



Minnesota State Bar Association
Continuing Legal Education

Your State Bar at Work for You

- Change to child support and alimony protections
- Effect of presumptions of abuse
- New standing for Parties in Interest
- Lowered "Substantial Abuse" standard
- Introduces Financial Management Training
- Mandatory Credit Counseling
- Reimbursement for Administrative Expenses
- 20% reduction for abusive creditors
- Revises priority payment guidelines
- Amends Federal Criminal law
- Exempts certain retirement funds
- Prescribed disclosures for assisted persons
- New Privacy provisions
- Multiple instances of relief from Automatic Stay
- Modifies Debtor's affirmative actions

Bankruptcy Reform 2005

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005

**Monday, June 20, 2005
Sheraton Bloomington Hotel
7800 Normandale Road**

- Modifies exceptions to discharge
- Imposes accelerated "Intended Surrender..."
- Preserves Creditor's rights in 13 conversions
- Potential reduction of homestead exemption
- Excludes certain leases from Automatic Stay
- Revamps nondischargeability guidelines for aggregate consumer debts
- Requires debtor-in-possession to carry requisite insurance
- Extends and curtails subsequent discharges and 13 filings
- Exclusions to specific household goods
- Prescribes Notice provisions
- Excludes Employee Benefit plan contributions
- Withholds discharge for belief of pending criminal proceedings
- Increases Trustee authority to avoid transfers
- Authorizes Creditors to attend Creditors meetings pro se
- Authorizes fee waivers for hardship cases
- Mandatory factors for disclosures in small business plans
- Uniform small business reporting requirements
- Permanently reinstates and modifies family farmer relief

Schedule & Fac

7:30 – 8:25 a.m.

CHECK-IN & CONTINENTAL BREAKFAST

10:30 – 10:45 a.m.

BREAK

8:25 – 8:30 a.m.

WELCOME & INTRODUCTION

– *William I. Kampf*

10:45 – 11:45 a.m.

Changes in the Application and Treatment of Chapter 13 Plans

Changes to Chapter 13 practice under BAPCPA, including cram down issues, adequate protection payments, tax return filing requirements, new disposable income and plan term changes, confirmation and dismissal issues, and special child support provisions.

– *Thomas E. Johnson*

8:30 – 9:00 a.m.

Overview of the Most Important Areas of Change With the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005

– *Honorable Dennis D. O'Brien*

11:45 – 12:15 p.m.

Panel Presentation / Questions & Answers

Discussion of hypotheticals and frequently encountered scenarios under the new Act, along with a question and answer period.

9:00 – 9:40 a.m.

Professionalism in Consumer Bankruptcy Practice: Substance and Ethics

A review of major provisions of the legislation that will impact attorneys on both sides in consumer cases – new duties, new notice provisions, penalties, and more.

– *William I. Kampf, Richard J. Pearson & Curtis K. Walker*

12:15 – 1:00 p.m.

LUNCH (provided)

9:40 – 9:55 a.m.

Means Testing: Remember Abuse Still Exists

Means testing and how it might interact with abuse provisions, changed factors, and more.

– *Doraine A. Larison*

1:00 – 1:30 p.m.

Major Changes Affecting Creditors and Their Counsel

– *Stephen J. Creasey, Peter B. Stein & Eric J. Sherburne*

9:55 – 10:30 a.m.

Means Testing: Debtor's Perspective

Income and expense allocation and how it will play out for debtors. The real and practice impact of the means test on filings, planning, and more.

– *Richard J. Pearson*

1:30 – 1:50 p.m.

Credit Counseling and Debtor Education

Who may be a debtor? Who is entitled to a discharge under chapters 7 and 13? Who will the United States Trustee approve to provide credit counseling and debtor education?

– *Clinton E. Cutler*

1:50 – 2:20 p.m.

Changes in Exemptions

A review of major changes to exemptions including the homestead, retirement plans, valuation changes, and more.

– *William I. Kampf & Richard J. Pearson*

Eight years in the making, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 is becoming law. Join representatives from the bench, debtors' counsel, creditors' counsel, the Trustee's Office, and the Court Administrator's Office to learn the significant ways in which it will change various aspects of practice.

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2:20 – 2:35 p.m.

BREAK

2:35 – 2:55 p.m.

Changes in the Treatment of Child Support

Child support as a major priority; How it will be treated; Practical changes to the process; Ramifications to other debts; Claims; And more.

– *Dorraine A. Larison*

2:55 – 3:40 p.m.

Changes in the Clerk's Office

Impact of the Act and changes in how the process will work.

– *Lori A. Vosejpka*

3:40 – 4:15 p.m.

Panel Presentation / Questions & Answers

Discussion of hypotheticals and frequently encountered scenarios under the new Act, along with a question and answer period.

4:15 p.m.

ADJOURN

William I. Kampf **Course Chair**

Henson & Efron, P.A.
Minneapolis

Stephen J. Creasey

U.S. Bankruptcy Court
Minneapolis

Clinton E. Cutler

Fredrikson & Byron, PA
Minneapolis

Thomas E. Johnson

Office of Chapter 13 Trustee
Minneapolis

Dorraine A. Larison

Gray, Plant, Mooty, Mooty
& Bennett, P.A.
Saint Cloud

Honorable Dennis D. O'Brien

U.S. Bankruptcy Court
Saint Paul

Richard J. Pearson

Prescott & Pearson, P.A.
New Brighton

Eric J. Sherburne

Stein & Moore, P.A.
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Bankruptcy Reform 2005

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Monday, June 20, 2005
Sheraton Bloomington Hotel
7800 Normandale Road

PLEASE "✓" APPROPRIATE BOX BELOW:

- \$255 MSBA member
- \$255 paralegal
- \$300 standard rate

I have a Minnesota CLE Season PassSM. Pass # _____

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NEW LAWYER DISCOUNT!

- I was first admitted to the bar after June 20, 2002, and have deducted \$60 from the registration fee marked at left.



PROGRAM MATERIALS:

I cannot attend. Please send me the following:

_____ copy(ies) of the written materials at \$100 each. (available 6/27/05)

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COST OF BOOK(S)	SHIPPING
\$25.01 - 50	\$4
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\$100.01 - 150	\$7
\$150.01 - 250	\$9
\$250.01 +	\$12

TAX ON SUBTOTAL	
MN residents	6.5%
Mpls./St.Paul residents	7.0%
Outside MN	exempt

HOTEL ACCOMMODATIONS

Minnesota CLE has secured a special \$99 single/double occupancy room rate at the Sheraton Bloomington for the night of June 19, 2005. Call the hotel directly at 952-835-7800 to make reservations. Make reservations by Friday, May 20, 2005, to ensure room availability. Be sure to identify yourself with Minnesota CLE / Bankruptcy Reform 2005 seminar to receive the special \$99 rate.

CREDITS

Minnesota CLE is applying to the Minnesota State Board of CLE for **6.50 CLE credits**.

CANCELLATION POLICY / NO-SHOW POLICY

Paid registrants who cancel their registration at least 72 hours before the program will receive a full credit on their account; if fewer than 72 hours, a \$25 administrative fee will be deducted. Paid registrants who fail to attend will receive the written materials. Passholders may purchase the course materials at 50% of the full retail price.

ACCOMMODATION

If you have a disability and need an accommodation in order to attend this seminar, please contact Minnesota CLE as soon as possible at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call us at 651-227-8266 or 800-759-8840.

QUESTIONS?

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