



# CENTER FOR LEGAL EDUCATION

NEW MEXICO STATE BAR FOUNDATION

## CREDITORS RIGHTS, COLLECTIONS, AND BANKRUPTCY

**Friday, April 9, 2010 • State Bar Center, Albuquerque**  
**4.0 General and 1.0 Ethics CLE Credits**

also available via  
**LIVE WEBCAST**

Standard Fee \$179     Government, Legal Services Attorney, Paralegal \$149

8:30 a.m. Registration  
9:00 a.m. **Ethical Considerations before Collecting A Debt**  
(0.5 Ethics)

*Michelle K. Ostrye, Esq., Sutin Thayer & Browne PC  
Chair, Bankruptcy Law Section  
Andrew J. Simons, Esq., Sutin Thayer & Browne PC*

9:30 a.m. **Non-Judicial Remedies**

Find them, talk to them  
Take collateral  
Filing Suit and Legal Theories  
Nuts and Bolts of Suit  
Contract, Non-Contract Legal Theories  
Post-Judgment Remedies  
Execution, garnishment  
Transcripts of judgment

*Michelle K. Ostrye, Esq. and Andrew J. Simons, Esq.*

10:15 a.m. Break

10:30 a.m. **Personal Property Security Interests and Liens**

Voluntary  
Statutory  
Enforcement  
Real Property Mortgages  
Formation  
Enforcement  
Deeds of trust

*Michelle K. Ostrye, Esq. and Andrew J. Simons, Esq.*

11:15 a.m. **Collector, Lender Liability**

FDCPA  
UPA  
Invasion of privacy  
Malicious abuse of process  
Lender liability

*Michelle K. Ostrye, Esq. and Andrew J. Simons, Esq.*

11:45 a.m. **Ethical issues in Debt Collection** (0.5 Ethics)

*Michelle K. Ostrye, Esq. and Andrew J. Simons, Esq.*

12:15 p.m. Lunch (provided at the State Bar Center)

1:00 p.m. **Your Claim Before Bankruptcy**

Preferences  
Fraudulent Transfers  
Avoiding Powers  
Look-Back Periods  
When Bankruptcy is Filed: The Automatic Stay  
*Charles R. Hughson, Esq.,  
Rodey Dickason Sloan Akin & Robb PA*

2:00 p.m. Break

2:15 p.m. **Your Claim In and After Bankruptcy**

Review of the Debtor's Filings  
341 Meetings and 2004 Exams  
Proofs of Claim  
Priority of Payment, Pro Rata Distribution, Plans  
Adversary Proceedings and Nondischargeability  
Discharge Injunction  
*Charles R. Hughson, Esq.*

3:15 p.m. Adjourn

### TWO WAYS TO REGISTER

**INTERNET:** [www.nmbarcle.org](http://www.nmbarcle.org)    **FAX:** (505) 797-6071, 24 hour access

**Please Note: For all WEBCASTS, you must register online at [www.nmbarcle.org](http://www.nmbarcle.org)**

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