

# Skip Tracing Resources

A man with a beard and glasses, wearing a grey plaid suit jacket and a brown tie, is looking down at a laptop screen. He has his hand near his chin in a thoughtful pose. The background shows a modern office with a white wall, a wooden shelf, and a small potted tree.

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## **SKIP TRACING RESOURCES**

### **Pre-Suit Collection Strategies**

Clients are great sources of information when determining whether a debt is going to be a worthwhile collection suit. If the collection case is a consumer suit, I always ask the client if the consumer has been collecting any form of public assistance or unemployment in the last year, as the consumer is exempt from attachment in our jurisdiction. Even if exempt, the client may want to sue and get a judgment and monitor the file to see if assets are obtained. Below is a list of questions that help in skip tracing. Try to gather as much information as possible by asking questions of the client or reviewing the file. Don't assume your client is giving you all the information, ask for a credit application if none exists in the file. If you think there could be a guarantee, ask the client to review their file. Many times, the client finds that information.

1. Name
  - a. any other name used
  - b. assets owned in other names
  - c. liabilities owned in other names.
  
2. Marital status - Single/Married/Divorced (if divorced, any alimony/child support payments)
  
3. Children
  - a. ages

- b. living at home - are they employed
  - c. child support
- 4. Spouse
  - a. employment
  - b. how long
- 5. Real property
  - a. where does the defendant live
    - (1) rent
    - (2) own - who is a bank, amount of mortgage
  - b. any other property
    - (1) location
    - (2) mortgage
- 6. Personal property
  - a. cash in pocket
  - b. cash in the bank
  - c. savings accounts
  - d. checking accounts
  - e. antiques, stamp collections, art, pictures, coin, or other collections
  - f. jewelry, furs
  - g. automobiles, trucks, equipment
  - h. boats
  - I. livestock
  - j. farming supplies
  - k. office equipment

- l. machinery, fixtures, equipment and supplies used in business
- m. inventory
- n. life insurance policies with cash value
- o. stocks and bonds
- p. patents, copyrights, franchises, and other intangibles
- q. government bonds
- r. accounts receivable owed to
- s. annuities
- t. equitable interests
- u. partnership interest.

7. Employment

- a. name and address of employer
- b. any part-time job
- c. overtime/bonuses

8. Liabilities

- a. secured debt
  - (1) assets secured
  - (2) amount of debt
  - (3) consideration given
- b. food
- c. clothing
- d. shelter
- e. utilities
- f. transportation

At this hearing, subpoena the tax returns to verify the defendant's income and any recent applications that the defendant may have submitted to a bank. Bank records will disclose any recent transfers to third parties.

Here are some things to consider:

- Unreported income on financial statements and tax returns.
- "business-related" expenses for business owners that are for personal use
- Cash maintained in traveller's checks.
- Using a child's Social Security Number to set up a custodial account in the name of the child with the spouse as the account holder.
- Purchasing certificate "bearer" municipal bonds or Series EE savings bonds.
- Delay pay increases, bonuses, equity buy-ins, and stock options.
- A phony debt repayment plan to a friend or family member.
- Facebook showing assets or a lifestyle that is inconsistent with income.

At this stage, it is important to make certain that you are identifying the correct Defendant for the suit. Always check the contract to make certain you have sued in the proper name. An Accurint report will assist with individuals. The Secretary of State will help with corporations.

Each client will have a different need for skip tracing. Some clients have a lot of information and some clients have limited information. It is always best to start skip tracing with addresses and the sooner the better. Also, try to attempt to call the debtor to see if the phone is operational. Clients hate to sue and later learn that there are no assets to be found or that the business is closed.



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