

2024

CONSUMER BANKRUPTCY PRACTICE



July 11–12, 2024

Austin Marriott South ■ Austin, Texas

 **Live Webcast July 11–12**

Earn up to 13.75 Hours of Credit Including 2.75 Hours of Ethics Credit
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Specialization Credit Expected for: Bankruptcy Law, Consumer Law

Earn up to 16.50 Hours of Texas Certified Professional Accounting Credit
and National Accounting CPE Credit for the live, in-person conference only

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Times listed are in Central Time

THURSDAY MORNING, JULY 11, 2024

Presiding Officer:

Hon. Eduardo V. Rodriguez, U.S.
Bankruptcy Court, Southern District of
Texas, McAllen, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:00 a.m. Welcoming Remarks

8:10 a.m. .75 hr | .25 hr ethics

Case Summaries: Supreme Court Decisions from the Last Three Years

Recent Interesting Supreme Court Cases

Hon. Brenda T. Rhoades, U.S. Bankruptcy Court,
Eastern District of Texas, Plano, TX
Michelle E. Shriro, Singer & Levick, Addison, TX

8:55 a.m. .75 hr

Are Brunner and Gerhardt Now Irrelevant?

11 U.S.C. Sec. 523(a)(8) and the November 2022 DOJ discharge guidance.

Michael V. Baumer, Law Office of Michael Baumer,
Austin, TX
Heidi McLeod, Heidi McLeod Law Office PLLC,
San Antonio, TX

9:40 a.m. .50 hr

Show ... Me ... The Evidence!

Brush up on forms of evidence and best practices in presenting it.

Hon. E. Lee Morris, U.S. Bankruptcy Court, Northern
District of Texas, Fort Worth, TX

10:10 a.m. 15-Minute Break

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

Case Summaries: Fifth Circuit and District Court Opinions

Review and analysis of recent consumer bankruptcy law opinions issued by the Fifth Circuit Court of Appeals and District Courts in Texas.

Hon. Craig A. Gargotta, U.S. Bankruptcy Court,
Western District of Texas, San Antonio, TX
Erin E. Coughlin, U.S. Trustee Program, San Antonio, TX

11:10 a.m. 1.00 hr | .25 hr ethics

More Money More Problems: Appreciation of Assets, After-Acquired Property and Increases in Income

A discussion of a debtor's obligation to disclose and the problems caused by appreciation, increased income and after acquired property in chapter 13, chapter 7 and conversions.

Hon. Christopher G. Bradley, U.S. Bankruptcy Court,
Western District of Texas, Austin, TX
Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern
District of Texas, Houston, TX
Cristina Rodriguez, The Office of Tiffany Castro,
Chapter 13 Trustee, Houston, TX

12:10 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

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

THE HON. H. DEWAYNE "COOTER" HALE LUNCHEON PRESENTATION

12:30 p.m. .75 hr

View from the Court of Appeals

Keynote presentation delivered by Hon. Jennifer Walker Elrod, U.S. Court of Appeals, Fifth Circuit

Hon. Jennifer Walker Elrod, U.S. Court of Appeals,
Fifth Circuit, Houston, TX

1:15 p.m. 15-Minute Break

1:30 p.m. .75 hr

The Twilight Zone of Chapter 13

A discussion of the unexpected, unusual, and problematic issues debtors may encounter during the life of their chapter 13 plan.

Tiffany Castro, Chapter 13 Trustee, Southern District
of Texas, Houston, TX
Katherine L. Davis, Chapter 13 Trustee, Northern
District of Texas, Lubbock, TX
Carey D. Ebert, Chapter 13 Trustee, Eastern District
of Texas, Plano, TX

2:15 p.m. .75 hr

Primer on Subchapter V

Do you want your client's Subchapter V plan confirmed the first time? Join Chief Judge Rodriguez as he walks you through the intricacies of Subchapter V.

Hon. Eduardo V. Rodriguez, U.S. Bankruptcy Court,
Southern District of Texas, McAllen, TX

3:00 p.m. 10-Minute Break

3:10 p.m. .50 hr

Exceptions to the 523 Discharge

Review of hot topics and case update in §523 litigation, including: liability of partners, applicability in Sub V cases, meaning of "willful and malicious", effect of judicial and collateral estoppel arising from non-bankruptcy litigation including default judgments and settlements, dismissal of §523 claims due to use of "shotgun" pleadings, and more!

Erin E. Jones, Jones Murray LLP, Houston, TX

3:40 p.m. .75 hr

Secured Claims

Rights of secured creditors with regard to fixtures like plumbing, pools, and solar panels, review of current case law, how to perfect your lien, how to surrender fixtures attached to the home, right of Redemption and right of Reaffirmation, and application of bankruptcy rules.

Mitchell J. Buchman, Barrett Daffin Frappier Turner &
Engel, LLP, Houston, TX

MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13.75 hours, of which 2.75 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

Are you a 1st or 2nd year attorney? Attend most UT Law CLE conferences for just \$195!

Call 512.475.6700 to register.

4:25 p.m. .50 hr

Keeping the Debtor Rolling

A car creditor gives their perspective on how the Debtor can retain their vehicle throughout bankruptcy, including dealing with lower values and higher interest rates.

Stephen G. Wilcox, Wilcox Law PLLC, Arlington, TX

4:55 p.m. .75 hr ethics

AI: Friend or Foe

Has Judgment Day come? Is Skynet about to destroy humanity? Nah...not yet. Until our computer overlords take charge, Generative AI can be a helpful new tool for sorting through the vast amounts of data and knowledge on the Internet. Walk through the basics of using Generative AI and hear some pointers on how you can make it work for you and your practice.

Daniel C. Wood, Pillsbury Winthrop Shaw Pittman LLP, Austin, TX
Sarah Darnell Wood, U.S. Bankruptcy Court, Western District of Texas, Austin, TX

5:40 p.m. Adjourn to Reception

NETWORKING RECEPTION

5:40 p.m. – 6:40 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees.

INSTITUTE ACCREDITATION

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.nasbaregistry.org.

CONFERENCE:

Earn up to 16.50 credits
Field of Study: Specialized Knowledge and Taxes
Delivery Method: Group-Live (In-person only)
Program Level: Intermediate and Advance
Preparation and Prerequisite: None

FRIDAY MORNING, JULY 12, 2024

Presiding Officer:

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

7:00 a.m. Conference Room Opens

Includes continental breakfast.

8:00 a.m. .75 hr

Breakfast Breakout Sessions

Judges and trustees from each of Texas's four judicial districts meet with attendees and moderate a discussion on problems of local concern. *Please note – only one district will be available to view during the live webcast.*

8:45 a.m. .75 hr | .25 hr ethics

Case Summaries: Bankruptcy Court Opinions

Listen to a survey of the most important cases that have come out of Bankruptcy and District Courts within the last 12 months.

Hon. Eduardo V. Rodriguez, U.S. Bankruptcy Court, Southern District of Texas, McAllen, TX
Kalvin L. Guyer, U.S. Bankruptcy Court, Southern District of Texas, McAllen, TX

9:30 a.m. .75 hr

So You're Filing an Individual Chapter 7: Things that Will Catch Attention

The Bankruptcy Code imposes duties upon a debtor to file and provide various information for the debtor to receive a discharge, and then on top of that debtors must deal with parties in interest requesting additional information. Join Beverly Bass and Shane Tobin as they discuss not only the statutory requirements, but also many of the items that might catch the Court's, Chapter 7 trustee's, and United States Trustee's attention and how to be prepared to answer their questions.

Beverly A. Bass, Munsch Hardt Kopf & Harr, P.C., Austin, TX
Shane P. Tobin, Trial Attorney, Office of the U.S. Trustee, Austin, TX

10:15 a.m. 15-Minute Break

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10:30 a.m. .75 hr

Available Sources of Funds to Save a Home

Where to look for assistance when paying your mortgage, who qualifies and how to apply for these funds.

Edgar Borrego, Tanzy & Borrego, El Paso, TX

11:15 a.m. .75 hr | .25 hr ethics

Representing the Bad Guy in a Bankruptcy Case

Bad guys (or gals) sometimes may be a debtor in a bankruptcy case. After debtor's counsel learns about a client's alleged criminal conduct, the feds might come calling. If your client is the target of a criminal investigation or indictment, you need to ensure that a bankruptcy case and criminal referral do not become so intertwined that the client would lose the protection of a fresh start and/or be successfully prosecuted for a bankruptcy crime.

Hon. Craig A. Gargotta, U.S. Bankruptcy Court, Western District of Texas, San Antonio, TX
Erica Benites Giese, Jackson Walker LLP, San Antonio, TX

12:00 p.m. .50 hr ethics

Sanctions and Privileges

Sanctions: How to get them or avoid them.
Privileges: How to keep them or lose them.

Hon. H. DeWayne "Cooter" Hale, Retired U.S. Bankruptcy Judge, Dallas, TX
Trip Nix, Holland & Knight LLP, Austin, TX

12:30 p.m. 1.00 hr | .25 hr ethics

Judicial Panel

Hear a panel of judges from across the state respond to your frequently—and sometimes infrequently—asked questions. Please submit your questions in advance to ConferenceQA@utcle.org.

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

Panelists:
Hon. Christopher G. Bradley, U.S. Bankruptcy Court, Western District of Texas, Austin, TX
Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX
Hon. Brenda T. Rhoades, U.S. Bankruptcy Court, Eastern District of Texas, Plano, TX

1:30 p.m. Adjourn



UT Law CLE is committed to helping attorneys meet their annual Texas MCLE requirements. Following the event, registrants will receive a free, on-demand eSupplement that will bring their total available hours to 15.00, including 3.00 hours of ethics.

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Plano, TX

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U.S. Department of Justice, Office of the U.S. Trustee
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Chapter 13 Trustee, Northern District of Texas
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U.S. Bankruptcy Court, Northern District of Texas
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Wilcox Law PLLC
Arlington, TX

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Chapter 13 Trustee, Eastern District of Texas
Plano, TX

TRIP NIX
Holland & Knight LLP
Austin, TX

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Pillsbury Winthrop Shaw Pittman LLP
Austin, TX

HON. JENNIFER WALKER ELROD
U.S. Court of Appeals, Fifth Circuit
Houston, TX

HON. JEFFREY P. NORMAN*
U.S. Bankruptcy Court, Southern District of Texas
Houston, TX

SARAH DARNELL WOOD*
U.S. Bankruptcy Court, Western District of Texas
Austin, TX

HON. CRAIG A. GARGOTTA*
U.S. Bankruptcy Court, Western District of Texas
San Antonio, TX

THÉDA W. PAGE*
The Page Law Firm
Frisco, TX

*Planning Committee member

HOW TO REGISTER

Online:

www.utcle.org/conferences/CK24/signup

Mail:

The University of Texas
School of Law
ATTN: CLE
P.O. Box 12883
Austin, TX 78711

Fax:

512.475.6876

Questions? 512.475.6700

If you have dietary requirements or 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

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 video – accredited for one year in both TX and CA are available in "Your Briefcase" 6–8 weeks after the 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.

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

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REGISTRATION FORM

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CK24

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Assistant's Email (optional) _____
Invoices, confirmations, and receipts are emailed to these addresses.

EVENT REGISTRATION

Includes Electronic Course Binder Download (PDF) in "Your Briefcase." Special group registration rates available. Call 512.475.6700.

- Live, In-Person Event Registration \$595
 Live Webcast Registration \$595

Printed and Shipped Binder with Registration (Shipping Included) – Available for order through Friday, July 12, 2024

Please note that the printed binder will arrive 2–3 weeks after the conclusion of the live event. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

- Printed and Shipped Course Binder \$81.19 (\$75*)

Webcast Add-on

Register for the in-person conference and add on the webcast format for attendance flexibility.

- Webcast Add-on \$75

TOTAL EVENT REGISTRATION \$ _____

FIRST AND SECOND YEAR ATTORNEYS MAY ATTEND FOR JUST \$195! CALL 512.475.6700 TO REGISTER.

POST-CONFERENCE PRODUCTS

eConference – For Texas and California MCLE Credit

Includes Electronic Course Binder Download (PDF) and program video/audio. Available 6-8 weeks after live event. Hours may vary depending on actual event runtime.

- Individual eConference \$595

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) \$297.69 (\$275*)
 Printed Post-Course Binder \$351.81 (\$325*)

TOTAL POST-CONFERENCE PRODUCTS \$ _____

METHOD OF PAYMENT

- Check (make check payable to The University of Texas at Austin)
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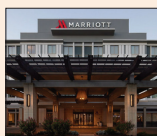
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** Tax-exempt rate for, e.g., government employees and nonprofits. Include a Texas Sales and Use Tax Exemption Certificate with order.*

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AUSTIN
July 11–12, 2024

CONFERENCE LOCATION



Austin Marriott South
4415 S Interstate 35
Austin, TX 78744-1802
512.441.7900 (reservations)

Special Room Rate: \$169
good through June 20, 2024
reference "UT Consumer Bankruptcy 2024"
(subject to availability)

Parking:
Complimentary surface parking available

KEY DATES

July 5, 2024

Last day for full refund cancellation

July 8, 2024

Last day for partial refund cancellation

\$50 processing fee applied

July 11, 2024, 8:00 a.m., CT

Conference begins

July 12, 2024

*Last day to order a printed and shipped course binder
with in-person or webcast conference registration.*

**UT Law CLE is committed to
Practice Excellence.**

We are here to support our community. Information and updates regarding our in-person conferences and live webcasts will be posted at www.utcle.org.

In addition, we continue to offer multiple educational opportunities online—both live and on-demand—by bringing practitioners together virtually. We are fortunate to serve so many of you who strive for excellence in the practice of law.



REASONS TO ATTEND AND LEARNING OBJECTIVES

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. Highlights include:

- Judges Rhoades, Gargotta and Rodriguez present the most relevant, current, and important cases impacting consumer bankruptcy from the Supreme Court, the Fifth Circuit and the bankruptcy and district courts in three separate *Case Summaries* sessions.
- Judge Morris, provides guidance on how to brush up on forms of evidence and best practices in presenting it in *Show ... Me ... The Evidence!*.
- Judges Bradley and Isgur are joined by Cristina Rodriguez to discuss the debtor's obligation to disclose and the problems cause by appreciation, increased income and after acquired property in chapter 13, chapter 7, and conversions.
- Judge Jennifer Elrod, from the U.S Court of Appeals will present a *View from The Court Appeals*.
- Discuss your frequently, and sometimes infrequently, asked questions with our judges in this year's *Open Forum Judicial Panel*. Please submit your questions in advance to ConferenceQA@utcle.org.
- *Breakfast Breakout Sessions* for each district, featuring casual discussion with district bankruptcy judges and trustees.