

2ND ANNUAL

CONSUMER BANKRUPTCY PRACTICE

Earn up to 12.75 Hours of Credit Including 2.75 Hours of Ethics Credit



June 22-23, 2006
Moody Gardens Hotel
Galveston, Texas



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THURSDAY MORNING—JUNE 22, 2006

Presiding Officer: Hon. Marvin Isgur, Houston

8:00 a.m. Registration Opens

Includes continental breakfast.

8:15 a.m. Welcoming Remarks

8:30 a.m. .75 hr including .25 hr ethics

Consumer Bankruptcy Case Law Update

A review of the major national and Fifth Circuit cases issued in the last year, along with highlights of all significant cases issued by bankruptcy courts, including significant Texas decisions.

Steven R. Jakubowski, Chicago, IL

9:15 a.m. .75 hr

5th Circuit's View of the Bankruptcy Abuse Prevention and Consumer Protection Act (BAPCPA) and General Bankruptcy Issues

Judge Jones is the Chief Judge of the Fifth Circuit Court of Appeals. She brings a unique perspective to any analysis of BAPCPA. Judge Jones' and other commissioners' dissents from the National Bankruptcy Review Commission's report supported efforts to reform bankruptcy that were included in the BAPCPA. Judge Jones is expected to provide an overview of the Fifth Circuit and insight with respect to direct appeals under BAPCPA. She has agreed to respond to questions following her talk.

Hon. Edith H. Jones, Houston

10:00 a.m. Break

10:15 a.m. 1.00 hr

Homestead Exemptions and Home Equity Loans

This session opens with a presentation on the application of new bankruptcy rules to the homestead exemption, including recent judicial opinions. Judge Hale will discuss his recent opinion in the area and opinions from other bankruptcy courts from around the country. The session concludes with a practitioner's discussion on effective strategies dealing with home equity loans.

Hon. H. DeWayne "Cooter" Hale, Dallas
Michael V. Baumer, Austin
Tonya M. Felix, Houston

11:15 a.m. 1.00 hr

How to Get Evidence In...Cheaply

How can a consumer practitioner get evidence admitted without the huge expense of bringing in an expert or other witnesses? This session opens with a presentation by Judge Leif M. Clark on techniques and strategies for avoiding hearsay issues and getting evidence in cheaply. The session follows with commentary and discussion by practitioners and Judge Clark.

Hon. Leif M. Clark, San Antonio
Diann M. Bartek, San Antonio
Eduardo V. Rodriguez, Brownsville

12:15 p.m. Lunch on Your Own

THURSDAY AFTERNOON

Presiding Officer: Hon. John C. Akard, Lubbock

1:15 p.m. .50 hr

Nuts and Bolts on What to Do When a New Client Walks In—Beginning a New Consumer Bankruptcy Case

It's a new world. This session will provide a nuts and bolts description of how to prepare a new client to file a consumer bankruptcy case. The session will deal with a range of issues—from credit counseling, to means testing, to plan confirmation—that must be explained to every new client.

Sam C. Gregory, Lubbock

1:45 p.m. 1.00 hr

Disposable Income, the Means Test, and Chapter 13 Plan Payments

How do you calculate disposable income? How is disposable income used under BAPCPA? How do CMI and allowed expenses relate to Schedules I and J? How does official form B22 relate to the Chapter 7 Means Test and the calculation of Chapter 13 plan payments?

Norma Hammes, San Jose, CA

2:45 p.m. Break

3:00 p.m. .75 hr

What Every Bankruptcy Practitioner Needs to Know About Consumer Protection Laws

This session guides bankruptcy practitioners in spotting common consumer issues and possible remedies under various consumer protection statutes, including the FDCPA, Texas usury laws, TILA, HOEPA, DTPA, UCC, Magnuson-Moss Act, the federal Odometer Act, the federal and state credit repair laws, and others. Specifically issues such as payday loans, title loans, predatory mortgage loans, unfair collection practices, spot deliveries, sales out of trust, undisclosed wrecks, and odometer rollbacks will be discussed.

Richard Tomlinson, Houston

3:45 p.m. .50 hr ethics

Barron v. Countryman: The Fifth Circuit's New Opinion on Consumer Bankruptcy Fees

An academic analysis of the implications of *Barron v. Countryman* interpretations.

Hon. Letitia Z. Clark, Houston

4:15 p.m. Break

4:30 p.m. .50 hr

New Exceptions to § 362

There are a number of new exceptions from the § 362 stay. A review of the statutory changes and how they affect practice under BAPCPA. Mr. Turner will provide a detailed review of cases decided under BAPCPA applying the new § 362 exceptions.

Steve Turner, Austin

5:00 p.m. .50 hr

Technology

Technology in the office; technology in the courtroom.

John J. Durkay, Beaumont
Dawn A. Guilliams, Houston

5:30 p.m. Adjourn

FRIDAY MORNING—JUNE 23, 2006

Presiding Officer: Hon. Marvin Isgur, Houston

8:30 a.m. 1.00 hr including .25 hr ethics

Breakfast Breakout Sessions With the Judiciary: New Local Bankruptcy Rules

What's right and what's wrong with our new local procedures, and how to adapt to the new world. Rules for each district will be covered in separate breakout sessions.

Northern District: Hon. H. DeWayne "Cooter" Hale, Dallas

Eastern District: Hon. Bill G. Parker, Tyler

Southern District: Hon. Marvin Isgur, Houston

Western District: Hon. Leif M. Clark, San Antonio

9:30 a.m. Break

9:45 a.m. 1.00 hr

Cars—Let Them Eat Steel

Some of the most important changes in BAPCPA concern the treatment of loans secured by automobiles. This session will explore recent case law developments concerning cars, and how the car industry is responding to the dramatic changes in the law.

Lawrence J. Fallon, Roseville, MN
Chris Naylor, Houston
Behrooz P. Vida, Bedford

10:45 a.m. Break

11:00 a.m. .50 hr

Federal Tax Issues in Consumer Cases

Chapter 7 and 13 consumer cases are often driven by federal income tax claims. This session will include a case study to highlight practical tips on dealing with IRS.

John Akard, Jr., Houston

11:30 a.m. .75 hr

Mortgage Payments to Trustee

Benefits and detriments of paying ongoing mortgages through the Chapter 13 trustee. If a court mandates payments through the trustee, what are the appropriate exceptions? When should the trustee seek to require mortgages through the trustee?

Deborah B. Langehennig, Austin
Robert B. Wilson, Lubbock

LUNCHEON PRESENTATION

12:15 p.m. Pick Up Box Lunch

Included in conference registration fee.

12:30 p.m. 1.00 hr ethics

Ethical Implications Imposed by the New Bankruptcy Legislation

What are the ethical implications of the new law? Can you advise your client to file a repeat bankruptcy case to "stay and delay" if there is not a reasonable chance of success under § 362(c)? What are the contours of completing the means test form? Can you put in deductions so that no presumption arises, and then check the appropriate box that says that you have done so in disagreement with the form's interpretation?

Nelson M. Jones III, Houston
Kenneth P. Thomas, Houston

FRIDAY AFTERNOON

Presiding Officer: Hon. John C. Akard, Lubbock

1:45 p.m. .50 hr

U.S. Trustee Enforcement Issues

Law and order MTR (Means Testing Review), bankruptcy fraud, and abuse under sections 707(b)(3) and 727.

Albert Loftus, Dallas

2:15 p.m. .75 hr ethics

Some Do's and Don'ts in the Practice of Bankruptcy

The panel will present vignettes demonstrating practice tips and highlighting ethical issues.

Moderator: Hon. Jeff Bohm, Houston
Debra Bradberry, Houston
Maggie D. Conner, Houston

3:00 p.m. Adjourn

ABOUT THE EVENT

Consumer Bankruptcy Practice is part of UT Law's Hawaiian Shirt Series, both informal and informative—participants are all invited to dress "beach casual." Also, enjoy the many attractions of Moody Gardens: the aquarium; the Discovery and Rainforest pyramids, IMAX 3D theater, and the newly expanded Palm Beach. Bring shorts, a Hawaiian shirt, and the family!

COMMENTS FROM LAST YEAR'S CONFERENCE

Speakers were great, and topics were on the money. I particularly enjoyed that the speakers and judges largely stayed to watch other speakers.

Moody Gardens Hotel was a great location—liked the informal atmosphere and helpful staff.

This was an excellent seminar with lots of practical tips and advice.

One of the best conferences I have attended.

REGISTRATION FOR CK06

Mail this registration form to:

The University of Texas School of Law, Attn. CK06
P.O. Box 7759, Austin, TX 78713-7759 or fax a copy to: (512) 475-6876

PLEASE PRINT CLEARLY

Bar Card# _____ State: _____ N/A

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Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION – Includes Course Binder and Friday Box Lunch Presentation

Early Registration Fee due by Wed., June 14, 2006..... \$475.00

Registration Fee after Wed., June 14, 2006 \$525.00

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2–4 weeks from conference date for delivery.

Course Binder \$200.00

Note: Conference registration includes Course Binder.

Audio CD Set \$175.00

eBinder on CD (PDF format) \$200.00/\$50.00

(\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

In-House CLE: Bring the conference in-house and learn at your convenience.

Allow 2–4 weeks from conference date for delivery.

In-House CLE for 2 includes Audio CD Set and 2 Course Binders \$750.00

_____ Add participants (includes Course Binder) for \$200 each \$ _____

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METHOD OF PAYMENT

Check (make checks payable to: **The University of Texas at Austin**)

VISA or Mastercard (sorry, no AMEX or Discover)

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Exp. Date (mm/yy)

GALVESTON

June 22-23, 2006

CONFERENCE LOCATION



Moody Gardens Hotel

Moody Gardens Hotel
Seven Hope Boulevard
Galveston, TX 77554
1-888-388-8484

SPECIAL RATE \$160

(subject to availability)
good through May 31, 2006

Self-Parking: Complimentary
Valet: \$7 day, \$10 overnight
(subject to change)

*Rooms sell out quickly - please
reserve early!*

KEY DATES

Registration & Cancellation

June 14, 2006-5 p.m.

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

June 16, 2006-5 p.m.

last day for full refund

June 19, 2006-5 p.m.

last day for partial refunds
\$50 processing fee applied

June 22, 2006-8:30 a.m.

conference begins

CONFERENCE FACULTY

JOHN AKARD, JR.
Attorney-CPA
Houston

DIANN M. BARTEK
Cox Smith Matthews Incorporated
San Antonio

MICHAEL V. BAUMER
Law Office of Michael Baumer
Austin

HON. JEFF BOHM
United States Bankruptcy Court
Southern District of Texas
Houston

HON. LEIF M. CLARK
United States Bankruptcy Court
Western District of Texas
San Antonio

HON. LETITIA Z. CLARK
Bankruptcy Court for the Southern
District of Texas
Houston

JOHN J. DURKAY
Mehaffy Weber, P.C.
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LAWRENCE J. FALLON
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TONYA M. FELIX
Law Office of Alva Wesley-Thomas
Houston

SAM C. GREGORY
Attorney at Law
Lubbock

DAWN A. GUILLIAMS
Williams, Birnberg & Andersen, L.L.P.
Houston

HON. H. DEWAYNE "COOTER" HALE
United States Bankruptcy Court
Northern District of Texas
Dallas

NORMA HAMMES
Gold and Hammes, Attorneys
San Jose, CA

HON. MARVIN ISGUR
Bankruptcy Court for the Southern
District of Texas
Houston

STEVEN R. JAKUBOWSKI
Robert F. Coleman & Associates
Chicago, IL

HON. EDITH H. JONES
U.S. Court of Appeals for the 5th Circuit
Houston

NELSON M. JONES III
Nicholas & Jones
Houston

DEBORAH B. LANGEHENNIG
Chapter 13 Trustee
Austin

ALBERT LOFTUS
Office of the US Trustee
Dallas

CHRIS NAYLOR
Devlin, Naylor & Turbyfill, PLLC
Houston

HON. BILL G. PARKER
United States Bankruptcy Court
Eastern District of Texas
Tyler

EDUARDO V. RODRIGUEZ
Law Office of Eduardo V. Rodriguez, P.C.
Brownsville

KENNETH P. THOMAS
Houston

RICHARD TOMLINSON
Attorney at Law
Houston

STEVE TURNER
McGinnis, Lochridge & Kilgore, L.L.P.
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Venable & Vida, L.L.P.
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ROBERT B. WILSON
Chapter 13 Trustee
Lubbock

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ABOUT THE COVER



"Rocky Beach," oil on canvas, is by Laurel Daniel. For more information, contact the Davis Gallery at 512-477-4929 or visit www.davisgalleryaustin.com

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