# HOW SMART CREDIT POLICIES IMPROVE COLLECTION AND LITIGATION RESULTS 

PRESENTED BY:
RAY WENDOLOWSKI, ESQ.
ASSOCIATE, BERNSTEIN-BURKLEY

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A business approach to legal service ${ }^{\text {sm }}$

## PROBLEMS WITH CURRENT UNDERSTANDINGS OF CREDIT POLICY

- The Cost of Credit
- The Payment Gap
- The Fallacy of the Sales Culture


## THE COST OF CREDIT

- Finance Cost
- Actual cost of financing a customer debt
- Opportunity Cost
- The cost of giving up access to available capital
- Collection Cost
- The cost of administration and discounts that were often needed
- Relationship Cost
- The cost of losing the goodwill of your customer
- Marketing Cost
- Using easy credit as a marketing strategy is a costly form of marketing



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## THE PAYMENT GAP



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## THE PAYMENT GAP

## Cost of $\$ 10,000$ for Various Payment Gaps

|  | Monthly \% | 30 Days | 60 Days | 90 Days | 120 Days | 150 Days |
| :--- | ---: | ---: | ---: | ---: | ---: | ---: |
| Finance Cost | $1 \%$ | $\$ 100$ | $\$ 200$ | $\$ 300$ | $\$ 400$ | $\$ 500$ |
| Opportunity Cost | $2 \%$ | $\$ 200$ | $\$ 400$ | $\$ 600$ | $\$ 800$ | $\$ 1,000$ |
| Collection Cost | $1 \%-3 \%$ | $\$ 100$ | $\$ 400$ | $\$ 1,000$ | $\$ 1,500$ | $\$ 3,000$ |
| Relationship Cost | $5 \%$ | 0 | $\$ 500$ | $\$ 1,000$ | $\$ 1,500$ | $\$ 2,000$ |
| Total | $9 \%-39 \%$ | $\$ 400$ | $\$ 1,500$ | $\$ 2,900$ | $\$ 4,200$ | $\$ 6,500$ |

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## THE FALLACY OF THE SALES CULTURE

- What is a "sales culture"?
- The Fallacy and how it impacts credit


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## PREPARATION TACTICS

- Credit Policy Manual
- Credit Agreement
- Credit Enhancements
- Terms and Conditions
- Standard Forms



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## SOME FACTORS THAT IMPACT COLLECTIONS

## EXTERNAL INFLUENCES

- Economy
- Competitors
- Regulatory
- Legal


## INTERNAL INFLUENCES

- Policies
- Personality
- Accounting
- Profit Targets



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## EXTERNAL FACTORS

- Economy
- In general
- Customer-focused
- Competitors
- Regulatory
- Customer Industry
- Limits on Collection Activity
- Legal
- Contract Issues
- Litigation
- Bankruptcy


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## ASSESSMENT: THE 3 C'S

- Character
- How has customer treated other issuers of credit and customers
- Capacity
- Cashflow when the invoice comes due
- Capital
- Assets to collect from if necessary



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## IMPLEMENTATION: <br> THE 10 STEPS TO PROGRESSIVE COLLECTION

1. Customer service call
2. Payment reminder (invoice due date +10 days)
3. Request for payment (invoice due date +20 days)
4. First demand letter and call (invoice due date +30 days)
5. Confirming letter (invoice due date +45 days)
6. Escalated efforts (invoice due date +60 days)
7. Upper management involvement and self-help (invoice due date +90 days)
8. Final collection call (invoice due date +100 days)
9. Final Warning
10. Collection agent referral (invoice due date +114 days)

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## DEFENDING YOUR CREDIT

- Internal Collections
- Collection Agencies
- Lawyer Collection
- The Final Straw - Litigation


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## THANK YOU

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www.BernsteinLaw.com
707 Grant Street, Suite 2200 Gulf Tower, Pittsburgh, PA 15219
Wheeling, WV - Philadelphia, PA - Erie, PA - Stuart, FL

