

# **NACTT 2022**

## **57TH ANNUAL SEMINAR**

JULY 5 - 9, 2022

SAN FRANCISCO MARRIOTT MARQUIS

SAN FRANCISCO, CALIFORNIA



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# PRESIDENT'S LETTER

**W**elcome to San Francisco, home of the Golden Gate Bridge, Fisherman's Wharf, Pier 39, Alcatraz Island, museums, Muir Woods National Monument, City Lights Bookstore, Nob Hill, and of course fabulous food and wine. It is only 56 miles to wine country. Most importantly San Francisco is the site of the National Association of Chapter 13 Trustees' ("NACTT") 57<sup>th</sup> Annual Seminar at the Marriott Marquis, July 6 – 9, 2022. This will be the first fully live annual NACTT seminar since 2019 so make your plans now to attend the premier consumer bankruptcy educational seminar and to see colleagues we have all missed for the last few years.

This year's program is outstanding and filled with a wide range of relevant, current and hot topics of interest to consumer bankruptcy professionals. The plenary sessions include: a discussion by bankruptcy judges - *Enforcement of Court Orders and Rules: Does Contempt Power Exist in the Bankruptcy Court?*; a discussion by the one and only Professor Nancy B. Rapoport - *Ethical Implications of Remote Lawyering Post-Pandemic*; a discussion as to the future of virtual court hearings - *Virtual Court Hearings: Maximizing the Benefits and Avoiding the Pitfalls*; a discussion on appreciating assets - *Windfalls - Who Gets Postpetition Property or Appreciated Values?*; a discussion on conditional dismissals - *Dismissals with Prejudice - When Appropriate and What Conditions Apply?*; a discussion on the continuing student loan problem - *Student Loans - Where is Litigation Headed and What is Happening in the Department of Education?*; a discussion on the *Kinney* decision - *No Cure After 60 Months - Judicial Splits on Debtor's Ability to Cure After Plan Term Expires*; a discussion on issues that arise when converting a case - *Conversion from Chapter 7 to 13 - Issues to be Considered Before Conversion*; and a discussion on what we all want to know - *The Future of Consumer Bankruptcy*. In addition to the plenary sessions there will be breakout sessions led by talented speakers on topics such as: mortgage issues; claims secured by personal property; abusive lending issues; "Equality of Access in Bankruptcy;" CFPB issues; and technology trends. There will also be sessions just for trustee staff. Last, but not least, the conference will end with the never to be missed and always entertaining - "*Chapter 13 Case Law Update*" with the Honorable Keith M. Lundin, Henry E. Hildebrand, and Tara Twomey.

The San Francisco conference will provide networking opportunities for sharing suggestions for improvements to consumer bankruptcy laws and procedures. The conference will provide excellent educational sessions and also allows you to take advantage of the amazing sites in San Francisco. Remember, Friday afternoon is free so enjoy the sites, food and California wines. If you enjoy the outdoors be sure to see the Golden Gate Bridge (and perhaps see it via a cruise); explore the Muir Woods; enjoy the sunset on a catamaran cruise; explore the vineyards and wineries of Napa; a drive along Highway 1 coastline; or enjoy the many parks of San Francisco. If you enjoy history and museums be sure to see Alcatraz; Legion of Honor; de Young Museum; Contemporary Jewish Museum; Museum of African Diaspora; the Beat Museum; Children's Creativity Museum; and so many more. And of course, if you want to enjoy the city as a whole you may want to take the trolley around town to see such sites as: Nob Hill; Chinatown; Fisherman's Wharf, or Pier 39.

The NACTT strives to be a nationwide leader in consumer bankruptcy law education and the 2022 annual seminar presents many opportunities to improve your knowledge and expertise. The NACTT, the Academy and program planners have compiled an excellent panel of speakers from across the country. The social events will provide an opportunity to reconnect with colleagues and friends.

## SEE YOU IN SAN FRANCISCO!



Mary K. Viegelahn  
President



Krispen S. Carroll  
Vice-President and Program Chair

# REGISTRATION

The Seminar Registration Desk will be open beginning at 12:00 pm on Tuesday, July 5, 2022.

## REGISTRATION FEE

All seminar materials will only be available via internet download from The NACTT Academy. Pre-registration will close on May 1st.

	All Education Materials included in Free Download, except Case Law Update By May 1	\$200 late fee On site/After May 1
Trustee NACTT Member (Conference, food functions) .....	\$900 .....	\$1100
Associate NACTT Member (Conference, food functions) .....	\$900 .....	\$1100
Staff of NACTT Member (Conference, food functions) .....	\$850 .....	\$1050
Staff Attorney of NACTT Trustee (Conference, food functions) .....	\$900 .....	\$1100
<b>EOUST/DOJ or Office</b>		
of the US Courts Employee (Conference, food functions) .....	\$850 .....	\$1050
Non-NACTT Member (Conference, food functions) .....	\$1200 .....	\$1400
Bankruptcy Judge .....	\$400 .....	\$400
Social Attendee Age 13-Adult* .....	\$300 .....	\$500
Social Attendee Age 6-12* .....	\$125 .....	\$250
Social Attendee Age 3-5* .....	\$75 .....	\$200

**Best deal: Join as a NACTT Associate Member for \$250; save \$300 on Non-Member Registration and receive the NACTT Quarterly and access to member privileges on NACTT.com**

**\*Great Deal - Social attendee registration includes three breakfasts, breaks and two receptions.**

**A refund, less \$200, will be granted to written requests received by May 1. NO REFUNDS will be granted after May 2, except in the case of a medical emergency or a death in the family. These refunds will be subject to the \$200 cancellation fee.**

## CONFERENCE ATTIRE

Dress for the sessions will be CASUAL except for speakers. Business casual is encouraged for the receptions. Attire for the other social events will be CASUAL. Meeting Rooms will be cold.

## AIRLINE DISCOUNT CODE (There are no discount codes for 2022.)

## SEMINAR MATERIALS

Seminar materials will be available for all attendees via an internet download from The NACTT Academy.

**Materials download instructions will be emailed to attendee at the email address provided on the seminar registration form.**

**Select seating areas in the meeting rooms will have access to power outlets for laptop use during the seminar. NACTT WILL have a wireless access code.**

## HOTEL INFORMATION

**San Francisco Marriott Marquis, 780 Mission Street, San Francisco, CA 94103** Conference reservations for the seminar can only be made for registered seminar attendees. Guaranteed reservations must be accompanied by a first night room deposit or major credit card. Your credit card may be charged for one night room and tax at the time of making reservations. All deposits are refundable up to 72 hours prior to arrival. Reservations must be made on or before June 15, 2022, the cutoff date. NACTT does not guarantee rooms will be available until June 15, 2022 so make reservations early. Our group room rate (plus tax) is \$255 single or double. Check in time is 4:00 p.m. and check out time is 11:00 a.m. **A reservation link will be emailed to the attendee at the email address provided on the seminar registration form.**

*If you need help with air travel, shuttle service or car rental, contact Jane Franks at Forest Lake Travel, (803) 738-1520*

# AGENDA

## TUESDAY, JULY 5

12:00 - 5:00 Registration/Information Desk Open

## WEDNESDAY, JULY 6

8:00 - 5:00 Registration/Information Desk Open

8:00 - 9:00 STACS Meeting

7:30 - 9:30 NACTT Academy Open Board Meeting

9:00 - 10:00 NACTT/EOUST Liaison Meeting

8:00 - 12:00 Mortgage Committee Meeting

8:00 - 12:00 NDC Board Meeting

10:00 - 11:30 NACTT Board of Directors Meeting

12:00 - 1:00 NACTT Board of Directors Lunch

1:15 - 3:15 Open NACTT Board of Directors Meeting and NACTT Trustee Business Meeting  
(All Trustees Welcome)

4:30 - 5:30 Small Trustee Office Committee

4:30 - 5:30 Auto Creditors Committee Meeting

5:00 - 6:00 Student Loan Committee Meeting

6:00 - 7:30 Trustee and Guest Reception (By Invitation Only)

## THURSDAY, JULY 7

Presiding Officer: **Krispen S. Carroll**, NACTT Vice-President, Program Chair and Chapter 13 Standing Trustee for the Eastern District of Michigan (Detroit)

7:15 - 8:15 Breakfast with Exhibitors

8:00 - 5:00 Registration/Information Desk Open

8:00 - 5:00 NACTT Trustee/Academy Member Hospitality

8:15 - 8:30 Welcome and Opening Remarks

**Mary K. Viegelahn**, NACTT President, and Chapter 13 Standing Trustee for the Western District of Texas (San Antonio)

**Krispen S. Carroll**, NACTT Vice-President, Program Chair and Chapter 13 Standing Trustee for the Eastern District of Michigan (Detroit)

**Honorable William Houston Brown**, United States Bankruptcy Judge, Western District of Tennessee (Retired), Editor and Advisor, NACTT Academy for Consumer Bankruptcy Education, Inc. (Franklin, TN)

**Honorable Charles Novack**, Chief United States Bankruptcy Judge, Northern District of California (Oakland)

# AGENDA

- 8:30 - 9:30** **Enforcement of Court Orders and Rules-Does Contempt Power Exist in the Bankruptcy Court?**  
**Moderator: Martha G. Bronitsky**, Chapter 13 Standing Trustee for the Northern District of California (Oakland)  
**Honorable Craig A. Gargotta**, Chief United States Bankruptcy Judge, Western District of Texas (San Antonio)  
**Honorable William Lafferty**, United States Bankruptcy Judge, Northern District of California (San Francisco)
- 9:30 - 10:30** **Ethical Implications of Remote Lawyering Post-Pandemic**  
**Nancy B. Rapoport**, Garman Turner Gordon Professor of Law, Boyd School of Law, and Affiliate Professor of Business Law & Ethics, Lee Business School, William S. Boyd School of Law, University of Nevada (Las Vegas)
- 10:30 - 10:45** **Break with Exhibitors**
- 10:45 - 11:45** **Virtual Court Hearings-Maximizing the Benefits and Avoiding the Pitfalls**  
**Moderator: Robert G. Drummond**, Chapter 13 Standing Trustee for the District of Montana (Great Falls)  
**Honorable M. Elaine Hammond**, United States Bankruptcy Judge, Northern District of California (San Jose)  
**Edward Emmons, Clerk**, United States Bankruptcy Court for the Northern District of California (San Francisco)  
**Veronica D. Brown-Moseley**, Shareholder, Boleman Law Firm (Richmond, VA)
- 11:45 - 1:00** **Lunch on Your Own**
- 12:00 - 1:00** **Quarterly Publication Committee Meeting**
- 1:00 - 2:00** **Your Choice - One of Two Breakout Sessions Designed for General Attendees**
- 1) **Mortgage Issues**  
**Moderator: John M. Hauber**, Chapter 13 Standing Trustee for the District of Indiana (Indianapolis)  
**Alice Whitten**, Managing Counsel - Senior Vice President, Consumer Lending Division, Wells Fargo (Irving, TX)  
**Michael T. Bates**, Executive Director/Attorney, Chief Legal Office, USAA (San Antonio, TX)  
**Lisa Sitkin**, Senior Staff Attorney, National Housing Law Project (San Francisco, CA)
- 2) **Claims Secured by Personal Property**  
**Moderator: Pamela Simmons-Beasley**, Chapter 13 Standing Trustee for the District of South Carolina (Columbia)  
**Dennis LeVine**, Brock & Scott, PLLC (Tampa, FL)  
**Michael Watton**, Watton Law Group (Milwaukee, WI)
- Alternative Track Designed Specifically for Staff of Trustee Offices**
- 3) **Creating an Inclusive and Empathetic Office Culture**  
**Martha G. Bronitsky**, Chapter 13 Standing Trustee for the Northern District of California (Oakland)
- 2:00 - 2:30** **Break with Exhibitors**
- 2:30 - 3:30** **Your Choice - One of Two Breakout Sessions Designed for General Attendees**
- 1) **Abusive Lending Statutes and Remedies**  
**Moderator: Lon A. Jenkins**, Chapter 13 Standing Trustee for the District of Utah (Salt Lake City)  
**Mark C. Leffler**, Shareholder, Boleman Law Firm (Richmond, VA)  
**Hilary B. Bonial**, Director, Bonial & Associates, P.C. (Dallas, TX)

# AGENDA

## 2) Equality of Access in Bankruptcy

**Moderator: O. Byron Meredith**, Chapter 13 Standing Trustee for the Southern District of Georgia (Savannah)

**Honorable Jeffery P. Hopkins**, United States Bankruptcy Judge, Southern District of Ohio (Cincinnati)

**Selwyn Whitehead**, The Law Offices of Selwyn D. Whitehead (Oakland, CA)

### Alternative Track Designed Specifically for Staff of Trustee Offices

## 3) The National Data Center

**David Shapiro**, Chief Operating Officer, National Data Center (Lafayette, CA)

**Mary Ruppenthal**, Chief Administrator, National Data Center (Lafayette, CA)

3:30 - 4:00 Break with Exhibitors

4:00 - 5:00 Your Choice - One of Two Breakout Sessions Designed for General Attendees

## 1) CFPB Enforcements-What is Happening This Year and What is Expected Going Forward

**Moderator: Beverly M. Burden**, Chapter 13 Standing Trustee for the Eastern District of Kentucky (Lexington)

**Alice Whitten**, Managing Counsel - Senior Vice President, Consumer Lending Division, Wells Fargo (Irving, TX)

**Heather M. Giannino**, Managing Attorney, Heavner, Beyers & Mihlar, LLC (Chicago, IL)

## 2) Technology Trends for the Bankruptcy Office

**Moderator: Kathy Anderson Dockery**, Chapter 13 Standing Trustee for the Central District of California (Los Angeles)

**Naliko K. Markel**, Chapter 13 Standing Trustee for the District of Oregon (Eugene)

**Daniel Gibbs, Esq.**, Consulting & Training Services (Peachtree City, GA)

**Scot Turner**, 13Consulting Services (Las Vegas, NV)

### Alternative Track Designed Specifically for Staff of Trustee Offices

## 3) Latest Trends and Treatment of Mortgage Claims

**Moderator: Vanessa Guerrero**, Staff Attorney for Mary K. Viegelahn, Chapter 13 Standing Trustee for the Western District of Texas (San Antonio)

**Selesia Fredotovich**, Senior Paralegal Office for Martha G. Bronitsky, Chapter 13 Standing Trustee for the Northern District of California (Haywood)

**Stacey A. O'Stafy**, Staff Attorney for Faye D. English, Chapter 13 Standing Trustee for the Southern District of Ohio (Columbus)

5:30 - 7:00 President's Reception

## FRIDAY, JULY 8

**Presiding Officer: Lon A. Jenkins**, NACTT Secretary and Chapter 13 Standing Trustee for the District of Utah (Salt Lake City)

7:15 - 8:15 Breakfast with Exhibitors

8:00 - 1:00 Registration/Information Desk Open

8:00 - 1:00 NACTT Trustee/Academy Member Hospitality

8:15 - 8:25 Opening Remarks/Announcements

# AGENDA

- 8:25 - 8:40 Update from the Executive Office for United States Trustees**  
**Ramona Elliott**, Executive Office for United States Trustees, U.S. Department of Justice (Washington, D.C.)
- 8:45 -10:00 Windfalls-Who Gets Postpetition Property or Appreciated Values?**  
**Moderator: Margaret A. Burks**, Chapter 13 Standing Trustee for the Southern District of Ohio (Cincinnati)  
**Honorable Jeffery P. Hopkins**, United States Bankruptcy Judge, Southern District of Ohio (Cincinnati)  
**David Cox**, Managing Attorney, Cox Law Group (Lynchburg, VA)  
**Sarah Little**, Kornfield Law (Oakland, CA)
- 10:00 - 10:30 Break with Exhibitors**
- 10:30 - 11:30 Conversion from Chapter 7 to 13-Issues to be Considered Before Conversion.**  
**Moderator: Dynele Schinker-Kuharich**, Chapter 13 Standing Trustee for the Northern District of Ohio (Canton)  
**Honorable Charles Novack**, Chief United States Bankruptcy Judge, Northern District of California (Oakland)  
**Leslie T. Gladstone**, NABT President and Chapter 7 Trustee (La Jolla, CA)  
**Jill D. Olsen**, The Olsen Law Firm, LLC (Liberty, MO)
- 11:30 - 12:30 Student Loans-Where is Litigation Headed and What is Happening in the Department of Education?**  
**Moderator: Faye D. English**, Chapter 13 Standing Trustee for the Southern District of Ohio (Columbus)  
**Tara Twomey**, Executive Director, National Consumer Bankruptcy Rights Center (San Jose, CA)

Enjoy the Free Afternoon

## SATURDAY, JULY 9

**Presiding Officer: Gregory A. Burrell**, NACTT Treasurer and Chapter 13 Standing Trustee for the District of Minnesota (Minneapolis)

- 7:30 - 8:30 Breakfast with Exhibitors**
- 7:30 - 8:30 Alternative Track Designed Specifically for Staff of Trustee Offices**  
**Breakfast Roundtable Discussion**  
**Moderator: Beckie J. Hadley**, Controller/Director of Operations for Barbara P. Foley, Chapter 13 Standing Trustee for the Western District of Michigan (Kalamazoo)  
**Rebecca L. Roberts**, Director of Operation & Information Systems for Edward Safir, Chapter 13 Standing Trustee for the Northern District of Georgia (Atlanta)
- 8:00 - 5:00 Registration/Information Desk Open**
- 8:00 - 5:00 NACTT Trustee/Academy Member Hospitality**
- 8:30 - 8:45 Opening Remarks/Announcements**
- 8:45 - 9:45 No Cure After 60 Months-Judicial Splits on Debtor's Ability to Cure After Plan Term Expires**  
**Moderator: Douglas B. Kiel**, Chapter 13 Standing Trustee for the District of Colorado (Greenwood Village)  
**Honorable Craig A. Gargotta**, Chief United States Bankruptcy Judge, Western District of Texas (San Antonio)  
**Honorable Brian D. Lynch**, United States Bankruptcy Judge, Western District of Washington (Tacoma)
- 9:45 - 10:15 Break with Exhibitors**



# AGENDA

- 10:15 - 11:15**    **Dismissals with Prejudice-When Appropriate and What Conditions Apply?**  
**Moderator: Elizabeth F. Rojas**, Chapter 13 Standing Trustee for the Central District of California (Sherman Oaks)  
**Honorable Brian D. Lynch**, United States Bankruptcy Judge, Western District of Washington (Tacoma)  
**Marcy Ford**, Managing Partner, Trott Law (Farmington Hills, MI)
- 11:15 - 11:30**    **Break with Exhibitors**
- 11:30 - 12:30**    **The Future of Consumer Bankruptcy**  
**Moderator: Herbert L. Beskin**, Chapter 13 Standing Trustee for the Western District of Virginia (Charlottesville)  
**Honorable D. Sims Crawford**, United States Bankruptcy Judge, Northern District of Alabama (Birmingham)  
**Cathleen Cooper Moran**, Moran Law Group, Inc. (Redwood City, CA)
- 12:30 - 1:45**    **Lunch On Your Own**
- 1:45 - 3:00**    **Chapter 13 Case Law Update**  
**Honorable Keith M. Lundin**, United States Bankruptcy Judge, Middle District of Tennessee (Retired)  
**Henry E. Hildebrand, III**, Chapter 13 Standing Trustee for the Middle District of Tennessee (Nashville)  
**Tara Twomey**, Executive Director, National Consumer Bankruptcy Rights Center (San Jose, CA)
- 3:00 - 3:15**    **Break with Exhibitors**
- 3:15 - 5:00**    **Chapter 13 Case Law Update (continued)**
- 5:30 - 7:00**    **Farewell Reception**

# CLE POLICY/FUTURE DATES

## « CLE POLICY »

NACTT will be responsible for the following regarding CLE:  
NACTT will apply for CLE in each state with registered attendees.  
NACTT will pay the application fee (if applicable) for each state as required.  
NACTT will file all CLE for attendees that submit the uniform certificate on-site.  
NACTT will not file CLE for self-reporting states.

## ATTORNEYS WILL BE RESPONSIBLE FOR THE FOLLOWING REGARDING CLE:

Attorneys that are required, by state, to sign in/out daily will be responsible for checking in at the CLE registration desk daily.  
Attorneys that fail to submit their uniform certificate on-site will only have 30 days to submit the uniform certificate to NACTT for filing. After this 30 day period the attorney will be responsible for filing their own CLE directly.  
Attorneys will be responsible for all fees associated with credit hours on-site (excluding the initial application fee).  
All checks must be written to NACTT for NACTT to file for CLE. Attorneys will be responsible for filing CLE in self-reporting states.

## FUTURE DATES

**2023**

**JULY 26-29, 2023  
JW MARRIOTT AUSTIN  
AUSTIN, TX**

**2024**

**JULY 3-6, 2024  
BOSTON MARRIOTT COPLEY PLACE  
BOSTON, MA**

**2025**

**JULY 9-12, 2025  
CHICAGO MARRIOTT DOWNTOWN MAGNIFICENT MILE  
CHICAGO, IL**

**2026**

**JULY 8-11, 2026  
NEW YORK MARRIOTT MARQUIS  
NEW YORK, NEW YORK**