

Mrs. SULLIVAN. Thank you, Mr. Stapp. You have given a very thorough yet concise picture of your position on this issue.

Mr. Vern Countryman is a professor of law at Harvard University Law School. Mr. Countryman, please summarize your statement and bring out the important points that you would like to share with us.

**STATEMENT OF VERN COUNTRYMAN, PROFESSOR OF LAW,
HARVARD LAW SCHOOL**

Mr. COUNTRYMAN. I do not appear here to testify on all aspects of H.R. 11601. I am not an expert on consumer credit—a subject I have just begun to study. I have gotten only far enough in my efforts to know that reliable information on the subject is scarce and that there is a real need for the sort of investigation which title III of H.R. 11601 would authorize.

I appear to testify in general support of title II of H.R. 11601, which would prohibit the garnishment of wages, although I have several suggestions to make for changes in the proposal.

The problem with which title II would deal is a nationwide one because nearly all States permit wage garnishment. Some limit the remedy to creditors who have first reduced their claims to judgment, but most permit the creditor to garnishee the employer when suit is initiated. In some States a separate levy is required each payday; in others, the initial levy is a continuing one until the creditor's judgment is paid.

All States exempt some portion of the debtor's wages from garnishment, but the exemptions vary drastically. In some States they are expressed in dollar amounts and they range from \$350 for married debtors and \$200 for single debtors in Alaska to \$50 for all debtors in Rhode Island. In other States they are expressed in percentages and range from 50 percent in Arizona to 100 percent in Florida, Pennsylvania, and Texas. Most exemption laws, also, are confined to residents and afford no protection to the many debtors whose employers can be served with garnishment process outside the State of the debtor's residence.

The best and most recent survey of this bewildering pattern of State wage garnishment laws is an article by Mr. George Brunn, published in volume 53 of the California Law Review in 1965. I have a copy of that article with me and would be happy to submit it to the committee if you would care to have it.

Mrs. SULLIVAN. We will be glad to receive it. We may already have that in record—we will check that later.

(The article referred to may be found in the appendix, p. 1102.)

Mr. COUNTRYMAN. The Consequences of wage garnishment are principally three:

1. If garnishment of the employer is effected outside the State of the debtor's residence, he may find his wages shut off entirely. If it is effected in the State of his residence, he may find himself left to support his family on \$50 a month in Rhode Island, \$67.50 a month in Kentucky, \$20 a week in New Hampshire, or half of his \$75 a week wage in Arizona, or 50 percent of his wage or \$25, whichever is less, in Vermont.