



Oregon Law Institute  
of Lewis & Clark Law School

# Consumer Law

## *How to Protect Yourself and Your Client*

### ***Highlights:***

- ✓ Current issues regarding home mortgage foreclosures and strategies for saving homes
- ✓ How credit score is determined and how to dispute information in the credit report
- ✓ New wage garnishment and bank account exemptions
- ✓ The most current modifications and issues under the Unlawful Trade Practices Act
- ✓ How the Credit CARD Act of 2010, one of the most sweeping federal consumer protection laws since the Truth in Lending Act, affects you and your clients

**FRIDAY, OCTOBER 28, 2011**

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

**6.75** General MCLE Credits

# SCHEDULE

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:25 WELCOME AND INTRODUCTION
- 8:30–10:00 **Mortgage Foreclosures: Current Issues**
- Foreclosures in Oregon—the latest in case law, procedural issues, and loan modifications
  - Truth in Lending rescission—new decisions from the District of Oregon
  - Other strategies for saving homes
    - *Hope A. Del Carlo*
    - *David L. Koen*
- 10:00–10:15 BREAK
- 10:15–11:00 **Credit Cards: A Bold look at the Fine Print**
- Credit CARD Act of 2010
  - Fair Credit Billing Act—a quick primer
  - Accepting credit cards as retainer fee—ethical issues
  - Credit card “holder in due course” rule—how and when you can assert a claim
    - *Kelly D. Jones*
- 11:00–12:00 **Garnishment of Bank Accounts: New Shields and Old Spears**
- The new bank account exemption rule
  - Apportioning exempt/non-exempt funds
  - Wages—the new Oregon exemptions
  - Government benefits—which are garnishable and for what?
    - Student loans, taxes, domestic support debts
    - Annuities—which ones are actually exempt?
    - Private disability insurance benefits
  - Oregon Department of Revenue—are there any defenses?
    - *Russell D. Garrett*
- 12:00–1:00 LUNCH (on your own)
- 1:00–2:00 **Fair Credit Reporting Act: Overview and Current Issues**
- Obtaining a credit report and how to read it
  - The dispute process—who is liable?
  - Identity theft and the protections offered by the FCRA
  - Credit scores
  - Mortgages and credit reports: loan modifications, foreclosures and short sales
    - *Justin M. Baxter*
- 2:00–3:00 **Unlawful Trade Practices Act: An Old Statute with New Teeth**
- New consumer protections—the expanding list of prohibited activities
  - Damages
  - Attorney fees
    - *Eva H. Novick*
    - *Tim A. Quenelle*
- 3:00–3:15 BREAK

# SCHEDULE (cont.)

3:15–4:15

## **Tax Liabilities: A Basic Primer and Basic Rules You Need to Know**

- The life cycle of a tax liability
- Collection issues: the lien; attachment; enforcement tools; duration
- Administration: federal vs. state collection processes; financial statements, installment agreements, and federal living standards
- Remedies for unpayable tax liabilities: currently not collectible; bankruptcy; offer in compromise
- Marital issues: joint vs. separate liability; divorce; innocent and injured spouse relief  
– *Jeffrey M. Wong*

4:15 p.m.

ADJOURN

# Program Faculty

## **Justin M. Baxter**

*Baxter & Baxter, LLP*

## **Hope A. Del Carlo**

*Attorney at Law*

## **Russell D. Garrett**

*Jordan Ramis PC*

## **Kelly D. Jones**

*Law Office of Kelly D. Jones*

## **David L. Koen**

*Staff Attorney, Multnomah County Office,  
Legal Aid Services of Oregon*

## **Eva H. Novick**

*Oregon Department of Justice,  
Financial Fraud/Consumer Protection Section*

## **Tim A. Quenelle**

*Tim Quenelle, PC, Solo Practitioner*

## **Richard A. Slottee**

*Program Planner  
Professor of Law and Director  
Lewis & Clark Legal Clinic*

## **Jeffrey M. Wong**

*Attorney at Law*

## **LIVE PRESENTATION**

**Portland – 10/28/11**  
Oregon Convention Center  
777 NE MLK Jr. Blvd.

## **MCLE CREDIT**

*Consumer Law: How to Protect Yourself  
and Your Client* will receive **6.75**  
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## **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](mailto:oli@lclark.edu), or visit our website at <http://go.lclark.edu/oli>.

## **VIDEO REPLAYS**

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

**Bend – 11/11/11**  
**Replay 8:30 a.m.**  
Bryant Lovlien & Jarvis  
591 Mill View Way

**Eugene – 11/4/11**  
**Replay 8:30 a.m.**  
Harrang Long Gary & Rudnick PC  
360 East 10th Avenue, Ste. 300

**Medford – 11/4/11**  
**Replay 8:30 a.m.**  
Kellington Krack Richmond  
Blackhurst & Glatte LLP  
23 Newtown Street

**Portland – 11/16/11**  
**Replay 9:00 a.m.**  
Oregon Law Institute  
Gus J. Solomon Courthouse  
620 SW Main Street, Ste. 706

# Consumer Law

## *How to Protect Yourself and Your Client*

Friday, October 28, 2011

Name

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Please "✓" appropriate box below:

- Live presentation
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### TUITION

*(Prices apply to live and video replays and include course materials.)*

- \$179** Early registration *(received by October 24, 2011)*
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- \$15** OLI Passholder (OLI Pass No. \_\_\_\_\_) *(received by October 24, 2011)*
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### PRODUCT ORDER

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 Check out our website at <http://go.lclark.edu/oli>  
 or e-mail us at [oli@lclark.edu](mailto: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 24, 2011.

**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.