

2011

MASTERING THE ART OF COLLECTING DEBTS AND JUDGMENTS

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September 1–2, 2011

AT&T Conference Center ▪ Austin, Texas

Earn up to 13.00 Hours of Credit including 2.00 Hours of Ethics Credit

Specialization Credit Approved for Bankruptcy Law, Civil Trial Law, and Consumer and Commercial Law

2011 MASTERING THE ART OF COLLECTING DEBTS AND JUDGMENTS

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THURSDAY MORNING, SEPT. 1, 2011

Presiding Officer:

Donna Brown, Donna Brown, P.C.,
Austin, TX

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. .75 hr

Pre-Suit Investigations

An examination of the pre-litigation steps the attorney should take to increase the likelihood of collection, including gathering the file, multiplying defendants, jurisdiction and venue, assessing damages and evaluating defenses.

Stuart R. Schwartz, ScottHulse, P.C., El Paso, TX

9:45 a.m. .75 hr including .25 hr ethics

Evaluating the Collectability of Your Claim

This session uses case studies to discuss research, identification and analysis of the debtor's assets.

Matias E. Garcia, Barnett & Garcia PLLC, Austin, TX

10:30 a.m. Break

10:45 a.m. .75 hr ethics

The Ethics of Pretexting

This presentation examines the ethical rules and legal standards governing lawyers who participate directly or indirectly in conduct constituting dissemblance or pretexting.

John S. Dzienkowski, The University of Texas
School of Law, Austin, TX

11:30 a.m. .67 hr

Creditor Causes of Action: Pleadings and Proof

Sworn accounts, suits on notes, accounts stated and other not-so-usual suspects, plus pre-trial discovery to provide the proof, are discussed.

Mark P. Blenden, The Blenden Law Firm, Dallas, TX

12:10 p.m. Break to Pick Up Lunch

Included in conference registration fee.

THURSDAY AFTERNOON

Presiding Officer:

Bruce A. Atkins, Attorney at Law,
Houston, TX

LUNCHEON PRESENTATION

12:30 p.m. .75 hr including .25 hr ethics

Judges Panel: The Good, the Bad and the Ugly

What creditors' lawyers do right and wrong in court.

Moderator:

R. David Fritsche, Law Offices of R. David Fritsche,
San Antonio, TX

Panelists:

Hon. Cactus Jack Cagle, Harris County Civil
Court-at-Law No. 1, Houston, TX
Hon. Sally L. Montgomery, Dallas County
Court-at-Law No. 3, Dallas, TX
Hon. Irene Rios, Bexar County Court-at-Law No. 10,
San Antonio, TX

1:15 p.m. Break

1:30 p.m. .50 hr

The Nuts and Bolts of Equipment Leases

Coverage of common collection issues under leases in and out of bankruptcy, and provisions to aid in the enforcement of leases.

Stephanie E. Kaiser, Kelly Hart & Hallman LLP,
Fort Worth, TX

2:00 p.m. .50 hr

Fair Debt Collection Practices Act and the Texas Debt Collection Practices Act

Practical application and tips for compliance with the Acts.

Michael J. Scott, Law Office of Michael Scott,
Carrollton, TX

2:30 p.m. .50 hr

Fair Credit Reporting Act and Credit Reports: Common Collections Questions

This session focuses on what collection attorneys need to know about the Fair Credit Reporting Act (as amended by the Fair and Accurate Credit Transactions Act). Topics addressed include requirements and permissions to run credit reports, steps for reporting bad credit, and other various rights and responsibilities under the law that can be triggered by collection activities.

Erin F. Fonté, Cox Smith, Austin, TX

3:00 p.m. Break

3:15 p.m. .50 hr

Formation of the Judgment and Calculation of Interest

Considerations when drafting a judgment, including parties, issues, remedies, pre- and post-judgment interest and other necessary bells and whistles.

Heather Bailey New, Haynes and Boone, LLP,
Dallas, TX

3:45 p.m. .75 hr

Practice Tips and Strategies for Defending Default Judgments

How to avoid the most common mistakes that doom default judgments, and how to address the most common attacks on default judgments: motions for new trial, restricted appeals and bills of review.

Patrick J. Dyer, Law Office of Patrick J. Dyer,
Missouri City, TX

4:30 p.m. .83 hr

Evidentiary Issues for the Creditor's Lawyer

A discussion of common evidentiary issues, how to make objections and how to meet objections.

Panelists:

Bruce A. Atkins, Attorney at Law, Houston, TX
Sean Michael Reagan, Leyh & Payne, L.L.P.,
Houston, TX
Hon. Eric Montgomery Shepperd, Travis County
Court-at-Law No. 2, Austin, TX

5:20 p.m. Adjourn

FRIDAY MORNING, SEPT. 2, 2011

Presiding Officer:

Matias E. Garcia, Barnett & Garcia PLLC,
Austin, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. .50 hr

Challenges of Proving Assigned and Purchased Debts

Discussion of sufficiency of evidence, dealing with common objections and affirmative defenses.

Stephen Niermann, Niermann & Olivo, Carrollton, TX

9:00 a.m. 1.25 hrs

Judgment Collection Strategies

Effective use of post-judgment discovery, remedies and turnover receiverships to turn judgments into cash.

Moderator:

Daniel J. Goldberg, Ross, Banks, May, Cron and Cavin, P.C., Houston, TX

Panelists:

Michael S. Bernstein, Michael S. Bernstein, P.C., Garland, TX
Donna Brown, Donna Brown, P.C., Austin, TX
Kathleen A. Hurren, Attorney at Law, San Antonio, TX

10:15 a.m. Break

10:30 a.m. 1.25 hrs

When It's Not Really Over: Bankruptcy Opportunities for Collection Attorneys

Are you a half-full or half-empty type of person? The latter can skip this presentation if they dare.

Michael V. Baumer, Attorney at Law, Austin, TX
James V. Hoeffner, Graves Dougherty Hearon & Moody, Austin, TX
Stephen W. Lemmon, Brown McCarroll, L.L.P., Austin, TX

11:45 a.m. Break to Pick Up Lunch

Included in conference registration fee.

FRIDAY AFTERNOON

Presiding Officer:

Donna Brown, Donna Brown, P.C., Austin, TX

LUNCHEON PRESENTATION

12:10 p.m. .50 hr

Legislative Update

Karen S. Neeley, of Counsel, Cox Smith, Austin, TX

12:40 p.m. Break

12:55 p.m. .75 hr ethics

The Ethics of Negotiation: Are There Any?

What are the boundaries, borders and gray areas for lawyers involved in negotiations? A fast-paced presentation with points to ponder, hypotheticals to consider and something to smile about.

Jason Boulette, Boulette & Golden L.L.P., Austin, TX

1:40 p.m. .50 hr

Dead Debtors: Creditor's Claims in Probate

How to collect a debt against a decedent's estate in probate and options to collect when there isn't a probate.

Alan S. Leibel, Palmer & Manuel, L.L.P., Dallas, TX

2:10 p.m. .58 hr

Judgments: Domesticating, Renewing and Reviving

A discussion of how to domesticate, renew and revive judgments.

Hon. Michael C. Engelhart, 151st Civil District Court, Houston, TX

2:45 p.m. .50 hr

A Practical Guide to Collecting Debts in Mexico

This session examines the nuts and bolts of enforcing a U.S. judgment in Mexico, including the requirements under Mexican law for a judgment to be enforceable, practical considerations and key pitfalls to be avoided.

David Lopez, Pulman, Cappuccio, Pullen & Benson, LLP, San Antonio, TX

3:15 p.m. Adjourn

REASONS TO ATTEND MASTERING THE ART OF COLLECTING DEBTS AND JUDGMENTS

Don't miss this program if you are interested in learning how to:

- evaluate cases for collectability
- apply expert analysis to asset search results through case studies
- increase your knowledge of master pleadings and proof for basic and not-so-basic creditor claims
- draft, renew, revive and domesticate judgments
- understand the judge's perspective in the courtroom
- ensure that negotiation and communication techniques utilized in your practice comply with ethical rules
- represent your client's interests when bankruptcy becomes an issue
- understand how the Fair Credit Reporting Act affects collection activities
- defend your default judgments
- utilize post-judgment collection remedies and discovery to turn judgments into cash
- keep abreast of federal laws affecting a debt collection practice and actions against individuals

www.utcle.org/conferences/CD11



Overall excellent.

Knowledgeable speakers,
good written materials
and nice varied topics.

Good topics which were very
relevant to my practice area.
The speakers were good as well
as friendly and approachable
between sessions.

A very good program, good
speakers and timely topics.
I liked the diversity of topics
and speakers.

The program was well presented
with excellent topics.

I was really impressed with the
quality of speakers and materials.

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School of Law
Attn. CLE—CD11
P.O. Box 7759
Austin, TX 78713-7759

Or fax to:

512-475-6876

Or register online:

www.utcle.org

Questions? Call us at 512-475-6700

MATERIALS, AUDIO AND IN-HOUSE CLE

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Leading practitioners and academics provide the definitive set of materials.

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*Texas MCLE credit only.

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Mail this registration form to:

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Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

STANDARD REGISTRATION

Includes Printed Course Binder (only) and Thursday and Friday Luncheon Presentations

☐ Early Registration Fee due by Wednesday, August 24, 2011\$435

☐ Registration Fee after Wednesday, August 24, 2011\$485

GREEN REGISTRATION

Includes Electronic Materials on USB Key (only) and Thursday and Friday Luncheon Presentations

☐ Early Registration Fee due by Wednesday, August 24, 2011\$430

☐ Registration Fee after Wednesday, August 24, 2011\$480

CONFERENCE PUBLICATIONS AND MEDIA

Allow 3–5 weeks from the conference date for delivery.

☐ Course Binder WITHOUT Conference Registration.....\$225
Note: Conference Registration includes Course Binder.

☐ Audio MP3 Speeches on CD\$130

☐ Audio CD Set.....\$210

☐ eBinder on CD (PDF format).....\$225/\$50
(\$225 purchased alone, \$50 with Registration or purchase of Course Binder or Audio MP3 Speeches on CD or Audio CD Set)

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_____ Add participants (includes Course Binder) for \$225 each.....\$ _____

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AUSTIN

September 1–2, 2011

CONFERENCE LOCATION



AT&T Conference Center
The University of Texas
1900 University Avenue
Austin, TX 78705
512-404-3600

Special Room Rate: \$159
good through July 31, 2011
(subject to availability)

Parking: Free daily Self-Parking at
UT Garages. Separate fees apply for
Valet and Overnight parking.

KEY DATES

August 24, 2011, 5 p.m.
last day for early registration
add \$50 for registrations
received after this time

August 26, 2011, 5 p.m.
last day for full refund

August 29, 2011, 5 p.m.
last day for partial refund
\$50 processing fee applied

September 1, 2011, 9 a.m.
conference begins

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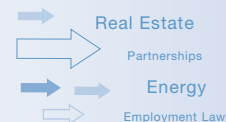


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