COMPLAINT SCRIPTING: THIS WOULD BE A GOOD TIME TO REVIEW

There has been one thing on almost everyone's mind at some point in 2012:   Compliance. I think we are all pretty sure that will also be the case in 2013. There are obviously a number of reasons for this some of which are: litigation/court rulings, client expectations and the CFPB.   CFPB supervision of non banking entities will start in 2013 and the rules have recently been published.   ARM experts and industry leaders, I think, pretty much are in agreement that CFBP supervision will affect everyone in our industry whether your company comes under direct supervision or not.   I recently heard a speaker cite it as potentially having the largest impact on our industry since the passage of the FDCPA in the 1970's.

One of the many compliance areas that this would be a good time to look at is scripting.   Yes, you have scripting but here are some things to consider when doing compliance review of that scripting:

1. **Establish what complaint scripting is** - what disclosure and verification steps should be completed on the first contact and all subsequent contacts as well as third party disclosures and the differences between a third party location information call vs. a third party message call.   This effort should be lead by your Chief Compliance Officer (CCO) in consultant with your legal counsel.   You may also have different scripting for all these call types if you have clients that require specific scripting.   Some differences that may require trainers/QA/managers/agents to manage multiple scripts are things like do you ask for the consumers address and last four of social security number or do you provide it and ask for confirmation.   ARM companies and clients vary which approach should be used.

2.   **Compare the scripting that your Executive Committee and CCO have approved to what is trained to what QA monitors to what operations coaches on the floor.** You may well find significant differences between these areas.   Verbal understanding and expectations as well as documentation should be compared for discrepancies.   Also, if you have specific client requirements, how is this handled by all of these areas and how are collectors assisted in transitioning between different scripting requirements.

3.   **Confirm the order verifications and disclosures should be given in, such as: call recording disclosure; agent and company identification; consumer identification and verification; mini Miranda; and any additional required information.**   Part of this confirmation process should be not just what is trained but what the expectations are when QA, operations, executives, etc. are listening to calls or call recordings.   Consider what is being scored as a passing call.   For example, how is your QA area or operations management scoring calls where the disclosures are given but not until a later point in the call than scripting requires.   You should also confirm you have a trend and root cause analysis process in place to track and resolve scripting deviations.

Everyone has scripting, the real question is how solid is your **process** for assuring your scripting is complaint and delivered in a consistently compliant manner.

By Patti J. Dunn