

# 2024 Consumer Bankruptcy Practice

## July 11-12, 2024 • Austin Marriott South • Austin, TX

## July 11-12, 2024 • Live Webcast

### Thursday Morning, July 11, 2024

**Presiding Officer:**

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

7:30 am In Austin Only	<b>Registration Opens</b>  Includes continental breakfast.
8:00 am	<b>Welcoming Remarks</b>
8:10 am 0.75 hr 0.25 hr ethics	<b>Case Summaries: Supreme Court Decisions from the Last Three Years</b>  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 am 0.75 hr	<b>Student Loans</b>  Michael V. Baumer, Law Office of Michael Baumer - Austin, TX
9:40 am 0.50 hr	<b>Show ... Me ... The Evidence!</b>  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 am	<b>15-Minute Break</b>
10:25 am 0.75 hr 0.25 hr ethics	<b>Case Summaries: Fifth Circuit and District Court Opinions</b>  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 am 1.00 hr 0.25 hr ethics	<b>More Money More Problems: Appreciation of Assets, After-Acquired Property and Increases in Income</b>  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 pm  
In Austin Only

**Pick Up Lunch (in Austin)**

**Thursday Afternoon, July 11, 2024**

**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 pm  
0.75 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 pm

**15-Minute Break**

1:30 pm  
0.75 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 pm  
0.75 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 pm

**10-Minute Break**

3:10 pm  
0.50 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 pm 0.75 hr	<p><b>Secured Claims</b></p> <p>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.</p> <p>Mitchell J. Buchman, Barrett Daffin Frappier Turner &amp; Engel, LLP - Houston, TX</p>
4:25 pm 0.50 hr	<p><b>Keeping the Debtor Rolling</b></p> <p>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.</p> <p>Stephen G. Wilcox, Wilcox Law PLLC - Arlington, TX</p>
4:55 pm 0.75 hr ethics	<p><b>AI: Friend or Foe</b></p> <p>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.</p> <p>Daniel C. Wood, Pillsbury Winthrop Shaw Pittman LLP - Austin, TX Sarah Darnell Wood, U.S. Bankruptcy Court, Western District of Texas - Austin, TX</p>
5:40 pm In Austin Only	<p><b>Adjourn to Networking Reception (in Austin from 5:40 p.m. - 6:40 p.m.)</b></p> <p>Join us for drinks and hors d'oeuvres with program faculty and attendees.</p>

## Friday Morning, July 12, 2024

### Presiding Officer:

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

7:00 am In Austin Only	<p><b>Conference Room Opens</b></p> <p>Includes continental breakfast.</p>
8:00 am 0.75 hr	<p><b>Breakfast Breakout Sessions (Webcast will only stream one District)</b></p> <p>Judges and trustees from each of Texas's four judicial districts meet with attendees and moderate a discussion on problems of local concern. <i>Please note - only one district will be available to view during the live webcast.</i></p>
8:45 am 0.75 hr 0.25 hr ethics	<p><b>Case Summaries: Bankruptcy Court Opinions</b></p> <p>Listen to a survey of the most important cases that have come out of Bankruptcy and District Courts within the last 12 months.</p> <p>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</p>

9:30 am 0.75 hr	<p><b>So You're Filing an Individual Chapter 7: Things that Will Catch Attention</b></p> <p>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.</p> <p>Beverly A. Bass, Munsch Hardt Kopf &amp; Harr, P.C. - Austin, TX Shane P. Tobin, Trial Attorney, Office of the U.S. Trustee - Austin, TX</p>
10:15 am	<b>15-Minute Break</b>
10:30 am 0.75 hr	<p><b>Available Sources of Funds to Save a Home</b></p> <p>Where to look for assistance when paying your mortgage, who qualifies and how to apply for these funds.</p> <p>Edgar Borrego, Tanzy &amp; Borrego - El Paso, TX</p>
11:15 am 0.75 hr 0.25 hr ethics	<p><b>Representing the Bad Guy in a Bankruptcy Case</b></p> <p>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.</p> <p>Hon. Craig A. Gargotta, U.S. Bankruptcy Court, Western District of Texas - San Antonio, TX Erica Benites Giese, Jackson Walker LLP - San Antonio, TX</p>
12:00 pm 0.50 hr ethics	<p><b>Sanctions and Privileges</b></p> <p>Sanctions: How to get them or avoid them. Privileges: How to keep them or lose them.</p> <p>Hon. H. DeWayne "Cooter" Hale, Retired U.S. Bankruptcy Judge - Dallas, TX Trip Nix, Holland &amp; Knight LLP - Austin, TX</p>
12:30 pm 1.00 hr 0.25 hr ethics	<p><b>Judicial Panel</b></p> <p>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 <a href="mailto:ConferenceQA@utcle.org">ConferenceQA@utcle.org</a>.</p> <p>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</p>
1:30 pm	<b>Adjourn</b>