Collection Feud Question Set

1. **60-Minute Version**
2. **22 Questions**
3. **Complete Answer Boards with Revised Points**

Topic 1: FDCPA Compliance and Rosenthal Act Spillover Issues

1. Round 1, Primary Question 1

Before sending a demand letter, what should collection counsel or an agency confirm first?

Rank	Answer	Points
1	Whether the debt is consumer, commercial, or mixed-purpose	32
2	Correct debtor or obligor identity	24
3	Amount due and basis for the balance	18
4	Whether the debtor is represented	12
5	Whether the communication has been authorized	8
6	Whether there is a California connection requiring Rosenthal Act awareness	6
	Total	**100**

Teaching point: The first communication may become a key exhibit later. Confirm the debt type, debtor identity, balance, authority, representation status, and any California connection before sending.

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2. Primary Question 2

What language in a collection communication creates unnecessary risk?

Rank	Answer	Points
1	Threats of legal action without authority	34
2	Misstating the amount owed	24
3	Misrepresenting attorney involvement	16
4	Artificial or unsupported deadlines	12
5	Threatening unavailable remedies	8
6	Suggesting criminal consequences for nonpayment	6
	Total	**100**

Teaching point: Collection communications should be accurate, authorized, and not misleading. Pressure language creates unnecessary exposure when it is not supported by the facts or law.

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3. Primary Question 3

How can FDCPA or Rosenthal Act issues arise in a file that looks commercial?

Rank	Answer	Points
1	The debtor is an individual guarantor	30
2	The account involves a sole proprietor	24
3	The purpose of the debt is unclear	18
4	Communications are sent to a personal phone or home address	12
5	The account, debtor, or collection activity has a California connection	10
6	The debt arises out of a finance agreement rather than trade credit.	6
	Total	**100**

Teaching point: A file labeled commercial may still involve individuals, guarantors, sole proprietors, or California-specific issues. Account classification should happen before communications begin.

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4. Primary Question 4

What should be verified before threatening litigation?

Rank	Answer	Points
1	Client authorization	32
2	Correct balance	24
3	Contract or account documents	18
4	Statute of limitations	12
5	Venue and jurisdiction	8
6	Required pre-suit notices or conditions	6
	Total	**100**

Teaching point: A litigation threat should reflect actual authority and a good-faith basis to sue.

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5. Backup Question 5

What documents help defend against a claim of improper collection activity?

Rank	Answer	Points
1	Demand letters and emails	30
2	Account notes	24
3	Payment history	18

Rank	Answer	Points
4	Dispute communications	12
5	Written authorization to proceed	10
6	Account classification notes	6
	Total	**100**

Teaching point: Good documentation helps prove what was said, why it was said, and whether it was authorized.

Round 2: UPL and Attorney/Agency Boundaries

6. Primary Question 6

What phrases should nonlawyer collectors avoid using?

Rank	Answer	Points
1	"We will sue you"	30
2	"You have no defense"	24
3	"The law requires you to pay"	18
4	"We can garnish your wages"	12
5	"You should not contact a lawyer"	10
6	"The court will side with us"	6
	Total	**100**

Teaching point: Nonlawyers should avoid statements that interpret legal rights, predict legal outcomes, or discourage representation.

Round 3: Communication Boundaries with Represented Parties

7. Primary Question 7

What should a collector or attorney do when a debtor says, "I have a lawyer"?

Rank	Answer	Points
1	Stop substantive discussion	34
2	Ask for the lawyer's contact information	22
3	Document the notice	16
4	Flag or update the file	12
5	Route future communications through counsel	10
6	Escalate internally before further contact	6
	Total	**100**

Teaching point: Once representation is known or reasonably apparent, substantive communications should generally go through counsel.

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8. Primary Question 8

What communications are especially risky with a represented party?

Rank	Answer	Points
1	Settlement discussions	32
2	Payment demands	24
3	Threats of litigation	18
4	Discussion of defenses	12
5	Requests for admissions or concessions	8
6	Communications designed to bypass counsel	6

Rank	Answer	Points
	Total	**100**

Teaching point: Substantive communications about liability, settlement, or litigation should not be directed to a represented person except where permitted.

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9. Backup Question 9

What should be documented after learning that a party is represented?

Rank	Answer	Points
1	Date and time of notice	28
2	Name of attorney	24
3	Attorney contact information	18
4	Source of information	12
5	Instructions given to staff	10
6	Any communications sent after notice	8
	Total	**100**

Teaching point: Documentation helps show that the office recognized the issue and changed communication procedures.

Round 4: Settlement Authority and Documentation

10. Primary Question 10

Before making or accepting a settlement offer, what must be confirmed?

Rank	Answer	Points
1	Client authority	34
2	Settlement amount	22
3	Payment deadline	16
4	Whether fees, costs, and interest are included	12
5	Release, dismissal, or judgment terms	10
6	Consequences of default or late payment	6
	Total	**100**

Teaching point: Settlement authority should be clear, current, and documented before an offer or acceptance is communicated.

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11. Primary Question 11

What settlement term is often forgotten but later causes problems?

Rank	Answer	Points
1	Default provision	34
2	Release scope	22
3	Dismissal timing	16
4	Payment method	12
5	Treatment of fees, costs, and interest	10
6	Consequences of late, partial, reversed, or missed payments	6
	Total	**100**

Teaching point: Collection settlements should address both performance and nonperformance.

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12. Primary Question 12

What is the best way to memorialize a collection settlement?

Rank	Answer	Points
1	Written settlement agreement	34
2	Email confirmation	22
3	Stipulation for judgment, where appropriate	16
4	Payment schedule	12
5	Client approval note	10
6	Dismissal or satisfaction documentation	6
	Total	**100**

Teaching point: Material settlement terms should be confirmed in writing, especially amount, timing, release, dismissal, and default terms.

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13. Primary Question 13

What should counsel or agency personnel avoid saying during settlement negotiations?

Rank	Answer	Points
1	“This offer is approved” without authority	34
2	“My client will definitely accept”	22
3	“You have no defenses”	16

Rank	Answer	Points
4	“Pay today or else”	12
5	“We will ruin your credit”	10
6	“The judge will make you pay more”	6
	Total	**100**

Teaching point: Negotiation communications should be accurate, professional, and within actual authority.

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14. Backup Question 14

What documentation protects counsel or the agency if a client later disputes settlement authority?

Rank	Answer	Points
1	Written client authorization	34
2	Email approval	22
3	File note of client call	16
4	Settlement authority matrix	12
5	Signed engagement terms or collection guidelines	10
6	Written confirmation of revised authority	6
	Total	**100**

Teaching point: Authority documentation is especially important when compromising principal, interest, fees, costs, judgment rights, lien rights, or collateral rights.

Round 5: Privacy and Data Security in Collection Files

15. Primary Question 15

What sensitive information is commonly found in collection files?

Rank	Answer	Points
1	Social Security numbers	30
2	Bank account information	24
3	Credit applications	16
4	Personal guarantees	12
5	Tax, payroll, or employment information	10
6	Financial statements	8
	Total	**100**

Teaching point: Collection files often contain sensitive information that must be handled carefully under confidentiality, privacy, and data-security obligations.

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16. Primary Question 16

What is a common data-security mistake in collection practice?

Rank	Answer	Points
1	Emailing the wrong recipient	32
2	Sending unencrypted attachments	24
3	Keeping unnecessary personal information	16
4	Using shared logins	12
5	Failing to restrict file access	10
6	Storing files outside approved systems	6

Rank	Answer	Points
	Total	**100**

Teaching point: Many data-security incidents result from ordinary operational mistakes rather than sophisticated attacks.

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17. Primary Question 17

What should be redacted before filing collection documents publicly?

Rank	Answer	Points
1	Social Security numbers	32
2	Financial account numbers	24
3	Dates of birth	16
4	Personal identifying information where required	12
5	Confidential business information	8
6	Medical, insurance, or consumer-credit information where applicable	8
	Total	**100**

Teaching point: Court filings should be reviewed for sensitive information before submission.

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18. Backup Question 18

What should an office do after discovering a possible data breach or misdirected email?

Rank	Answer	Points
1	Escalate immediately	34

Rank	Answer	Points
2	Preserve facts	22
3	Notify responsible personnel	16
4	Assess legal and contractual obligations	12
5	Mitigate further disclosure	10
6	Document the response	6
	Total	**100**

Teaching point: The first response matters. Delay, deletion, or informal handling can increase privacy, confidentiality, contractual, and professional responsibility exposure.

Round 6: Litigation Conduct, Counterclaims, and Sanctions

19. Primary Question 19

Before filing a collection lawsuit, what should verify?

counsel	Rank	Answer	Points
1	Correct debtor identity	30	
2	Amount owed	22	
3	Contract documents or account records	16	
4	Standing, assignment, or ownership of claim	12	
5	Statute of limitations	10	
6	Venue, jurisdiction, known disputes, and pre-suit conditions	10	
	Total	**100**	

Teaching point: Pre-suit verification is one of the best ways to reduce counterclaim, sanctions, and professional responsibility exposure.

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20. Primary Question 20

What litigation triggers behavior often counterclaims?

Rank	Answer	Points
1	Suing the wrong person	32
2	Inflating the amount due	22
3	Ignoring disputes	16
4	Filing time-barred claims	12
5	Misusing	discovery 10
6	Continuing after learning key facts are wrong	8
	Total	**100**

Teaching point: Many counterclaims arise from poor file review, overreaching, or failure to reassess when facts change.

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21. Primary Question 21

What should counsel do when the debtor raises a credible dispute?

Rank	Answer	Points
1	Investigate	34
2	Review documents	22
3	Notify the client	16

Rank	Answer	Points
4	Reassess the claims	12
5	Consider amending, narrowing, staying, or dismissing claims	10
6	Avoid automatic escalation	6
	Total	**100**

Teaching point: A credible dispute should trigger meaningful review, not reflexive pressure or litigation escalation.

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22. Primary Question 22

What pleading practices reduce sanctions risk?

Rank	Answer	Points
1	Confirm evidentiary support	32
2	Review pleadings carefully	22
3	Avoid unsupported boilerplate allegations	16
4	Correct errors promptly	12
5	Comply with court rules and deadlines	10
6	Confirm requested relief is legally available	8
	Total	**100**

Teaching point: Accurate pleadings timely and corrections help demonstrate good faith.

Recommended Use in the PowerPoint

For the live **60-minute version**, I would use:

Category	Questions
Primary live questions	24
Backup or tie-breaker questions	6
Total prepared questions	30

For each PowerPoint question slide:

- the Insert question as the prompt.
- Use the ranked answers in order from highest points to lowest points.
- Use the point next to value shown each answer.
- Keep the teaching point for your speaker notes or handout.