

15TH ANNUAL
**CONSUMER BANKRUPTCY
PRACTICE**



July 25–26, 2019

Norris Conference Center – CityCentre ■ Houston, Texas

SUPPORTING ORGANIZATION

Houston Association of Consumer Bankruptcy Attorneys

Earn up to 13.50 Hours of Credit Including 3.00 Hours of Ethics Credit
(Approved in TX, CA, and OK. Expected for LA.)

TX Legal Specialization Credit Approved for Bankruptcy Law and Consumer Law

Earn up to 16.00 Hours of TX CPE and National Accounting CPE

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THURSDAY MORNING, JULY 25, 2019

Presiding Officer:

Hon. H. DeWayne "Cooter" Hale, U.S. Bankruptcy Court, Northern District of Texas, Dallas, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

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

Case Summaries, Part I

Discuss relevant circuit, district, and bankruptcy court decisions focusing on consumer cases from the past year. Examine substantive changes in the case law and discuss cases interpreting bankruptcy rules affecting consumer practice.

Hon. Craig A. Gargotta, U.S. Bankruptcy Court, Western District of Texas, San Antonio, TX
Hon. Eduardo V. Rodriguez, U.S. Bankruptcy Court, Southern District of Texas, McAllen, TX

9:30 a.m. .50 hr

Determining Eligibility for a Chapter 13 Discharge

What options do you have when the Plan Payments are finished and you determine that your client is not eligible for a discharge? Explore why you might want to file a case even though you know your client is not eligible for a discharge.

Mark B. French, Law Office of Mark B. French, Bedford, TX

10:00 a.m. .50 hr | .25 hr ethics

Prosecuting and Defending Exceptions to Discharge

Review the burden of proof and elements required to discharge debt and defend dischargeability complaints under Section 523 and Section 727.

Diane S. Barron, Barron & Barron LLP, Plano, TX
Hon. Jeffrey P. Norman, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX

10:30 a.m. Break

Are You a First or Second Year Attorney?
Attend most UT Law CLE conferences – including this one – for just \$150.
Call 512.475.6700 to register.

10:45 a.m. .50 hr

When the Debtor Defaults on a Plan

Survey the options to overcome Default on a Plan, including Motions to Dismiss, Modifications, Hardship Discharges, and other alternatives.

Marcos D. Oliva, Oliva Law, McAllen, TX
Cristina Rodriguez, Keeling Law Firm, Houston, TX

11:15 a.m. .75 hr

Beast of Burden

Take a closer look at burdens of proof, production, and presumptions in the Bankruptcy Code. Also, discuss the role of evidence in bankruptcy, including direct and cross-examination and the effective use of proffers.

Hon. H. DeWayne "Cooter" Hale, U.S. Bankruptcy Court, Northern District of Texas, Dallas, TX
Emma Persson, U.S. Bankruptcy Court, Northern District of Texas, Dallas, TX

12:00 p.m. .50 hr

Seeking and Objecting to Creditors' Attorneys Fees

How do you get a bankruptcy lawyer to smile for a picture? Just say "Fees!" Review the standards for fee approvals and ensuring a proper prove up and objection.

Mark A. Castillo, Curtis | Castillo PC, Dallas, TX
Lindsay D. Steele, Steele Law Firm, PLLC, Fort Worth, TX

12:30 p.m. Lunch On Your Own

Presentations Resume at 2:00 p.m.

THURSDAY AFTERNOON

Presiding Officer:

Hon. Jeffrey P. Norman, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX

2:00 p.m. .75 hr

Chapter 13 Trustee Panel

The Chapter 13 world is always changing. Come hear the latest from your Texas trustees.

Moderator:
Dwayne M. Murray, Murray Law Firm, Baton Rouge, LA

Panelists:
Pamela A. Bassel, Standing Chapter 13 Trustee, Fort Worth, TX
Carey D. Ebert, Chapter 13 Trustee, Plano, TX
William E. Heitkamp, Chapter 13 Trustee, Houston, TX
Ray Hendren, Attorney at Law, Austin, TX

2:45 p.m. .50 hr

Accounting for Lawyers

Bankruptcy without numbers is like pizza without cheese. Get a brief primer in balance sheets, income statements, and amortization schedules.

Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX

3:15 p.m. Break

3:30 p.m. .75 hr

Important Old Cases

Review old(er) cases of fundamental and/or practical significance that should be kept in every bankruptcy attorney's toolbox.

Hon. Edward L. Morris, U.S. Bankruptcy Court, Northern District of Texas, Dallas, TX
Hon. Brenda T. Rhoades, U.S. Bankruptcy Court, Eastern District of Texas, Plano, TX

4:15 p.m. .75 hr | .25 hr ethics

Data Mining: Uses and Abuses in Bankruptcy Cases

Explore how information gathered from social media and other technology platforms can complicate a bankruptcy case.

Michael V. Baumer, Law Office of Michael Baumer, Austin, TX
Behrooz P. Vida, The Vida Law Firm, Bedford, TX

5:00 p.m. .50 hr

Bankruptcy Exemptions: A Fresh Start or a Head Start?

Hear a timely discussion of selecting the proper bankruptcy exemptions for your clients. Cover such issues as Texas vs Federal, how much is too much, and much more!

Hon. Eduardo V. Rodriguez, U.S. Bankruptcy Court, Southern District of Texas, McAllen, TX
Jana Smith Whitworth, JS Whitworth Law Firm, PLLC, McAllen, TX

5:30 p.m. Adjourn to Reception

THURSDAY NETWORKING RECEPTION

5:30 p.m. – 6:30 p.m.

Join us for drinks and hors d'oeuvres at a luau-themed reception with program faculty and attendees.

Presiding Officer:

Hon. Brenda T. Rhoades, U.S. Bankruptcy Court, Eastern District of Texas, Plano, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:00 a.m. 1.00 hr

Breakfast Breakout Sessions

Judges and trustees from each of Texas's four judicial districts and two from Louisiana meet with attendees and moderate a discussion on problems of local concern.

9:00 a.m. 1.00 hr | .25 hr ethics

Case Summaries, Part II

Continue the discussion of relevant circuit, district, and bankruptcy court decisions focusing on consumer cases from the past year, and examine substantive changes in the case law and discuss cases interpreting bankruptcy rules affecting consumer practice.

Hon. H. DeWayne "Cooter" Hale, U.S. Bankruptcy Court, Northern District of Texas, Dallas, TX
 Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX

10:00 a.m. .50 hr ethics

When You Really, Really Mess Up: Some Practical Ideas for Fixing, or at Least Mitigating, Common Bankruptcy Practitioner Errors

Everyone makes mistakes: how you deal with them can mean the difference between fixing them and malpractice. A debtor's attorney and creditor's attorney discuss common mistakes and how to cure or mitigate the damage they can cause.

Théda W. Page, The Page Law Firm, Frisco, TX
 Stephen G. Wilcox, Wilcox Law PLLC, Arlington, TX

10:30 a.m. Break

10:45 a.m. .75 hr | .25 hr ethics

Red Flags Everywhere!: Chapter 7 Trustee Panel

Hear Chapter 7 trustees from each Texas district discuss some of the red flags you may encounter in family, small business, exemption, creditor meeting, and intangible property cases.

Moderator:
 Hon. Tony M. Davis, U.S. Bankruptcy Court, Western District of Texas, Austin, TX

Panelists:
 Christopher R. Murray, Jones Murray & Beatty LLP, Houston, TX
 Jose C. Rodriguez, Chapter 7 Trustee, San Antonio, TX
 Daniel J. "Corky" Sherman, Sherman & Yaquinto, Dallas, TX
 Mark A. Weisbart, Law Office of Mark A. Weisbart, Dallas, TX

11:30 a.m. .50 hr

Dirt for Debt

Get information on the process of transferring real property Pre- and Post-Confirmation in a Chapter 13 case.

Marquise Bryant, Attorney at Law, Houston, TX
 Hon. Jeffrey P. Norman, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX

12:00 p.m. .50 hr | .25 hr ethics

Returning Repossessed Property and Retaining Creditor Abandoned Property

The Bankruptcy Code authorizes abandonment of property that is burdensome or of inconsequential value to the estate; and Chapter 13 Plans may surrender property. Lawyers and their clients (both debtors and creditors) must plan for the disposition of real or personal property leaving the debtor's control or the bankruptcy estate for these and other reasons, including stay relief and the court's refusal to approve a reaffirmation agreement.

Hon. Douglas D. Dodd, U.S. Bankruptcy Court, Middle District of Louisiana, Baton Rouge, LA
 Brendon Singh, Corral Tran Singh LLP, Houston, TX

12:30 p.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON

Presiding Officer:

Hon. Tony M. Davis, U.S. Bankruptcy Court, Western District of Texas, Austin, TX

LUNCHEON PRESENTATION

12:50 p.m. .75 hr | .25 hr ethics

Judge Jones on Evidence

The rules of evidence play an important role in the consumer bankruptcy process, most notably in the treatment of mortgage-related documents. Review how the rules apply to the introduction of these documents, objections to their introduction, and how the rules may assist you in overcoming objections.

Hon. David R. Jones, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX

1:35 p.m. Break

1:50 p.m. .50 hr ethics

Just How Far can Bankruptcy Pre-Planning Go?: Husky and Beyond

Join a robust discussion of how much is too much. Hear best practices for pre-bankruptcy planning and review cases that have interpreted *Husky*, and walk away well-prepared to avoid any pitfalls that may come your way.

Christy Lingafelter Heimer, Heimer Law Offices P.C., Austin, TX
 Hon. Eduardo V. Rodriguez, U.S. Bankruptcy Court, Southern District of Texas, McAllen, TX

2:20 p.m. 1.00 hr | .25 hr ethics

Open Forum Judicial Panel

Hear a panel of seasoned judges respond to your frequently—and sometimes infrequently—asked questions.

Moderator:
 Michael V. Baumer, Law Office of Michael Baumer, Austin, TX

Panelists:
 Hon. Tony M. Davis, U.S. Bankruptcy Court, Western District of Texas, Austin, TX
 Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX
 Hon. Jeffrey P. Norman, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX
 Hon. Brenda T. Rhoades, U.S. Bankruptcy Court, Eastern District of Texas, Plano, TX

3:20 p.m. Adjourn

PRO BONO SERVICE OPPORTUNITY

Join UT Law CLE, Lone Star Legal Aid, and the Bankruptcy Law Section of the State Bar of Texas for a *pro bono* clinic following the conference on Friday, July 26 from 3:45 – 5:15 p.m.

Attendees will learn about the services LSLA offers, and how attendees can use their training to make a difference in the community. Attendees are encouraged to sign up to help a client in need of legal services.

Those who register and attend the clinic will receive a complimentary one-year subscription to UT Law CLE's eLibrary, comprised of audio, video, slides and papers from conferences spanning dozens of practice areas (a \$295 value).

For more information about the clinic, contact Lone Star Legal Aid at 800.733.8394 x1217. To register for the clinic, please add it to your order when registering, or call Customer Service at 512.475.6700 for details.



This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13.50, of which 3.00 credit hours will apply to the legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and Oklahoma Bar Association MCLE presumptively approved provider (#179).

CONFERENCE FACULTY AND PLANNING COMMITTEE

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Chapter 13 Trustee
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Oliva Law
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*Planning Committee member

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THÉDA W. PAGE*

The Page Law Firm
Frisco, TX

HOW TO REGISTER

Online:

www.utcle.org/conferences/CK19

Mail:

The University of Texas
School of Law
ATTN: CLE
PO Box 7759
Austin, TX 78713-7759

Fax:

512.475.6876

Questions? 512.475.6700

If you would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 days prior to the conference.

REGISTRATION BENEFITS

Full Service Experience: Registration for the live event includes continental breakfasts, Thursday and Friday luncheon presentations, and a Thursday evening reception, along with countless networking opportunities throughout the event.

Comprehensive Course Materials: Access course materials in Your Briefcase approximately 48 hours before the live event, and enjoy unlimited access to the final, complete course materials – downloadable PDFs of papers and slides.

Accredited eConference: Complimentary access to the eConference – with papers, slides, and audio – accredited for one year in both TX and CA and available in Your Briefcase 4–6 weeks after the live event.

TX MCLE Credit Reporting: UT Law CLE can report credit on your behalf directly to the State Bar of Texas. Track the Texas MCLE credit reported on your behalf at Your Account after you've logged in at www.utcle.org.

TROUBLE LOGGING IN?

Forgot Your Password? Just select "Forgot Password" under "Sign In or Join" at www.utcle.org.

First Time Logging In? Your UT Law CLE account is created for you when you register by mail, fax, or phone for the first time using the email address provided.

Still Need Help? Contact customer service at 512.475.6700 or service@utcle.org

REGISTRATION FORM

PLEASE PRINT CLEARLY

CK19

Bar Card# _____ TX Other State: _____ N/A

Name [Mr. / Ms.] _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations, and receipts are emailed to these addresses.

LIVE EVENT REGISTRATION

Special group registration rates may be available. Call 512.475.6700.

Individual Registration

- Individual registration by Friday, July 19 \$575
 Individual registration after Friday, July 19. \$625

Government Attorney Registration

- Individual registration by Friday, July 19 \$375
 Individual registration after Friday, July 19. \$425

Printed Course Binder – Available Through Wednesday, July 17

Note: Conference registration includes Electronic Course Binder Download (PDF) in Your Briefcase.

- Printed Course Binder \$37.89 (\$35*)
* Tax-exempt rate for, e.g., government employees and nonprofits. Include a Tax-Exempt Certificate with order.
 YES, I would like to join you for the pro bono clinic on Friday Afternoon Free

TOTAL EVENT REGISTRATION \$ _____

FIRST AND SECOND YEAR ATTORNEYS MAY ATTEND FOR JUST \$150! CALL 512.475.6700 TO REGISTER.

POST-CONFERENCE PRODUCTS

eConference – For Texas and California MCLE Credit

Includes Electronic Course Binder Download (PDF) and program audio. Available 4-6 weeks after live event. Hours may vary depending on actual event runtime.

- Individual eConference \$525

Post-Course Binder – For Research and Self-Study

Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- Electronic Post-Course Download (PDF) \$243.56 (\$225*)
* Tax-exempt rate for, e.g., government employees and nonprofits. Include a Tax-Exempt Certificate with order.
 Printed Post-Course Binder \$297.69 (\$275*)
* Tax-exempt rate for, e.g., government employees and nonprofits. Include a Tax-Exempt Certificate with order.

Annual eLibrary Subscription – For Research and Self-Study

Extensive resources including audio, video, papers, and slides from UT Law CLE programs.

- eLibrary 12 Month Subscription \$319.34 (\$295*)
* Tax-exempt rate for, e.g., government employees and nonprofits. Include a Tax-Exempt Certificate with order.

TOTAL POST-CONFERENCE PRODUCTS \$ _____

METHOD OF PAYMENT

- Check (make check payable to The University of Texas at Austin)
 VISA MasterCard American Express P.O. (include a copy of the purchase order upon submission)

Card /P.O. # _____ Exp. Date _____ / _____
(mm/yy)

Authorized Signature _____

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HOUSTON

July 25–26, 2019

CONFERENCE LOCATION



Norris Conference Center – CityCentre
816 Town and Country Blvd., Suite 210
Houston, Texas 77024
713.590.0950

Free Parking: Available in the garage (levels 2-4) adjacent to the conference center. The garage entrance is located on Sorella Court, just north of its intersection with Plaza Way.

Conference Center Entrance: The conference center can be entered from the parking garage on the 3rd floor, or from an entrance on the street level on the north side of Plaza Way, just before the intersection with Sorella Court.

NEARBY HOTEL

Please note: UT Law CLE does not have a special room rate at this hotel, and its listing here does not constitute an endorsement of the hotel or its services.

Hotel Sorella CityCentre
800 Sorella Ct., Houston, Texas
713.973.1600

KEY DATES

July 17, 2019

Last day to order a printed binder

July 19, 2019

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

July 19, 2019

Last day for full refund cancellation

July 22, 2019

Last day for partial refund cancellation
\$50 processing fee applied

July 25, 2019, 8:20 a.m.

Conference begins

REASONS TO ATTEND CONSUMER BANKRUPTCY PRACTICE

Consumer Bankruptcy Practice is an informative and informal conference that presents current developments and practical tips for bankruptcy attorneys and trustees, offers essential information on the Bankruptcy Code, and provides must-have written materials and resources for practitioners. This year's highlights include:

- A review of the recent rule changes, including some older cases you should know.
- Insight on *Accounting for Lawyers*, including balance sheets, income statements, and amortization schedules.
- A closer look at burden of proof in *Beast of Burden* and *Prosecuting and Defending Exceptions to Discharge*.
- Advice on *Some Practical Ideas for Fixing, or at Least Mitigating, Common Bankruptcy Practitioner Errors*.
- Analysis of the uses and abuses of *Data Mining* when building your bankruptcy case.
- Discuss your frequently, and sometimes infrequently, asked questions with our seasoned judges in this year's *Open Forum Judicial Panel*.
- *Breakfast Breakout Sessions* for each district, featuring casual discussion with district bankruptcy judges and Chapter 13 trustees.
- Networking reception where attendees can connect with old colleagues and meet new ones.

Attendees will also receive additional on-demand programming to ensure they have the opportunity to meet their full 15.00/3.00 hours of required Texas MCLE.

CPE CREDIT

The University of Texas School of Law is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org.

Earn up to 16.00 credits in Specialized Knowledge
Delivery Method: Group-Live
Program Level: Overview
Advance Preparation: None

To comply with NASBA Standards, the Registry sponsor is required to maintain records of participation, dates and locations of programs, and number of CPE credits earned by participants. Attendance sign-in sheets will be available at the registration desk, and attendees claiming CPE credit must sign in to verify attendance for each segment. You will need your CPA license number to sign in. A CPE Certificate of Completion will be issued at the conclusion of the conference.