



Oregon Law Institute
of Lewis & Clark Law School

Back by Popular Demand!

Bankruptcy Law

FOR THE
NON-SPECIALIST

OLI is again offering its popular program on bankruptcy law for the non-specialist. Attend this program for an introduction to consumer and business bankruptcy law and insights into how bankruptcy affects divorces, personal injury claims, real estate sales, taxes, and business transactions.

Friday, October 16, 2009

**Oregon Convention Center
777 NE Martin Luther King Jr. Blvd.
Portland, Oregon**

6.25 General or PS MCLE Credits

Your clients expect you to know everything! Even if you're not a full-time bankruptcy lawyer, you need to know how a bankruptcy filing will affect all your client's legal issues. At this seminar, a faculty of bankruptcy experts will take you step-by-step through the bankruptcy process.

You'll be able to advise your individual and business clients on:

- If and when they should file for bankruptcy
- What they get to keep after filing for bankruptcy
- How the bankruptcy process works
- What to do when debtors who owe your clients money use bankruptcy, or a potential bankruptcy, as a defense

Plus, you'll learn how a bankruptcy filing will affect their other legal issues, including divorces, real estate transactions, personal injury claims, taxes, and more.

SCHEDULE

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:25 WELCOME AND INTRODUCTION
– *Richard A. Slottee*
- 8:30–9:30 **Introduction to Bankruptcy Law and Procedure**
- When should you advise your clients to file for bankruptcy? How do you deal with debtors who threaten to file?
 - The basics of bankruptcy, including:
 - ▶ Court structure and jurisdiction
 - ▶ Judges
 - ▶ The role of the trustees; how to contact them
 - What are the differences between chapters 7, 13, and 11?
 - Basic bankruptcy procedure
 - ▶ Anatomy of a chapter 7 and 13 case
 - ▶ The notice of bankruptcy—what does it mean?
 - ▶ What is the §341(a) hearing?
 - ▶ Typical deadlines and why they are important
 - PACER and ECF
 - ▶ What to look for on PACER

– *Hon. Elizabeth L. Perris*
– *Peter C. McKittrick*
- 9:30–9:45 BREAK
- 9:45–10:45 **Who Gets What? When? Property of the Estate and Exemptions**
- The bankruptcy estate—what is included?
 - What happens to your client's claims or causes of action if they file for bankruptcy?
 - Estate issues involving domestic relations, business transactions, litigation
 - What happens to real estate sales after a bankruptcy filing?
 - The exemption scheme in bankruptcy
 - ▶ Federal exemptions and state law exemptions
 - ▶ Application of the foreign state exemptions
 - The domestic support obligation exception
– *Ann K. Chapman*
– *Laura L. Donaldson*

SCHEDULE (cont.)

10:45–11:45



The Automatic Stay; Saving the Family Home

- The automatic stay—what does it do?
- Effect of the automatic stay on domestic relations
 - ▶ Child support modifications; filiation proceedings; contempt of court
- Effect of the automatic stay on business transactions
 - ▶ What happens when a vendor/customer files bankruptcy?
 - ▶ What happens to lessors when a lessee files bankruptcy?
- Effect of the automatic stay on litigation
 - ▶ What happens when a plaintiff/defendant files bankruptcy?
 - ▶ Collections and the automatic stay
- Effect of the automatic stay on construction liens
 - ▶ How can creditors get relief from the stay?
- Automatic relief from the automatic stay
 - ▶ Consequences of violating the automatic stay
 - *Hon. Elizabeth L. Perris*
 - *Thomas K. Hooper*

11:45–1:00

LUNCH (optional box lunch available at live program)

1:00–2:00

Business Bankruptcies: Avoidable Transfers and Chapter 11 Potpourri

- What are preferential and/or fraudulent transfers?
 - ▶ How should you respond to a demand letter from a trustee or debtor-in-possession? What are possible defenses to an avoidance action?
- How does the chapter 11 case work from a creditor's perspective?
 - ▶ When is your client eligible for an administrative priority claim? What are the risks of doing business with a chapter 11 debtor? What should you look for in the plan and disclosure statement? What happens if the debtor defaults after plan confirmation?
 - *Justin D. Leonard*
 - *Peter C. McKittrick*

2:00–2:15

BREAK

2:15–3:15

Getting Paid, Getting Your Collateral, and Getting Nothing: What Is Dischargeable?

- How can you collect from the bankruptcy estate if the obligor files bankruptcy?
 - ▶ What is a claim?
 - ▶ What claims have priority?
 - ▶ What order are claims paid in?
 - ▶ What is a proof of claim?
- Can the debtor discharge all obligations?
 - ▶ What does it mean to “discharge” a debt?
 - ▶ Which debts are not dischargeable? Can a debtor discharge a debt that is not listed in the bankruptcy?
- Consequences of ignoring the discharge
- Can you stop the discharge of your debt?
- What happens to liens?
 - *Ann K. Chapman*
 - *Mark B. Comstock*

3:15–4:00

Taxes and Alternatives to Bankruptcy

- Tax traps with short sales, debt forgiveness, and how bankruptcy can provide a better alternative
- Recent legislation on tax treatment of short sales and foreclosures
- When filing a bankruptcy is not an option, what alternatives does a debtor have?
- Residential home mortgage modification, short sales, deeds in lieu, reverse mortgages, and other options when facing foreclosure
 - *E. Clarke Balcom*
 - *Todd Trierweiler*

4:00 p.m.

ADJOURN

Program Faculty

E. Clarke Balcom

Clarke Balcom PC

Ann K. Chapman

Vanden Bos & Chapman, LLP

Mark B. Comstock

Garrett Hemann Robertson, PC

Laura L. Donaldson

Kuni Donaldson, LLP

Thomas K. Hooper

Hooper, Englund & Weil LLP

Justin D. Leonard

Ball Janik LLP

Peter C. McKittrick

Farleigh Wada Witt

Hon. Elizabeth L. Perris

Program Co-Planner

*Chief Judge, U.S. Bankruptcy Court,
District of Oregon*

Richard A. Slottee

Program Co-Planner

*Professor of Law/Director
Lewis & Clark Legal Clinic*

Todd Trierweiler

Todd Trierweiler & Associates

LIVE PRESENTATION

Portland – 10/16/09

Oregon Convention Center
777 NE MLK Jr. Blvd.

MCLE CREDIT

Bankruptcy Law for the Non-Specialist
will receive **6.25** General or PS
MCLE credits.

PROGRAM PRODUCTS

Even if you cannot attend, you can still get the program on CDs or DVDs. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase OLI program products at 50% off the full retail price.

QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, e-mail us at oli@lclark.edu, or visit our website at www.lclark.edu/org/oli.

VIDEO REPLAYS

Please register at least one week prior to the replay date.

Bend – 10/30/09

Replay 8:30 a.m.

Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 10/23/09

Replay 8:30 a.m.

Harrang Long Gary & Rudnick PC
360 East 10th Avenue, Ste. 300

Medford – 10/23/09

Replay 8:30 a.m.

Kellington Krack Richmond
Blackhurst & Glatte LLP
23 Newtown Street

Portland – 11/4/09

Replay 9:00 a.m.

Oregon Law Institute
Gus J. Solomon Courthouse
620 SW Main Street, Ste. 706

Bankruptcy Law for the Non-Specialist

Friday, October 16, 2009

Name _____ OSB No. or Profession _____

Firm/Organization _____

Street Address _____ City/State/Zip _____

Phone _____ E-Mail _____

Please "✓" appropriate box below:

- Live presentation
- Video replay. Location: _____ Date: _____
Please register at least one week prior to the replay date.

TUITION *(Prices apply to live and video replays.)*

- \$179 Early registration tuition *(received by October 12, 2009)*
- \$139 Early registration tuition for new attorneys (admitted 2008–2009), paralegals, or secretaries *(received by October 12, 2009)*
- \$90 Legal aid attorneys *(received by October 12, 2009)*
- \$15 OLI Annual Passholder (OLI Pass No. _____)
- \$20 Add to above tuition if registration received *after October 12, 2009*

OPTIONAL LUNCH AT LIVE SEMINAR

NOTE: Many of the speakers will be available for an informal Q&A over the lunch break at the live program

- \$20 Add to above tuition Turkey Vegetarian

PRODUCT ORDER

I am unable to attend. Please send me:

- \$199 Audio CDs and course book
- \$299 DVDs and course book
- \$59 Course book only
- Deduct 50% from product order if you are an OLI Passholder (OLI Pass No. _____)
- \$7.00 Note: Add \$7.00 shipping & handling fee to above product orders.**

ENCLOSED IS \$ _____ BY:

- Check payable to Oregon Law Institute (OLI)
- Credit Card: Acct. # _____
 VISA MasterCard
- Exp. Date: _____ Signature: _____

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(503) 768-6585.

**QUESTIONS? Call (503) 768-6580 or (800) 222-8213.
Check out our website at www.lclark.edu/org/oli
or e-mail us at oli@lclark.edu.**

CONFIRMATION: Confirmation will be sent via e-mail.

CANCELLATION POLICY: Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by Monday, October 12, 2009.

NEED ASSISTANCE: If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

TUITION ASSISTANCE: A limited number of scholarships are available based on financial need. Contact OLI.