

5. *Defendants' Attorneys.* In many cases the plaintiff's attorney and the attorney who confessed judgment for the defendant have the same address and phone number. This is not clearly illegal.

RESIDENCE OF DEFENDANTS

The suits were studied to determine the residence of the defendants. This information was obtained from the contract, if stated there. If not stated there, reference was made to the summons or military affidavit. In some suits no street address was given on any of these documents. All suburban residents were arbitrarily excluded from this analysis.

For ease of analysis, the defendants were grouped according to postal zone. A map appended to this report shows the areas of concentration of these defendants. Since our concern was primarily with consumer credit, we did not consider business deals, leases, and other real estate transactions in drawing this map. The map shows a contiguous inner belt of serious credit over-extension. While some types of obligations, such as health club contracts, do not appear to follow the overall pattern, most types of obligation do.

Of the 50 postal zones in Chicago, zone number 24 had the heaviest concentration of defendants, 87, which was 10.6% of the entire total. This zone is on the West Side and was the site of some disorders this summer. Table No. 7 lists zones by the order of density of defendants.

IRREGULARITIES IN SUITS

The technical aspects of filing a confession suit were also examined with these findings:

Plaintiff's Attorney:	Number of suits
No signature (name typed)-----	314
Facsimile signature by rubber stamp-----	59
No address for plaintiff's attorney-----	6
Name of plaintiff stamped in place of plaintiff's attorney-----	1

There is no requirement that a complaint be signed by an attorney, but this is the usual practice in other types of cases. The failure to sign and the use of stamps perhaps indicates that in the high-volume collection practices there is an assembly line technique which stresses speed rather than exactness.

Plaintiff's attorneys fees and interest:	Number of suits
Interest claimed higher than allowable-----	5
Attorney's fees claimed in suit, but not allowed by contract-----	5
Attorney's fees claimed exceed court schedule of allowable fees-----	4
Notary (confession suits must be filed under oath):	
Not notarized-----	25
Not signed, but a blank line was notarized anyway-----	5
Stamped signature notarized-----	1
Miscellaneous defect-----	1

Defendant:	Number of suits
No signature by defendant's attorney-----	42
No address for defendant's attorney-----	24
Name of defendant in suit differs from signature on contract-----	19
Defendant sued under another name (also known as)-----	4
Stamped facsimile signature-----	10
Miscellaneous:	
Contract not assigned to plaintiff-----	4
No military affidavit-----	3
No clause allowing confession-----	1

These suit deficiencies should be viewed in the light of the usual confession clause under which the defendant waives and releases all errors in the proceeding. As a consequence, if the court does not discover the defect in the suit before judgment, the judgment stands. This puts a heavy burden on the court to examine carefully over 600 confession suits per week.