seen some of the resolutions. They vary as to what they recommend be done about garnishment. There are some that wish to reform garnishment and some that wish to abolish it. Some say, don't have a wage garnishment without a court judgment.

Now, there are situations in which garnishments are made without court judgments possibly because of a cognovit note, or possibly the garnishment by default where the person does not show up in court after receiving a notice of garnishment and the garnishment is executed, and the judgment is issued. Perhaps this is the situation where it occurs.

Not being a lawyer, it is a little hard for me to untangle what is causing what in this area. There are different kinds of judgments you can get—the circumstances where the person is apt to be caught in a trap.