

# CONSUMER BANKRUPTCY:

## THE BASICS OF CHAPTERS 7 AND 13

A Practical Walk-Through of Filing Procedures

SAN DIEGO, CALIFORNIA — FEBRUARY 17, 2010

### Faculty

Michael Koch — *Law Office of Michael Koch*

Yosina Lissebeck — *Solomon Ward Seidenwurn & Smith, LLP*

Michael T. O'Halloran — *Law Office of Michael T. O'Halloran*

### Continuing Education

IACET - 0.6      CLE - 6.0

NALA - 6.0      NFPA - 6.0

California MCLE for Paralegals

CPE for Accountants/NASBA - 7.0

Financial Planners - 7.0

*See inside for details!*

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seminar!

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# SEMINAR OUTLINE

## CHAPTER 7 OR 13: SELECTING THE RIGHT CHAPTER FOR YOUR CLIENT

9:00 - 10:00, Yosina Lissebeck

*An overview of Chapter 7 and 13 fundamentals with a comprehensive comparison of the differences and advantages of each. You'll emerge from this presentation with a clear understanding of which route to choose depending on your client's needs.*

## CHAPTER 7: STEP-BY-STEP PROCEDURES

10:00 - 10:45, Michael T. O'Halloran

*Using a carefully-crafted scenario, experienced faculty will lead you through the nuts and bolts of filing Chapter 7 – from the client interview and means test through filing the actual case. The presentation will focus on procedures while highlighting pitfalls and citing statutes and bankruptcy code.*

## CHAPTER 13: STEP-BY-STEP PROCEDURES

11:00 - 12:00, Michael Koch

*The Joneses' current monthly income triggered the presumption of abuse and their case must be converted to a Chapter 13 filing. Using this hypothetical, experienced faculty will lead you through each step of filing Chapter 13 with sample forms, petitions and schedules along with an in-depth look at structuring the repayment plan and negotiating with creditors. The presentation will focus on procedures while highlighting pitfalls and citing statutes and bankruptcy code.*

## THE CHAPTER 7 AND 13 TRUSTEE'S VIEWPOINTS

1:00 - 2:00, Michael Koch and Yosina Lissebeck

*Take a closer look at means test calculating and determining abuse through the eyes of the trustee. Discover the trustee's biggest pet peeves and how to get a favorable recommendation for your client.*

## TIPS FROM THE PROS

2:00 - 3:15, Michael Koch, Michael T. O'Halloran and Yosina Lissebeck

*Get tips and insider advice from our panel of seasoned practitioners. Discuss pertinent case law and regulatory updates, along with case management tips, software considerations, credit counseling services, the keys to preparing your client, and valuable resources for your bankruptcy questions.*

## ETHICAL OBLIGATIONS FOR DEBTORS' COUNSEL

3:30 - 4:30, Michael T. O'Halloran

*Join faculty for a frank discussion on ethical obligations, including required certification, disclosure issues, the attorney/client relationship, retainer fees, and tough situations that can arise during the case.*

\*If needed, the above agenda may be changed to best accommodate all of our attendees.

## WHO SHOULD ATTEND

This **basic level course** provides a step-by-step walk-through of filing procedures for Chapters 7 and 13 for:

- Attorneys new to the bankruptcy field
- Paralegals
- Credit Analysts
- Bankruptcy Coordinators
- Financial Planners

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# SEMINAR OVERVIEW

## ABOUT THIS SEMINAR

### Get Step-by-Step Instruction on Bankruptcy Procedures and Forms

This basic level seminar on consumer bankruptcy provides the nuts and bolts of filing Chapter 7 and 13 from the debtor's point of view. Using hypothetical clients and bankruptcy scenarios, experienced practitioners will lead you through each step of the process with sample forms, schedules, means tests, repayment plans, and code citations. If you're new to the bankruptcy field, this how-to course will give you the practical knowledge necessary to guide your clients through the complex Chapter 7 and 13 filing processes. **Register today!**

## 7 BENEFITS OF ATTENDING

- Gain a clear understanding of which chapter to file depending on your client's situation and assets.
- Learn the procedural steps for filing Chapter 7 and 13, so you can begin confidently filing cases for debtors.
- Avoid common paperwork mistakes by walking through each essential form.
- Discover how the intricacies and exclusions of the means test can sink your Chapter 7 case.
- Unravel the complexities of Chapter 13 filing by understanding the relation of Schedule J, Form 22C and the repayment plan.
- Get tips and strategies from veteran practitioners to ensure a smooth filing process.
- Stay up to date on changing regulations and pertinent case law.

## CREDIT INFORMATION

The specific continuing education credit(s) listed are for attending the live seminar. The credits may or may not apply for the audio version of this seminar. Please check with your credit board for details. For additional questions regarding continuing education credits, please contact us at **866-240-1890**.

**Accountants** - This is a basic level program presented in a group live setting. This course will:

- Describe how to gain a clear understanding of which chapter to file depending on your client's situation and assets
- Outline the procedural steps for filing Chapter 7 and 13, so you can begin confidently filing cases for debtors
- Discover how the intricacies and exclusions of the means test can sink your Chapter 7 case

No advanced preparation or prerequisites are required. Field(s) of Study -- Administrative Practice; Behavioral Ethics.

**California MCLE for Paralegals** - This program meets the California MCLE Paralegal requirement as specified in Business and Professions Code Section 6450(d).

**Financial Planners - 7.0** - This program has been accepted by the CFP Board and qualifies for 7.0 hours of CE credit for CFP Certificants. CFP™, CERTIFIED FINANCIAL PLANNER™ and CFP with flame logo are certification marks owned by the Certified Financial Planner Board of Standards, Inc. These marks are awarded to individuals who successfully complete the CFP Board's initial and ongoing certification requirements.

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**NALA - 6.0** - This seminar meets the requirements of the Certifying Board for Legal Assistants of the National Association of Legal Assistants, Inc., for 6.0 hours, including 1.0 ethics, of continuing legal assistant education credit required to maintain the CLA (Certified Legal Assistant) credential. Self-Study credit is available.



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© August 2009 - 138 Pages (FP49114)

By: Roy L. Carlson Jr., Charles Novack and Michael T. O'Halloran.

#### BANKRUPTCY LAW AND LITIGATION

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By: Julia P. Gibbs and Stephen A. Koonce.

#### REAL PROPERTY FORECLOSURE: A STEP-BY-STEP WORKSHOP

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By: J. Thomas Cairns Jr., Norman A. Chernin, Edward H. Cummings, Daniel L. Goodkin and Roland P. Reynolds.

#### COLLECTION LAW FROM START TO FINISH

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By: David Balter, June Coleman, John N. Heffner, David J. Rapson and Ronald H. Sargis.

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**MICHAEL KOCH** is a sole practitioner at the Law Office of Michael Koch in San Diego. Mr. Koch practices in the areas of personal and small business bankruptcy. He has lectured for numerous continuing legal education seminars for the State Bar of California. Mr. Koch has also served as a staff attorney for the Chapter 13 trustees for 14 years. He is a member of the San Diego Bar Association and the State Bar of California. Mr. Koch earned his B.A. degree from the University of Delaware and his J.D. degree from Thomas Jefferson School of Law.

**YOSINA LISSEBECK** is an attorney with the law firm of Solomon Ward Seidenwurm & Smith, LLP, in San Diego, California, where she practices in the areas of bankruptcy and insolvency. She earned her B.A. degree from the University of California at Santa Barbara and her J.D. degree from California Western School of Law. Ms. Lissebeck is founding director and vice chair of the San Diego Network of International Women's Insolvency Restructuring Confederation, and past president of the Women's Insolvency Network. She has previously lectured on bankruptcy topics for the San Diego Realtors Association, San Diego Bankruptcy Forum and the National Association of Bankruptcy Trustees. Ms. Lissebeck is a member of the

San Diego County Bar Association (member, Bankruptcy Section), the State Bar of California, National Association of Bankruptcy Trustees and the San Diego Bankruptcy Forum (past director).

**MICHAEL T. O'HALLORAN** is the principal of the Law Office of Michael T. O'Halloran, where he practices in the areas of bankruptcy and insolvency law. He is certified as a specialist in business bankruptcy and consumer bankruptcy by the American Board of Certification and as a bankruptcy specialist by the State Bar of California Board of Legal Specialization. Mr. O'Halloran is the author of a chapter in *Personal and Small Business Bankruptcy Practice in California*, published by the University of California, CEB, in 2003-2008. He was named the outstanding mediator for the Southern District of California, Bankruptcy Court, in 1991 and 1999. He earned his B.A. degree, cum laude, from the University of California, San Diego, and his J.D. degree from the University of Southern California. Mr. O'Halloran was a founding director and past president of the San Diego Bankruptcy Forum. He is a member of the San Diego County Bar Association and past chair of the Bankruptcy Law Advisory Commission to the Board of Legal Specialization of the State Bar of California.

## SAN DIEGO FEBRUARY 17

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### SCHEDULE

REGISTRATION TIME 8:30 — 9:00 am

SEMINAR TIME 9:00 am — 4:30 pm

Complimentary snacks and refreshments are provided.  
Lunch is on your own.

### TUITION

\$349 for the first registrant

\$339 for each additional registrant

# CONSUMER BANKRUPTCY: THE BASICS OF CHAPTERS 7 AND 13

**February 17**  
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