

Already, it has been watered down by compromise: The original draft would have provided that half, or the first \$100 a week of salary, (whichever was the greater amount), be exempt from attachment.

OFTEN CAUSES EXTREME HARDSHIP

The present law, allowing up to 50% of a salary to be garnished, often causes extreme hardship for low-income families. A worker with less than \$100 a week wages is left with less than \$50 a week to care for his family, unless he goes through a lengthy exemption procedure.

"This would be only a small improvement (the proposed bill). But it would be where relief is most urgently needed," said Mrs. Brathwaite.

"Seventy dollars a week is nothing like enough. It's a compromise. But it's a beginning. A man might be able to feed his family on \$70 a week . . ."

Some Californians already are protected to some extent from garnishment before a court judgment. No creditor may obtain a garnishment against the earnings of a state employee without a judgment.

"This bill," said Mrs. Brathwaite, "would give other residents of California the same protection already enjoyed by state workers."

FACTOR IN SOARING RATE

Bankruptcy referees, social workers, lawyers and many businessmen agree the severity of the state's present garnishment laws is one of the main factors in California's soaring bankruptcy rate.

Last year, the number of bankruptcies in Southern California rose to a high of 26,203. The year before, it was 24,732, and in 1964, it was 21,000. Ninety percent of them are not business failures, but ordinary people working for a wage or salary, who have spent more than they can afford.

Garnishments are so simple to obtain in California, they have put a heavy financial and staff burden on employers.

Most employers now fire a worker after two, or at most three, garnishments.

Social workers and business operators estimate it costs between \$5 and \$10 to make each garnishment.

"For a firm with thousands of employees, this becomes big money," said Mrs. Brathwaite. "Sometimes, notices are delivered to big firms in bundles."

The result is that workers close to the financial borderline are often pushed into bankruptcy by garnishments.

For many workers, bankruptcy is the only way of saving their job. And some firms advise their employees to go bankrupt to ease the pressure on the firm's accounting department.

Mrs. Brathwaite, whose constituency contains a high proportion of lower income workers, plans to keep up her work toward relief from this pressure.

"California has one of the highest bankruptcy rates in the country," she said. "There must be some reason for it. I feel wage garnishments have a big effect on the number of bankruptcies."

A state-by-state comparison of garnishment laws and bankruptcy rates seems to bear this out.

WIDE VARIANCE IN RATES

In California, 50% of a worker's salary may be garnished, and the bankruptcy rate is 153 for every 100,000 of population.

In New York, only 10% of a worker's salary may be garnished, and the bankruptcy rate is 28 per 100,000.

In Texas, no wage garnishment is allowed, and the bankruptcy rate is 3 per 100,000.

Mrs. Brathwaite knows it will be a tough battle to get the bill through the Senate Committee.

"I've had strong support from employe organizations, labor unions, credit unions and, generally, finance companies and business.

"But there's very strong opposition from some sections of the business community, especially . . . firms that sell largely on credit.

FOUGHT COLLECTION AGENCIES

"The toughest competition comes from the collection agencies. As a practicing attorney, I've had a lot of opportunity to see what happens in these cases," she said.