



# The Nuts and Bolts of Collections and Creditors' Rights

Program dates start May 19. Register today!

6 CLE

# The Nuts and Bolts of Collections and Creditors' Rights

**Endorsed by the Young Lawyers Division of the State Bar of Wisconsin**

## From the basics to special issues, we've got you covered

When should you file in small claims vs. circuit court? What's changed in the collections process due to COVID? How do you object to a discharge of debts?

Find out the answers to these questions and more at *The Nuts and Bolts of Collections and Creditors' Rights*. You'll review the fundamentals of creditor and debtor law, and come away knowing how to assess debt and make a demand, commence a legal action, obtain favorable judgment, and collect successfully. Plus, you'll receive invaluable tips on how to avoid collection traps, malpractice concerns, and manage client expectations.

### How you'll benefit:

- Learn the proper steps for collecting a debt
- Discover how bankruptcy and other special issues affect collection of debts
- Receive sample forms and documents that you can put to use right away in your practice
- Get up-to-speed on important recent updates in the area of collections and creditors' rights

### Who should attend:

- Attorneys seeking to add creditor/debtor representation to their practice
- Creditors' rights lawyers
- Consumer lawyers
- Bankruptcy attorneys
- Business lawyers
- Attorneys who do their own fee collecting

**Register today!**

## Registration

**Online:** [www.wisbar.org/seminars](http://www.wisbar.org/seminars)

**Phone:** (800) 728-7788

**Fax:** (608) 257-5502

**Mail:** State Bar PINNACLE Registrations  
P.O. Box 7158  
Madison, WI 53707-7158

### State Bar CLE/PINNACLE Passbook Registrations:

Passbook Certificates must be received by the State Bar at least one business day prior to the event.

### Registration Cancellations:

Please visit [wisbar.org/cancellation\\_policy](http://wisbar.org/cancellation_policy) for information on PINNACLE registration cancellation policies.

### Course materials for those attending the seminar:

Course materials are provided in PDF format and are downloadable from *myStateBar* on [wisbar.org](http://wisbar.org) up to two days prior to and 90 days after your seminar.

### Young lawyers save \$20!

PINNACLE knows that you're at the critical point in your career where you're developing your skills and practice, which is why Young Lawyers Division Members\* receive \$20 off any of the Build Your Practice Series seminars.

**\* Young Lawyers Division Members:** State Bar member attorneys 36 years of age or younger or within five years of admission to the State Bar of Wisconsin. If you've opted out of YLD, you will not receive this discount.

**This program is sponsored by:**



# Schedule

**8:30 AM Debt Assessment, Demand, and Dangers**

- Identifying the type of debt, amount of debt, and correct debtors
- Acceptable, required and prohibited collection practices under the Wisconsin Consumer Act, the Fair Debt Collections Practices Act, Consumer Financial Protection Bureau rules and regulations, and other consumer acts
- Making a demand for satisfaction
- Steering clear of dangerous waters

*Nancy B. Johnson*

**9:30 AM Commencing an Action and Obtaining a Judgment**

- Small claims vs. circuit court
- Filing suit
- Replevins/money judgments
- Docketing and perfecting judgments

*Brian P. Thill*

**10:20 AM Break**

**10:35 AM Collection of Judgments**

- Selecting the most appropriate method of collection
- Garnishment procedures
- Supplementary examinations and proceedings
- Additional collection mechanisms

*Brian P. Thill*

**11:45 AM Creditors' Rights in Bankruptcy**

- Issues to consider

*J. David Krekeler*

**12:00 PM Lunch Break**

**1:00 PM Creditors' Rights in Bankruptcy (continued)**

- Remedies available when the debtor files bankruptcy
- Filing claims, lifting the automatic stay, analyzing the debtor's exemptions
- Objecting to the discharge of debts
- Defending preference claims

*J. David Krekeler*

**2:00 PM Special Issues Panel Discussion**

- Case law updates
- Collection techniques
- Ethical and malpractice concerns
- Practice variations
- Practice dos and don'ts
- Collection "traps"
- Chapter 128
- Foreign judgments
- COVID-related changes

*Kristin K. Beilke, Nancy B. Johnson, J. David Krekeler*

**2:50 PM Question and Answer**

**3:00 PM Program Concludes**

*Following start time, schedule will vary slightly from above listed times.*

## Dates

### Webcast Seminar

Wednesday, May 19, 2021  
Friday, May 28, 2021  
Monday, May 31, 2021  
Friday, June 4, 2021  
Thursday, June 10, 2021  
Wednesday, June 16, 2021  
Tuesday, June 22, 2021  
Monday, June 28, 2021

*The May 19, 2021 prerecorded presentation will include a live panel discussion on special issues. All portions of this program for subsequent webcast dates will be prerecorded.*

## Credits

This program will be submitted to the Wisconsin Board of Bar Examiners for up to **6 CLE credits**. It does not qualify for EPR credit.

# Faculty

### Presenters

**Kristin K. Beilke**  
Murphy Desmond, S.C.  
Madison

**Nancy B. Johnson**  
Brennan Steil, S.C.  
Janesville

**J. David Krekeler**  
Krekeler Strother, S.C.  
Madison

**Brian P. Thill**  
Office of the U.S. Trustee  
Madison



### About the Build Your Practice Series

The **Build Your Practice Series** from State Bar of Wisconsin PINNACLE® introduces you to the fundamentals of various practice areas. Gain the tools and information you need to develop a new area of practice and expand your firm's offerings. Build Your Practice Series programs are endorsed by the State Bar's Young Lawyers Division.

## Book Sale!

### Collections and Bankruptcy in Wisconsin

Save 20% on *Collections and Bankruptcy in Wisconsin*.

Loaded with information on collection remedies, negotiating agreements with creditors, and resolving bankruptcy proceedings.

Use **discount code CA3159** when you order online or by calling (800) 728-7788.\* Plus, all seminar attendees receive a free two-week trial of the *Books UnBound*® version.

Print Book: #AK0250; 311+ pp.; 2nd ed. 2015-16  
(Includes 2017-18 and 2019-20 supplements)

Member: ~~\$166~~ \$132.80 | Nonmember: ~~\$210~~ \$168

*Books UnBound*® Subscription: #AE0250\_SUB

Member: ~~\$180~~ \$144 | Nonmember: ~~\$225~~ \$180

\*Discount applies to both print and digital *Books UnBound*® editions of this title and cannot be applied to previous purchases. Offer valid as long as CLE credit is available for this program. For *Books UnBound* users, discount may be applied to purchase of individual *Books UnBound* title only and may not be used on purchase of full library.



### Additional Learning Opportunities

#### The Consolidated Appropriations Act: Key Implications for Debtors & Creditors

Review the effect of the Consolidated Appropriations Act (CAA) on the Bankruptcy Code. Understand how the Act expands debtors' abilities to obtain PPP loans. Review extended timelines for debtor-tenants to assume or reject nonresidential leases. Discover how the CAA extends protections against debtor discrimination. Learn how the Act may incentivize creditors to work with debtors to avoid potential preference penalties. **1 CLE**

Webcast Replays: April 22, 2021 | April 28, 2021 | May 6, 2021 | May 14, 2021

#### Annual Bankruptcy Update 2020

Hear from U.S. Bankruptcy Court judges from the Eastern and Western Districts. Help clients affected by COVID-19. Get tax tips from lawyers with the Wisconsin Department of Revenue. Learn how to avoid ethical pitfalls. **8 CLE**

*CLE OnDemand Seminar*: #CA3029D; Member: \$259 | Nonmember: \$339

#### Marital Property Law & Practice in Wisconsin

Quickly find the answer to any question involving marital property and/or property classification. Useful for any practitioner in the areas of family law, taxation, bankruptcy/creditor-debtor, and estate planning.

Print Book: #AK0067; 860+ pp.; 5th ed. 2018-19; Member: \$280 | Nonmember: \$350

*Books UnBound*® Subscription: #AE0067\_SUB; Member: \$190 | Nonmember: \$237.50

### The Nuts and Bolts of Collections and Creditors' Rights

Priority Code: S 3 9 6 9 B

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<input type="checkbox"/> State Bar Member	<input type="checkbox"/> \$259
<input type="checkbox"/> YLD Member**	<input type="checkbox"/> \$239
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Event Code: CA3159 W R R2 R3 R4 R5 R6 R7