

Debt Collection

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Overview

Unpaid debts do not resolve themselves. For creditors, every month an account remains outstanding increases the risk that the debtor will relocate, shield assets, or seek bankruptcy protection. For consumers facing aggressive collection tactics, silence is equally dangerous. Failing to respond to a collection lawsuit almost always results in a default judgment, and once that judgment is entered, options for relief narrow significantly.

Cohen Cleary represents both sides of the debt collection process. We help creditors collect debt through disciplined litigation and multi-state enforcement. We also defend individuals against unlawful collection practices, including violations of the Fair Debt Collection Practices Act (FDCPA) and corresponding state consumer protection statutes. Whether a client needs a creditor attorney to recover outstanding receivables or an FDCPA attorney to stop abusive collection conduct, the outcome depends on strategic, well-timed legal action rooted in the specific procedural requirements of the forum.

Collection Services and Debtor Defense

Our debt collection practice covers the full lifecycle of the creditor-debtor relationship across three focused service areas. Each is staffed by attorneys who understand the procedural demands of collection work in Massachusetts, Rhode Island, and courts across the firm's licensed jurisdictions.

Debt Collection for Creditors

We represent healthcare facilities, commercial lenders, landlords, and businesses with aging receivables. Our process moves from demand through litigation to post-judgment recovery, with an emphasis on cost efficiency and volume handling across multiple jurisdictions. Clients working with a [collection lawyer](#) at Cohen Cleary receive systematic reporting and clear guidance at every stage.

Debt Collection Defense

We [defend individuals who have been sued by debt collectors](#), subjected to harassment, or threatened with wage garnishment. Our defense strategies include FDCPA violation claims, statute of limitations challenges, and debt validation demands.

Judgment Enforcement

A [judgment enforcement attorney](#) helps creditors convert court awards into actual recovery through wage garnishment, bank levies, property liens, supplementary process proceedings, and multi-state judgment domestication. We enforce judgments in every state where the firm is licensed to practice.

How We Approach Debt Recovery and Defense

We tell our creditor clients that a judgment is not a payment. It is a court-ordered license to begin the difficult work of recovery. That distinction shapes how we handle every matter. Rather than treating litigation as the finish line, we build enforcement strategies from the outset, identifying debtor assets and available collection mechanisms before filing suit. This preparation allows us to move quickly from judgment to execution, whether through wage attachments under M.G.L. c. 246, bank levies, or real estate liens recorded at the appropriate registry of deeds.

For consumers facing collection actions, our approach begins with a careful review of the collector's standing to sue. Debt buyers frequently cannot produce the original credit agreement or a complete chain of assignment. In Massachusetts District Courts and Housing Courts, we regularly challenge complaints that rely on incomplete documentation, purchased account affidavits that lack foundation, or claims that fall outside the applicable statute of limitations. When collectors cross the line into harassment or deception, we pursue counterclaims under the FDCPA and M.G.L. c. 93A, where fee-shifting provisions mean the collector may end up paying the consumer's legal costs.

Why Clients Choose Cohen Cleary

At Cohen Cleary, our practice teams combine deep subject-matter experience with disciplined execution and responsive client service. We do not take a one-size-fits-all approach. Every matter is handled with careful preparation, clear communication, and a strategy tailored to the client's goals and the realities of the forum.

Clients choose Cohen Cleary because we deliver:

Practice-Focused Legal Experience

Our attorneys work in defined practice areas, allowing us to develop practical insight into the legal, procedural, and regulatory nuances that matter most in each case. This focus allows us to anticipate issues, avoid unnecessary delays, and position matters for efficient resolution.

Clear Guidance and Proactive Communication

We prioritize clarity at every stage. Clients receive straightforward explanations of their options, timely updates on developments, and practical advice grounded in real-world outcomes.

Strategic Advocacy with Trial Readiness

Whether a matter calls for negotiation, mediation, or litigation, our attorneys prepare every case with discipline and foresight. We pursue efficient resolution when possible and are fully prepared to advocate aggressively when necessary to protect our clients' interests.

Regional Knowledge and Local Presence

With offices throughout Massachusetts and experience across New England courts and agencies, we bring local insight and regional reach to every matter.

Client-Centered Service

We treat every matter with urgency and respect. Our clients rely on us for responsive service, sound judgment, and steady counsel through complex legal challenges.

In our debt collection work, this approach helps creditors and consumers alike navigate disputes with clarity, efficiency, and confidence.

Our Approach to Debt Collection Matters

The most common mistake creditors make is waiting too long to act. Every month of delay increases the probability that assets are dissipated, that witnesses become unavailable, or that a debtor files for bankruptcy protection. We structure our collection engagements around early-stage intervention, systematic follow-through, and clear reporting so that clients can make informed decisions at each phase. For defense clients, our priority is equally time-sensitive: we move quickly to assert defenses, challenge standing, and stop unlawful collection activity before it causes further financial harm.

Geographic Reach for Creditor and Debtor Representation

Cohen Cleary provides full legal representation for debt collection, including litigation, trial advocacy, and post-judgment enforcement, in every state where the firm maintains active bar licensure. Our attorneys regularly appear in Massachusetts District Courts, Superior Courts, and Housing Courts across Bristol County, Plymouth County, and Norfolk County, and we handle judgment domestication and enforcement proceedings in courts throughout our licensed jurisdictions. From our offices in Taunton and Plymouth, we manage multi-state collection portfolios for institutional creditors across southeastern Massachusetts and beyond who need coordinated recovery across jurisdictional lines.

In approximately 20 additional states across the Eastern United States, the firm operates as a professional debt recovery partner, providing collection services outside the scope of legal representation. This dual-capacity structure allows creditors to work with a single firm for both legal enforcement and professional collection across a broad geographic footprint.

Important: In states where Cohen Cleary operates solely as a debt collector, the firm provides professional collection services only and does not provide legal advice or legal representation. Clients requiring legal counsel in those jurisdictions should consult locally licensed attorneys.

Discuss Your Debt Collection Matter with Our Team

Creditors with aging receivables and individuals facing collection actions both benefit from early legal consultation. Our attorneys handle matters ranging from pre-suit demand through post-judgment enforcement across every state where the firm is licensed. [Contact](#) our [Taunton](#) or [Plymouth](#) office to schedule a meeting with a debt collection attorney.

Frequently Asked Questions About Debt Collection

What should I do if I have been sued by a debt collector?

Respond to the complaint before the deadline. Most consumers who lose collection lawsuits do so by default because they never filed an answer. An attorney can evaluate whether the collector has standing to sue, whether the debt is within the statute of limitations, and whether

any FDCPA violations have occurred that could form the basis of a counterclaim.

How does Cohen Cleary help creditors recover unpaid debts?

We provide end-to-end collection services: pre-suit demand, litigation, and post-judgment enforcement, including wage garnishment, bank levies, and property liens. For institutional clients with volume accounts, we offer systematic portfolio management with regular reporting on recovery status.

Can a debt collector garnish my wages in Massachusetts?

Wage garnishment in Massachusetts is governed by M.G.L. c. 246 and is generally limited to a percentage of disposable earnings. Certain income sources, including Social Security and disability benefits, are exempt from garnishment. If you have received a garnishment notice, an attorney can review whether the garnishment complies with applicable limits and exemptions.

What is the statute of limitations on debt collection in Massachusetts?

The statute of limitations depends on the type of debt. Written contracts generally carry a six-year limitation period under M.G.L. c. 260, §2. Open accounts and credit card debts may have shorter periods depending on the underlying agreement. Collectors who file suit on time-barred debt may be violating the FDCPA.

Does Cohen Cleary handle debt collection outside of Massachusetts?

Yes. The firm provides full legal representation for debt collection in every state where it maintains active bar licensure. In approximately 20 additional states, the firm operates as a licensed debt collector providing professional collection services. The firm does not provide legal advice or legal representation in states where it is registered solely as a debt collector.