perience during the seven months or so during which this new statute has been operative has been extremely favorable. Although some people originally had doubts about its practical operation, experience has been demonstrating a generally and substantially good result and very swift accomplishment of the actual aim of this statutory provision. For example, several of the large hotels in New York City formerly refused to accept wage garnishments and insisted that the creditors issue abeyance permission; upon enactment of the new statutory provision, these hotels have changed their policy and now as a matter of regular routine make the 10% weekly deduction, the same as all of the other employers. This statutory provision against discharge would seem to meet and cancel out the most frequently heard criticism of the device of wage garnishment.

We wish to stress very strongly, however, the fact that in New York before the present year and in the various other states which have no such statutory provision as described above, no more than one employer out of ten has been participating in a practice of discharging upon receipt of wage garnishment. The vast majority of all employers simply accept the wage garnishment as one additional deduction alongside of Federal income tax, Social Security, State income tax, City income tax, Blue Cross, and so forth. Most employers are not bothered by one additional deduction, inasmuch as their bookkeeping is already geared to a substantial number of deductions. Attorneys specializing in collection law will be able to explain to the Committee that the one employer in ten who insisted upon terminating the employee is regularly handled by the issuing of what is known as a "letter of abeyance." This is a letter sent by the attorney, who represents either the creditor directly or the collection agency, to both the employer and the Sheriff, granting permission to the employer to ignore the wage garnishment and to refrain from making deductions until further notice. The judgment debtor is then given an opportunity to submit weekly installments himself under the threat that the wage garnishment could be reinstated, and of course, the judgment debtor invariably complies with the making of payments. This, as a practical matter, prevents job holders from being discharged because of wage garnishments. Actual discharges which are not intercepted by letters of abeyance are very rare in the industry.

It might also be noted that the New York statute requires that a copy of the wage garnishment instrument be forwarded by the Sheriff to the home address of the judgment debtor, which gives him a chance to pay off even in installments, and then for delivery to the employer only if the judgment debtor fails to respond within twenty days.

It is submitted that the Committee might reasonably recommend to the various states the New York statute which functions well in the leading commercial state and seems to meet all of the objections.

As a legal point, it is difficult to see how the Federal Legislature has jurisdiction to make any provisions with respect to the enforcement of Judgments entered in state courts. It is elementary that Income Executions, Wage Garnishments, Wage Executions, and so forth, are forms of Executions issued to the Sheriff for the purpose of collection of Judgments previously entered in the various local courts of each state. Each state has its own laws regarding the entry of judgment and the issuing of execution thereon. The Judgments are all entered in the state courts, and the Executions are issued by and with the authorization of these courts. The Federal Legislature would seem to be without power to legislate with respect to the types of Executions which might be issued, and so forth.

There is in New York City a specialized bar association known as the Association of Commercial and Collection Lawyers, the membership of which specializes in collection law and is extremely familiar with wage garnishment and related items. The members of this bar association will be happy, the undersigned is confident, to discuss this matter further with the Committee at any length desired. For convenience this bar association can be contacted through the office of the undersigned, who happens to be one of the incumbent officers.

This is in juxtaposition with our prior letter dated August 14, 1967, which was written as an objection to any proposals for abolishing wage garnishments. We are sending this additional letter for the purpose of stressing the need for caution in enacting any limitation in the amount of wages subject to wage garnishment. We propose as ideal, as explained in a reasonable amount of