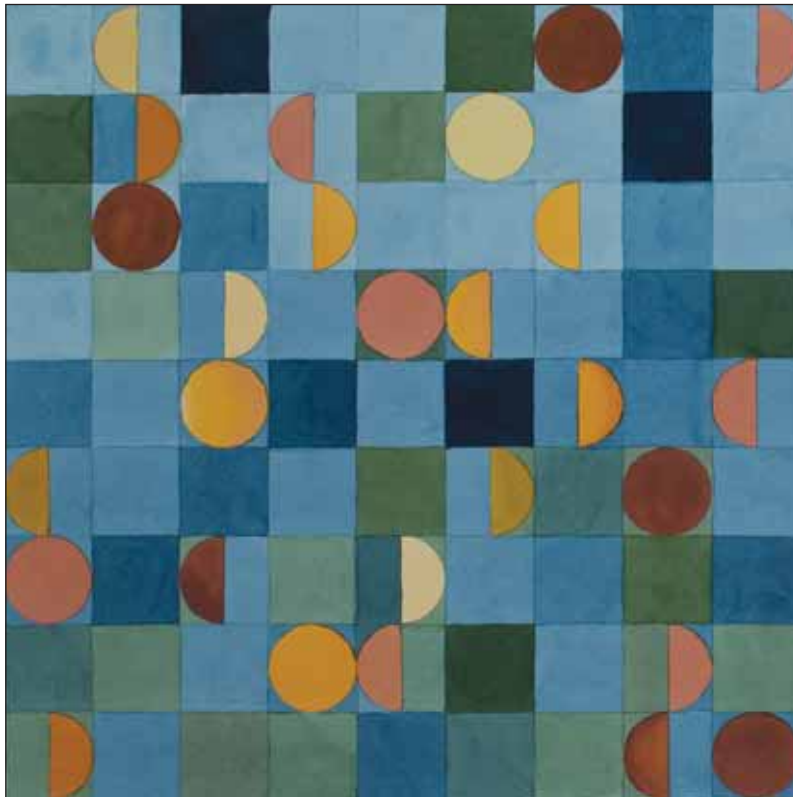


2012 MASTERING THE ART OF COLLECTING DEBTS AND JUDGMENTS



October 11–12, 2012
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THURSDAY MORNING, OCT. 11, 2012

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

**Collection Trends and Social Media as a
Collection Tool**

A look at the current trends and issues facing credit and collection professionals and companies in today's environment and what this means for collections. Includes discussion on utilizing social media in collections and the positive and negative impact it can have.

Toni D. Drake, TRM Financial Services, Inc.,
Midland, TX
Lynnette R. Warman, Hunton & Williams LLP,
Dallas, TX

9:45 a.m. .50 hr

**New Legislation and Court Rules Affecting
Collections Attorneys**

The last legislative session was very busy. Hear the most important changes to several of the statutes, rules and regulations that impact your debt collection practice.

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

10:15 a.m. Break

10:30 a.m. 1.00 hr

**Pre-Suit Investigation Including Working
Effectively with Investigators**

An examination of the pre-litigation steps the attorney should take to increase the likelihood of collection, including gathering the file, retaining an investigator to identify and gather intelligence regarding the debtor (i.e. identify assets, multiply defendants), selecting jurisdiction and venue, assessing damages and evaluating defenses.

Gerald A. Colca, Gerald Colca & Associates,
Pearland, TX
Stuart R. Schwartz, ScottHulse, P.C., El Paso, TX

11:30 a.m. .75 hr

**How Best to Utilize Services of Your Process
Server and What to Expect**

A discussion of the realities of process serving and how an attorney can best work with his or her process server, including recent changes, proper service of process, serving the evading individual and entity, hazards and communicating with your process server.

Mark P. Blenden, Blenden Roth Law Firm, Dallas, TX
Jon H. Snyder, Capitol Process Service, Austin, TX

12:15 p.m. Break for Buffet Lunch

Included in conference registration fee.

THURSDAY AFTERNOON

Presiding Officer:

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

LUNCHEON PRESENTATION

12:35 p.m. .75 hr

Expedited Rules and Rule-Making

An insider's view of the Texas Supreme Court's rule-making process, with a focus on the new rules for expedited trials.

Chief Justice Thomas R. Phillips, Retired,
Baker Botts L.L.P., Austin, TX

1:20 p.m. Break

1:30 p.m. .50 hr

Causes of Action: Pleading and Proof

Common creditor causes of action in Texas, including sworn account, account stated, money had and received, quantum meruit, promissory note and guaranty.

David W. Roth, Blenden Roth Law Firm, Dallas, TX

2:00 p.m. .75 hr

**Strategies for Defending against
Counter-Claims and Affirmative Defenses**

Tips and tactics to avoid common pitfalls.

Morgan M. Matson, Barnett & Garcia, PLLC,
San Antonio, TX

2:45 p.m. Break

3:00 p.m. .50 hr

**Summary Judgment Evidence and
Affidavit Toolkit**

This session covers drafting the perfect affidavit, responding to custodian of records and ownership issues, and other useful summary judgment proof, as well as dealing with counter-affidavits.

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

3:30 p.m. .75 hr including .25 hr ethics

**Trends, Traps and Best Practices Involving
Consumer Collections**

Ten things you must know to survive and prosper in today's consumer collection arena.

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

4:15 p.m. .75 hr ethics

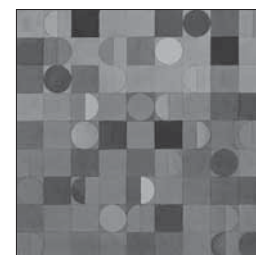
**Top Ten Traps to Avoid as a Collections
Litigator/Trial Attorney**

Tips to prepare for trial confidently and to avoid the nightmares.

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

5:00 p.m. Adjourn

ABOUT THE COVER



Sudoku #14, 14" x 14", ink on paper, is by Susan Barnett. For more information, visit www.conduitgallery.com or call 214-939-0064.

FRIDAY MORNING, OCT. 12, 2012**Presiding Officer:**

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

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. .75 hr**State Court Exemptions and Other Property Issues**

A review of what property can be reached by a judgment creditor—the usual and unusual: partnership and other business interests, spousal property and intangibles.

Kathleen A. Hurren, Attorney at Law, San Antonio, TX

9:15 a.m. 1.00 hr**Post-Judgment Remedies**

Collecting your judgments using abstracts, executions, garnishments, turnovers and charging orders, with a special presentation by a deputy constable on success with writs of execution.

Donna Brown, Donna Brown, P.C., Austin, TX
Vincent P. Dodd, Office of Constable Precinct 2,
Austin, TX

10:15 a.m. Break**10:30 a.m. .75 hr****Turnover Receiverships**

The turnover receivership is a cost-effective way to collect large and small judgments. Learn how it works and how to use this powerful, flexible collection tool.

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

Panelists:
Mike Bernstein, Michael S. Bernstein, P.C., Garland, TX
Hon. Mark Ben Greenberg, County Court at Law #5,
Dallas, TX
Peter E. Pratt Jr., Pratt & Malone, P.C., Houston, TX

11:15 a.m. .75 hr ethics**A Collection Lawyer's Guide to Arbitration**

A practical guide to surviving the arbitration of a collections case, from drafting arbitration clauses to the award.

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

12:00 p.m. Break for Box Lunch

Included in conference registration fee.

FRIDAY AFTERNOON**Presiding Officer:**

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

LUNCHEON PRESENTATION**12:15 p.m. 1.00 hr including .25 hr ethics****Representing the Unsecured Creditor in a Commercial Bankruptcy**

A primer on reclamation rights, whether to spend money to attend the 341, advising your client on whether to serve on the creditor's committee, administrative claims vs. regular claims, evaluating the plan, pursuing debtors on post plan defaults, defending preferences and advising on issues related to involuntary bankruptcies.

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

Panelists:
James V. Hoeffner, Graves Dougherty Hearon &
Moody, Austin, TX
Stephen W. Lemmon, Brown McCarroll, L.L.P.,
Austin, TX

1:15 p.m. Break**1:30 p.m. .75 hr****Exemption and Discharge Litigation/Issues: Consumer-Oriented**

Homestead exemptions after the 2005 Bankruptcy Code amendments, including which debts survive bankruptcy.

Michael V. Baumer, Attorney at Law, Austin, TX

2:15 p.m. 1.00 hr ethics**Ethics for Collections Attorneys and Their Staff**

A discussion of problems with advertising, communicating with debtors, fee contracts, conflicts of interest, handling money, supervising staff and other ethical issues.

John Mayer, Ross, Banks, May, Cron, and Cavin, P.C.,
Houston, TX
Jonathan E. Smaby, Texas Center for Legal Ethics,
Austin, 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 for both collection cases and other litigation, including the use of investigators and social media tools
- master service of process from the legal and the practical standpoint
- draft pleadings, gather proof and litigate the collections case
- evaluate when to settle and when to fight counterclaims
- answer key questions on representing the unsecured creditor in a commercial bankruptcy
- recognize and avoid ethical problems when collecting a debt
- survive the arbitration of a collections case
- utilize post-judgment collection remedies to turn judgments into cash
- keep up with current trends and new legislation affecting the creditor's rights industry
- master the art of collecting debts and judgments

www.utcle.org/conferences/CD12

“ The program was well presented with excellent topics. Knowledgeable speakers, good written materials and nice varied topics. Informative. Good, practical advice on the areas of collections. ”

“ A very good program, good speakers, and timely topics. I liked the diversity of topics and speakers. Good topics, very relevant to my practice area. I was really impressed with the quality of speakers and materials ”

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CD12

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STANDARD REGISTRATION

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- Early Registration Fee due by Wednesday, October 3, 2012\$445
- Registration Fee after Wednesday, October 3, 2012.....\$495

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Includes Electronic Materials on USB Key ONLY and Thursday and Friday Luncheon Presentations

- Early Registration Fee due by Wednesday, October 3, 2012.....\$440
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KEY DATES

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last day for early registration
add \$50 for registrations
received after this time

October 5, 2012

last day for full refund

October 8, 2012

last day for partial refund
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October 11, 2012, 8:50 a.m.
Conference begins

M
C
L
E

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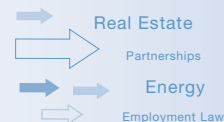


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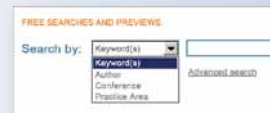
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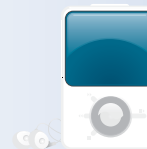
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