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BANKRUPTCY 2.0(05): CHAPTERS, CHANGES,
AND CHALLENGES – FEBRUARY 10, 2006

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BANKRUPTCY 2.0(05): CHAPTERS, CHANGES, AND CHALLENGES
February 10, 2006

justice FOR ALL.
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American University Washington College of Law invites you to explore some of the most important legal issues facing the nation and the world today.

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**BANKRUPTCY 2.0(05):
CHAPTERS, CHANGES,
AND CHALLENGES**

CLE CREDIT AVAILABLE

Friday, February 10, 2006
8:15 a.m. – 3:00 p.m.

American University
Washington College of Law
Room 603
4801 Massachusetts Avenue, NW
Washington, DC

AMERICAN
UNIVERSITY

LAW
WASHINGTON COLLEGE of LAW

BANKRUPTCY 2.0(05): CHAPTERS, CHANGES, AND CHALLENGES

Last year, in response to a steady increase in bankruptcy filings over the last decade, to alleged abuses of the bankruptcy system, and to continual pressure from special interests, Congress promulgated the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, which instituted major changes for both consumer and corporate bankruptcies. For instance, in the consumer context, Congress decreased the number of available exemptions and devised a "means test" to preclude some individuals from seeking relief under Chapter 7 (liquidation), forcing them into Chapter 13 reorganization. The Act also makes directors and officers of corporate debtors less able to protect substantial personal assets in bankruptcy when a judgment has been rendered against them for securities fraud or breach of fiduciary duty.

Criticism of the Act was sharp and immediate. Consumer advocates attacked the statute as over-inclusive, inflexible, and a windfall for the credit card industry. In addition, they predicted that new requirements placed on attorneys for consumer debtors would increase legal fees while decreasing the legal advice provided to clients. On the other hand, proponents of the Act argued that consumers as a group will ultimately benefit because they will not have to absorb through higher credit card interest rates the costs of individual debtors' defaults.

Our symposium will evaluate and critique the Act's effect on consumer and corporate debtors. A final panel will address how the amendments have been implemented thus far, and will offer suggestions for future reform. We anticipate spirited, enlightening and comprehensive discussions on these issues and more.

SCHEDULE OF EVENTS

AGENDA

- 8:15 a.m. Coffee and Registration
- 9:00 a.m. Welcome and Introductions
- 9:15 a.m. Consumer Bankruptcy Panel
- John Rao, *National Consumer Law Center*
 - Jean Braucher, *The University of Arizona James E. Rogers College of Law*
 - Todd Zywicki, *George Mason University School of Law*
 - Alan Eisler, *Paley, Rothman, Goldstein, Rosenberg, Eig & Cooper, Chtd.*
- 10:45 a.m. Break
- 11:00 a.m. Corporate Bankruptcy Panel
- Harvey Miller, *Greenhill & Co.*
 - Walter Effross, *Washington College of Law*
 - David Epstein, *SMU Dedman School of Law*
 - Mark Ellenberg, *Cadwalader, Wickersham & Taft LLP*
 - David Borer, *Association of Flight Attendants*
- 12:30 p.m. Lunch
- 1:30 p.m. New Frontiers of Bankruptcy
- The Honorable Douglas Tice, Jr., *U. S. Bankruptcy Court for the Eastern District of Virginia*
 - The Honorable S. Martin Teel, Jr., *U. S. Bankruptcy Court for the District of Columbia*
 - Raymond Bell, *Creditors Interchange*
 - Leslie Linfield, *Institute for Financial Literacy*

GENERAL INFORMATION

CONTACT and CLE INFORMATION

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The American University Law Review is the oldest journal at the American University Washington College of Law, having been founded over a half-century ago. It produces 6 volumes per year and is distributed both nationwide and abroad to academic libraries, private law firms, legislative committees, government agencies, courts, and private subscribers. The Law Review publishes articles on a broad range of topics, and is the only journal in the nation to dedicate an issue solely to developments in the Federal Circuit Court of Appeals. Panelists will write papers to be published in Volume 55 of the American University Law Review.

PARKING: To help us maintain good relations with our neighbors, we ask that you park in the law school's underground lot at the rate of \$2.00 an hour or \$8.00 a day.

SPECIAL NEEDS

Any person with disabilities attending the conference who believes he or she might need a reasonable accommodation to participate should contact us at least two weeks in advance at: (202) 274-4075 or via e-mail at secle@wcl.american.edu