

1:00-2:30 **Pro Bono and Pro Se Bankruptcy Services** - An ethics and professionalism presentation by the American College of Bankruptcy - Encouraging innovative pro bono programs
Moderator: Michael Joseph, Chapter 13 Standing Trustee for the District of Delaware (Wilmington)
John Rao, Attorney, National Consumer Law Center (Boston, MA)
Honorable Mary Jo Heston, United States Bankruptcy Judge, Western District of Washington (Tacoma)
Beverly Burden, Chapter 13 Standing Trustee for the Eastern District of Kentucky (Lexington)

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PRO BONO AND PRO SE BANKRUPTCY SERVICES: AN ETHICS AND PROFESSIONALISM PRESENTATION BY THE AMERICAN COLLEGE OF BANKRUPTCY-ENCOURAGING INNOVATIVE BANKRUPTCY PRO BONO PROGRAMS

1. Program models:
 - Referral model with or without a help desk or central telephone number or website link
 - Training model with or voluntary pro bono panels
 - In house full legal service and representation
 - Hybrid of the above and effective consumer bankruptcy programs and Chapter 13 assistance
 - Other models

2. How to start up and organize?
 - Who manages and supervises?
 - Staffing?
 - Funding sources and resources? Local bar associations, foundations, creative ideas?
 - National resources

3. CENTS Program Seattle

4. Ethical Issues
 - conflict issues for pro bono representation of individual debtor
 - fees; retention agreements; limits to solicitation and referral
 - competency in consumer bankruptcy representation; debt relief agency disclosures

5. Success stories



The Pro Bono Collection:

An Alphabetical Guide to Past
Grantees & The Resources They
Provide

Compiled courtesy of the American College of Bankruptcy Foundation
Updated July 2016

How to Use This Guide

The following pages contain a list of online and offline resources made available by past American College of Bankruptcy Foundation (ACBF) pro bono grantees. Before applying for a grant, please review the resources currently available to see if your project ideas have already been implemented in other states by other legal aid organizations.

Section One of this document lists past ACBF pro bono grantees in alphabetical order who have online materials available. Clicking on each organization's name will direct you to their home page. The description of resources available often contains another link to bankruptcy-specific materials. Many of the sites contain helpful videos, PDF pamphlets, and articles of interest for both pro bono clinics and consumers.

Section Two of this document lists past ABCF pro bono grantees in alphabetical order who have made resource materials available offline. You must contact these organizations directly to request a copy of their materials.

Section Three of this document lists past ABCF pro bono grantees who are willing to be contacted should you desire to learn more about how their grant funds were used.

Current Pro Bono Resources

1 MATERIALS AVAILABLE ONLINE

1.1 [ALAMEDA COUNTY BAR ASSOCIATION VOLUNTEER LEGAL SERVICES ORGANIZATION](#)

Alameda County Bar Association Volunteer Legal Services Organization links to LawHelpCA.org, which provides free information on nearly all areas of the law. [Click here](#) to view a wide variety of bankruptcy resources, including videos produced by the U.S. Bankruptcy Courts as well as PDF documents produced by the Federal Trade Commission and the Administrative Offices of the U.S. Courts. VLSC held a training for bankruptcy attorneys on working with pro se litigants. The training was recorded and is available to new volunteers as well as volunteers needing a refresher. The training video can be requested by contacting VLSC directly.

1.2 [ARIZONA FOUNDATION FOR LEGAL SERVICES](#)

[Click here](#) for a two-day video series of lectures targeted at educating Arizona attorneys on bankruptcy practice. The videos cover Professionalism, Client Relations, Bankruptcy Schedules & Exemptions Selection, Means Test & Dealing with the US Trustee's Office, and Chapters 7, 11, and 13.

1.3 [ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK FUND, INC. D/B/A CITY BAR JUSTICE CENTER](#)

[Click here](#) and search the many listings under Brochures for information ranging from personal bankruptcy to understanding reaffirmation agreements to medical debt and debtor's rights. The information is not specific to New York.

1.4 [ATLANTA LEGAL AID SOCIETY, INC.](#)

[Click here](#) to view Atlanta Legal Aid Society's library of resources, including the consumer-targeted video *Is Bankruptcy Right for You?*

1.5 [CITY BAR JUSTICE CENTER](#)

Click on the following links to view their online resources entitled [Filing Bankruptcy: Know the Basics](#) and [Bankruptcy: Fresh Start after a Natural Disaster](#).

1.6 [CONSUMER BANKRUPTCY ASSISTANCE PROJECT – FRESH START CLINIC](#)

[Click here](#) to view the Consumer Bankruptcy Resource Manual, which contains an overview of consumer bankruptcy law and bankruptcy procedures and outlines the differences between Chapter 7 and Chapter 13, as well as other information. The manual contains general and state-specific information.

1.7 CONSUMER EDUCATION AND TRAINING SERVICES

[Click here](#) to view CENTS' complete list of consumer resources. Topics include money FAQs, student loan videos, an online financial evaluator, and their SmartBorrowing workbook (a downloadable PDF) and the SmartBorrowing YouTube video link.

1.8 CREDIT ABUSE RESISTANCE EDUCATION

A wealth of information for high school- and college-aged students and their parents in video and PDF format. Resources are organized under tabs for Students, Parents, Educators, and Volunteers.

1.9 DADE LEGAL AID-PUT SOMETHING BACK

The self-help tab directs consumers to DadeCountyProBono.Org for further information about FREE assistance for indigent debtors.

1.10 DC BAR PRO BONO PROGRAM

The DC Bar Pro Bono Program links to LawHelp.org/DC, which provides free information on nearly all areas of the law. [Click here](#) to view a wide variety of bankruptcy resources, including information produced by the U.S. Trustee Program, Dc Department of Employment Services, the Federal Trade Commission, and the DC Bar Pro Bono Program.

1.11 ILLINOIS LEGAL AID ONLINE

The website for ILAO is divided into three portals targeting Illinois residents, legal aid attorneys, and pro bono attorneys.

The resources available online for residents are presented online in article or outline format. [Is Bankruptcy Right for Me?](#) answers basic questions about the mechanics of bankruptcy, the types of bankruptcy, and the immediate and long-term effects of bankruptcy. This article is geared towards residents of Illinois and contains information pertinent to only that jurisdiction.

All of the portals, not just the debtor's portal, contain a link to a [video resource database](#). This database contains many videos about training attorneys, aiding pro se defendants, and educating viewers about bankruptcy.

1.12 JACKSONVILLE AREA LEGAL AID, INC.

JALA's website contains information for consumers in the form of self-help pamphlets. The pamphlets are arranged by category: of particular interest are those listed under [Consumer/Foreclosure Assistance](#). Pamphlet information under the heading Consumer/Bankruptcy links to the [United States Bankruptcy Court Middle District of Florida's page](#). This page contains documents explaining the different aspects of bankruptcy, how to file without an attorney, help and services for those facing financial hardships, and registering for Electronic Case Filing.

1.13 [THE LAW PROJECT/CHICAGO LAWYERS' COMMITTEE](#)

TLP produced a Guide for Non-Profit Organizations: Bankruptcy Issues which can be accessed by [clicking here](#).

1.14 [LEGAL AID SERVICES OF OREGON](#)

Legal Aid Services of Oregon links to OregonLawHelp.org, which provides free information on nearly all areas of the law. [Click here](#) to view a wide variety of bankruptcy resources, including videos produced by the U.S. Bankruptcy Courts as well as PDF documents produced by the Oregon State Bar, the National Consumer Law Center, and Legal Aid Services of Oregon. They have also made their [Debtor Creditor Pro Bono Clinic outline](#) available for review.

1.15 [LEGAL AID SOCIETY](#)

The Legal Aid Society lists many legal aid publications for clients on their [Resources](#) page. They also link to a law library which has a [bankruptcy basics video](#), giving a brief overview of the basics and forms of bankruptcies.

1.16 [LEGAL ASSISTANCE OF WESTERN NEW YORK](#)

Legal Assistance of Western New York provides introductory information and a general overview of bankruptcy on its [bankruptcy webpage](#). The article provides information on what debts will and will not be discharged in bankruptcy, what the various forms of bankruptcy are, and what properties may be exempted from bankruptcy, among other topics.

1.17 [LEGAL SERVICES CORPORATION OF DELAWARE, INC.](#)

The website contains a bankruptcy library for the consumer. Pamphlets, articles, and websites can be accessed through [this link](#) and focus on topics ranging from bankruptcy basics to credit reports and foreclosure prevention. The information is both general and state-specific (Delaware and Maryland).

1.18 [MONTANA LEGAL SERVICES ASSOCIATION](#)

MLSA produced a [two-page PDF pamphlet](#) giving a brief overview on the forms of bankruptcy. The pamphlet advises on the effects and considerations surrounding bankruptcy proceedings.

1.19 [NATIONAL CONSUMER BANKRUPTCY RIGHTS CENTER](#)

The Resources tab on NCBRC's website links to the National Consumer Law Center's [consumer education brochures](#). Brochures are arranged by topic. They contain bankruptcy-specific information, including a basic bankruptcy brochure, how to use credit wisely after bankruptcy, and information about a consumer's legal rights before and after bankruptcy.

1.20 [NATIONAL CONSUMER LAW CENTER](#)

The [Pro Bono Bankruptcy Training Program Materials](#) on the NCLC website are intended to help pro bono programs, legal services programs, local bar associations, and other organizations provide high-quality trainings for volunteer attorneys on representing consumers in bankruptcy cases. The materials are provided free of charge, subject to acceptance of the terms of use. There is a Training Manual for each of four modules. The Manuals can be provided to volunteer attorney training participants as the printed or electronic course material that accompany the training event. They should be suitable for obtaining continuing legal education (CLE) credit course approval in most states. There is a PowerPoint Presentation for each module, which include presentation notes provided for trainers. The four modules are: Module 1 - Bankruptcy Overview; Module 2 - Pre-Filing Considerations; Module 3 – Preparing The Bankruptcy Schedules; Module 4 – Getting To Discharge: Steps After The Case Is Filed.

1.21 [NEIGHBORHOOD LEGAL SERVICES ASSOCIATION](#)

NLSA's Legal Resources tab contains [consumer information](#) specific to the bankruptcy field as well as a link to [PALawHelp.org](#), which has resources about bankruptcy issues in Pennsylvania. The Resources tab also contains [Self-Help \(Pro Se\) materials](#).

1.22 [NEW YORK LEGAL ASSISTANCE GROUP](#)

NYLAG produced and distributed two newsletters to all financial counselors at the New York City Department of Consumer Affairs' Financial Empowerment Centers, to arm them with information and facts so they could best serve their clients. The newsletters have also been reworked for a broader audience of partners and posted on the NYLAG website: <http://nylag.org/units/general-legalservices/projects/consumer-protection-project>.

1.23 [THE PRO BONO PROJECT](#)

The Pro Bono Project links to LouisianaLawHelp.org, which provides free information on nearly all areas of the law. [Click here](#) to view a wide variety of bankruptcy resources, including videos produced by the U.S. Bankruptcy Courts as well as PDF documents produced by the State of Louisiana, the Administrative Office of the U.S. Courts, the LA State Bar Association, and the Federal Trade Commission.

1.24 [PRO BONO RESOURCE CENTER OF MARYLAND](#)

The Pro Bono Resource Center of Maryland (PBRC) website contains a link to the Peoples Law Library (PLL). PLL devotes a portion of their resources section to [consumer bankruptcy articles](#) which include a brief overview of bankruptcy, bankruptcy FAQs, Chapter 7 and Chapter 13 details, and where to file for bankruptcy.

1.25 [SOUTH CAROLINA LEGAL SERVICES](#)

The South Carolina Legal Services website links to LawHelp.org/SC, which provides free information on nearly all areas of the law. [Click here](#) to view a wide variety of bankruptcy

resources, including videos produced by the U.S. Bankruptcy Courts as well as PDF documents produced by the Administrative Office of the U.S. Courts and the South Carolina Bar Association.

1.26 VOLUNTEER LAWYERS NETWORK

The VLN website covers a wealth of information for the consumer as well as pro bono attorneys. [The VLN Clinics Wiki](#) contains legal resources for legal advice and brief legal services, referral resources, information about VLN clinics and community partners, and detailed information about VLN services. The website also links to LawHelpMN.org, which provides free information on nearly all areas of the law. [Click here](#) to view a wide variety of bankruptcy resources provided by the U.S. Bankruptcy Courts, the Federal Trade Commission, Legal Services State Support, and the Farmers' Legal Action Group.

2 MATERIALS AVAILABLE OFFLINE

2.1 [BET TZEDEK LEGAL SERVICES](#)

Debtor's Rights & Bankruptcy Clinic Outline (September 2013)

An outline used to educate the public regarding debtor and consumer issues.

Contact Bet Tzedek at 323-939-0506 for more information.

2.2 [CATHOLIC CHARITIES](#)

Catholic Charities produced a number of English and Spanish brochures, powerpoint presentations, surveys, and flyers on bankruptcy and debtor's rights.

Contact Catholic Charities at 312-655-7700 for more information.

2.3 [MARYLAND VOLUNTEER LEGAL SERVICES](#)

Nuts and Bolts of Chapter 7 Bankruptcy

This 22-page Word document is a basic outline of the Bankruptcy process and functions. It explains some of the differences between the different chapters, but the main focus of the document is Chapter 7. The document outlines the necessity of complying with local rules and practice, but is not keyed specifically to any locality; it should be of general utility. The document is designed to be used in a class that explains the bankruptcy process to pro bono attorneys who are taking on bankruptcy clients.

Contact Maryland Volunteer Lawyers Service at 410-539-6800 for more information.

2.4 [MEMPHIS AREA LEGAL SERVICES](#)

Answers to Common Questions About Bankruptcy

This 40-page brochure was created by volunteer attorney Bruce Ralston for Memphis Area Legal Services in 2008, but was updated in 2012. The brochure is a plain-language guide to the basics of bankruptcy that explains the steps of bankruptcy, the differences between the chapters, and the benefits and repercussions of bankruptcy, among other topics. Though the brochure describes only the general concepts of bankruptcy, it explicitly states that the brochure is relevant only to the bankruptcy laws and procedures of Tennessee. The brochure is a helpful introduction to bankruptcy because it succinctly answers most of the basic questions of bankruptcy in common vernacular.

Bankruptcy Basics – PowerPoint Presentation

The PowerPoint presentation highlights the key concepts and terms of a bankruptcy filing. It discusses the advantages and disadvantages of bankruptcy, the debts discharged by a bankruptcy, the chapters of bankruptcy, and other rudimentary subjects. The presentation does not appear to be tailored to the bankruptcy laws of Tennessee; it appears applicable to all states.

Contact Memphis Area Legal Services at 901-523-8822 for more information.

2.5 [PUBLIC COUNSEL](#)

Public Counsel has created a Total and Permanent Disability Discharge for Federal Student Loans packet which is available by contacting Public Counsel at 213-385-2977.

2.6 [RUTGERS UNIVERSITY SCHOOL OF LAW](#)

The Pro Bono Bankruptcy Program at Rutgers-Camden has prepared numerous materials for use in training students and volunteers, ranging from training agendas to student training materials and client appointment confirmation letters.

Contact Rutgers-Camden at 856-225-6263 for more information.

3 ACBF GRANTEE CONTACT INFORMATION

[Access to Bankruptcy Court – Pro Se Bankruptcy Assistance Project](#)

c/o Honigman Miller Schwartz & Cohn LLP
2290 First National Building, 660 Woodward Avenue
Detroit, MI 48226
Attn: Judy B. Calton, President
313-465-7344
jcalton@honigman.com

[AIDS Resource Center of Wisconsin](#)

820 North Plankinton Avenue
Milwaukee, WI 53203
Attn: Molly Neuleib
800-359-9272
molly.neuleib@arcw.org

[Alameda County Bar Association Volunteer Legal Services Corporation](#)

70 Washington Street, Suite 200
Oakland, CA 94607
Attn: Elizabeth Horn
510-302-2216
elizabeth@acbanet.org

[Atlanta Legal Aid Society, Inc.](#)

Home Defense Program
246 Sycamore Street, Suite 120
Decatur, GA 30030
Attn: Sarah Bolling Mancini
770-817-7517
sbmancini@atlantalegalaid.org

[Atlanta Volunteer Lawyers Foundation](#)

235 Peachtree St. NE, Suite 1750, North Tower
Atlanta, GA 30303
Attn: Michael Lucas
mlucas@avlf.org

[Bankruptcy Bar Foundation](#)

7154 N. University Drive, #299
Tamarac, FL 33321
Attn: Thomas Messana
305-891-5080
tmessana@messana-law.com

[Baton Rouge Bar Foundation Pro Bono Project](#)

544 Main Street
Baton Rouge, LA 70802
Attn: Emily Chambers
225-344-4803
emily@brba.org

[Bet Tzedek – The House of Justice](#)

3250 Wilshire Blvd.
Los Angeles, CA 90010
Attn: Jennifer Williams
323-939-0506
volunteer@bettzedek.org

[Birmingham Bar Volunteer Lawyers Program](#)

2021 Second Avenue North
Birmingham, AL 35203
Attn: Nancy Yarbrough
205-250-5198
nyarbrough@vlpbirmingham.org

[Brooklyn Volunteer Lawyers Project](#)

44 Court Street, Suite 1206
Brooklyn, NY 11021
Attn: Heidi Lee Henderson
hhenderson@brooklynvlp.org

[Catholic Charities of the Archdiocese of Chicago](#)

721 North LaSalle Blvd., 4th Floor
Chicago, IL 60654
Attn: Phillip Buta
312-655-7700
pbuta@catholiccharities.net

[City Bar Justice Center](#)

42 West 44th Street
New York, NY 10036
Attn: Lynn Kelly
212-382-6678
lkelly@nycbar.org

[Community Action Partnership of Northwest Montana](#)

214 Main Street
Kalispell, MT 59904-1300
406-752-6565
capnm@capnm.net

Community Law Project

819 SE Morrison Street, Suite 220

Portland, OR 97214

Attn: Scot Eliot

503-208-4079

scot@communitylawproject.org

Consumer Bankruptcy Assistance Project

Fresh Start Clinic, 42 South 15th Street, 4th Floor

Philadelphia, PA 19102

Attn: Mary Anne Lucey

215-523-9511

malucey@philalegal.org

Consumer Education and Training Services (CENTS)

1200 Fifth Avenue, Suite 700

Seattle, WA 98101

Attn: Tony Leahy

tonyl@centsprogram.org

Credit Abuse Resistance Education (CARE)

66 Canal Center Plaza, Suite 600

Alexandria, VA 22314

Attn: John C. Good

703-739-0800

jgood@care4yourfuture.org

Dade Legal Aid – Put Something Back

123 N.W. First Avenue

Miami, FL 33128

Attn: Karen Josefsberg Ladis

305-579-5733

kladis@dadelegalaid.org

DC Bar Pro Bono Program

1101 K Street, NW, Suite 200

Washington, DC 20005

Attn: Angela Boone

202-737-4700

aboone@dcbar.org

Indiana Pro Bono Commission

615 North Alabama Street, Suite 122

Indianapolis, IN 46204

Attn: Hon. Martha B. Wentworth

317-269-2415

probono@inbf.org

[The Law Project/Chicago Lawyers' Committee](#)

100 N. LaSalle, Suite 600
Chicago, IL 60602
Attn: Jody Adler
312-939-3638
JAdler@thelawproject.org

[Legal Aid & Defender Association, Inc.](#)

613 Abbott Street
Detroit, MI 48226
Attn: Roger S. Lennert
313-967-5555
rlennert@ladadetroit.org

[Legal Aid Service of Collier County](#)

4125 E. Tamiami Trail
Naples, FL 34112
Attn: Jeffrey Ahren
239-775-4555
jahren@legalaid.org

[The Legal Aid Society](#)

199 Water Street
New York, NY 10038
Attn: Pat Bath
212-577-3300

[Legal Aid of Western Ohio, Inc.](#)

525 Jefferson Avenue, Suite 400
Toledo, OH 34112
Attn: Kevin Mulder
419-724-0030

[Legal Aid Services of Oregon](#)

520 SW 6th Avenue, Suite 1130
Portland, OR 97204
Attn: Maya Crawford
maya.crawford@lasoregon.org

[Legal Services Corporation of Delaware, Inc.](#)

100 West 10th Street, Suite 203
Wilmington, DE 19801
Attn: Douglas B. Canfield
302-575-0408
dougcanfield@lscd.com

Legal Services Law Line of Vermont

274 North Winooski Avenue
Burlington, VT 05401
Attn: Thomas F. Garrett
802-863-7153

Legal Services NYC – Bankruptcy Assistance Project

40 Worth Street, Suite 606
New York, NY 10013
646-442-3630
bankruptcy@LegalServicesNYC.org

Legal Services of Southern Piedmont

1431 Elizabeth Avenue
Charlotte, NC 28204
Attn: Stefanie Groot
704-376-1600
stefanieg@lssp.org

Maryland Volunteer Lawyers Service

One North Charles Street, Suite 222
Baltimore, MD 21201
Attn: Bonnie Sullivan
410-539-6800
bsullivan@mvlslaw.org

Memphis Area Legal Services

22 North Front Street
Memphis, TN 38103
Attn: Linda Warren Seely
901-523-8822
lseely@malsi.org

Merrimack Valley North Shore Legal Services

35 John Street, Suite 302
Lowell, MA 01852-1101
Attn: Carol J. Coyne
978-888-0006
ccoyme@mvlegal.org

Mid-Shore Pro Bono, Inc.

8 South West Street
Easton, MD 21601
Attn: Sandra Brown
sabrown@midshoreprobono.org

Military Assistance Project

2005 Market Street, Suite 1930
Philadelphia, PA 19103
Attn: Dianna Schwartz
dianna@militaryassistanceproject.org

National Consumer Bankruptcy Rights Center

1501 The Alameda
San Jose, CA 95126
Attn: Tara Twomey
831-229-0256
ttwomey@me.com

New York Legal Assistance Group

7 Hanover Square, 18th Floor
New York, NY 10004
Attn: Merritt C. Birnbaum
212-613-5015
mbirnbaum@nylag.org

The Ohio Legal Assistance Foundation

10 W. Broad Street, #950
Columbus, OH 43215
Attn: Susan Choe
614-715-8560
schoe@olaf.org

The Pro Bono Project

615 Baronne Street, Suite 203
New Orleans, LA 70115
Attn: Rachel Piercey
504-581-4043
rpiercey@probono-no.org

Pro Bono Resource Center of Maryland (PBRC)

520 W. Fayette Street
Baltimore, MD 21201
Attn: Sharon Goldsmith
410-837-9379
sgoldsmith@probonomd.org

Public Counsel

610 South Ardmore Avenue
Los Angeles, CA 90005
Attn: Joshua Hirsch
213-385-2977
jhirsch@publiccounsel.org

Public Law Center

601 Civic Center Drive West
Santa Ana, CA 92701-4002
Attn: Leigh Ferrin
714-541-1010
lferrin@publiclawcenter.org

Public Service Law Corporation

4129 Main St., Suite 101
Riverside, CA 92501
Attn: Diane Catran Roth
951-682-4423
droth@riversidelegalaid.org

Rutgers University School of Law – Camden (and Newark)

217 N. Fifth Street
Camden, NJ 08102
Attn: Jill Friedman
jill.friedman@rutgers.edu

South Carolina Legal Services

701 South Main Street
Greenville, SC 29601
Attn: Andrea E. Loney
864-679-3244
andrealoney@sclegal.org

South Jersey Legal Services, Inc.

745 Market Street
Camden, NJ 08102
Attn: Michelle T. Williams
856-964-2010
mtwilliams@lsnj.org

Southern University Law Center

P.O. Box 9294
Baton Rouge, LA 70813
Attn: John K. Pierre
225-771-2552
jpierre@sulc.edu

Volunteer Attorney Program

314 W. Superior St., Suite 1000
Duluth, MN 55802
Attn: Dori Streit
218-336-1393
dori@volunteerattorney.org

[Volunteer Lawyers for Justice](#)

P.O. Box 32040
Newark, NJ 07102
973-645-1951
vlj@vljni.org

[Volunteer Lawyers Network](#)

600 Nicollet Mall, Suite 390A
Minneapolis, MN 55402
Attn: Suzanne Gautsch Pontinen
612-752-6655
sue@volunteerlawyersnetwork.org

[Volunteer Lawyer Program of N.E. Indiana](#)

111 West Wayne Street
Fort Wayne, IN 46802
Attn: Terrance P. McCaffey
260-407-0917
terry@vlpnei.org

[Volunteer Lawyer Project of Boston Bar Association](#)

99 Chauncey Street, Suite 400
Boston, MA 02111
Attn: Joanna Allison
617-423-0648
jallison@vlpnet.org

[Volunteer Legal Services Project of Monroe County, Inc.](#)

Telesca Center for Justice
One West Main Street, 5th Floor
Rochester, NY 14614
Attn: Sheila A. Gaddis
585-232-3051
sgaddis@vlsprochester.org

[Widener University School of Law](#)

4601 Concord Pike
Wilmington, DC 19803
Attn: Francis J. Catania, Jr.
302-477-2108

[Wisconsin Judicare, Inc.](#)

300 Third Street, Suite 210
Wausau, WI 54403
Attn: Marka A. Henkelman
715-842-1681
info@judicare.org

CENTS Program
1200 5th Avenue – Suite 700
Seattle, WA. 98101
206-267-7017
www.centsprogram.org



Consumer Education and Training Service (CENTS): Programs – brief descriptions

Mission:

CENTS empowers people to improve their financial health. We identify financial challenges affecting vulnerable populations and foster financial education, capability, and counseling to help individuals successfully overcome those challenges.

Financial Navigation Program for Patients with Cancer: CENTS has partnered with the Fred Hutchinson Cancer Research Center and the Seattle Cancer Care Alliance on a pilot project to provide recently diagnosed cancer patients with tailored financial counseling and resources to help them emerge from treatment physically and financially healthy. In 2017, CENTS will study the pilot project results and determine the next steps for this groundbreaking program.

Debt-Slapped: A national multimedia financial empowerment program consisting of a DVD, companion website, and in-person presentations for high school students about the perils of excessive student loans and credit card debt. CENTS and the Student Loan Workgroup, convened by the Washington Attorney General's Office, will be utilizing the video and in-class exercise in high schools throughout Washington as part of a Student Loan Awareness Month outreach effort. Please see www.debtslapped.org to learn more about this program.

Pro Bono Student Loan Project: CENTS has established and trained a special pro bono panel of attorneys to represent select student loan debtors in King County. In 2017, CENTS will expand its volunteer base so it can reach even more clients. We are working on a partnership with the Seattle Public Libraries to offer student loan workshops for those who want help overcoming a student loan challenge. CENTS intends to replicate its Student Loan Project in another county in 2017.

Money Steps: CENTS is pleased to partner with the U.S. Probation and Pretrial Services to create a financial empowerment program for former prisoners. CENTS will utilize its experience offering financial education programs for those in confinement at Monroe Corrections and the Washington Correctional Center for Women to create a program for the Bureau of Prisons.

Senior Money: This program features Washington State Attorney General Bob Ferguson and recently retired U.S. Bankruptcy Judge Karen A. Overstreet. *Senior Money* is a multimedia financial literacy program for senior citizens. The 105-minute DVD and companion website covers reverse mortgages, scams, identity theft, and estate planning. CENTS will embark on another outreach effort to promote this project in 2017 and debut a new offering to help senior citizens avoid scams. Please see www.seniormoneyproject.org.

Money Sense classes: Created to meet the financial education needs of the community, *Money Sense* empowers participants to take control of his or her financial situation to overcome a money challenge or accomplish a financial goal. CENTS goes out into the community to provide money management classes at various locations across King and Snohomish Counties. The class has been featured in the Seattle PI, Seattle Times, and Northwest Cable News. CENTS has created a free online version of this class for the general public. Please see www.centsprogram.org.

Debt Clinic and Make Change: CENTS sponsors and assists in the administration of both the *Debt Clinic* and *Make Change* programs with the King County Bar Association. The *Debt Clinic* provides clients who are considering bankruptcy or have other debt management issues an opportunity to speak with an attorney free of charge and *Make Change* is a consumer workshop about how to overcome a debt challenge.

For more information about CENTS, contact Tony Leahy at (206)267-7017 or tony@centsprogram.org.

AMERICAN BANKRUPTCY INSTITUTE JOURNAL

The Essential Resource for Today's Busy Insolvency Professional

Trustee Talk

BY MICHAEL B. JOSEPH

Consumer *Pro Se* Bankruptcy: Finding Hope in Hopelessness



Michael B. Joseph
Office of the
Chapter 13 Trustee
Wilmington, Del.

Michael Joseph is the chapter 13 trustee for the District of Delaware, a former National Association of Chapter 13 Trustees president and a Fellow in the American College of Bankruptcy.

P*ro se* consumer bankruptcy cases create significant and unique issues for debtors who initiate the cases and the bankruptcy system administering them. *Pro se* chapter 13 cases are particularly onerous. A vast majority of these cases are dismissed prior to confirmation and many times are dismissed prior to an appearance at a § 341 meeting.

Most debtors have difficulty navigating the complexity of chapter 13 without the assistance of a bankruptcy attorney. Furthermore, when the ABI National Ethics Task Force focused on the differences between chapter 7 and chapter 13, it concluded that chapter 13 was not conducive to attorney limited service agreements.¹

Unwary debtors create potential roadblocks for themselves should a case be dismissed and another proceeding be filed. These include issues of eligibility² and the imposition of the automatic stay.³ A missed deadline or single error can cause enormous trouble for a *pro se* debtor. An individual may file for relief unnecessarily or file under an incorrect chapter of the Bankruptcy Code. In addition, a debtor might fail to comply with the deadlines to file schedules, or be unable to adequately prepare the schedules, correctly choose exemptions or comply with filling out the means test forms. Effective Dec. 1, 2015, the official bankruptcy forms were completely revised and require careful review and extensive information. Moreover, a *pro se* debtor might be unable to defend objections to discharge, adversary proceedings and motions, or to comply with the Federal Rules of Bankruptcy Procedure.

It is difficult for an inexperienced person to prepare and submit a feasible chapter 13 plan. *Pro se*

case dismissals result in the loss of the automatic stay protections. Consequently, a debtor filing multiple cases due to previous dismissals might be characterized as a serial and abusive debtor, and thus barred from making future case filing(s).⁴ This might delay necessary debt management such that financial distress might become irreversible and eventual relief out of reach. As stated in the ABI National Ethics Task Force's Final Report, "Although it is difficult to measure how many consumers in financial distress do *not* file for bankruptcy protection, the Consumer Bankruptcy Fee Study did reveal that *zero* cases filed *pro se* under chapter 13 ended with a debtor receiving a discharge."⁵

The system administering bankruptcy cases is also impacted, including bankruptcy judges, court personnel (especially in the clerk's office) and trustees. Each participant must devote extra time to address deficiencies in the *pro se* cases, and monitor each to ensure that the case is proceeding properly. Creditors are potentially affected, with multiple or no notices being sent about the status of a case.

Yet the number of *pro se* consumer bankruptcy case filings is considerable. During the year ending Dec. 31, 2015, there were a total of 49,344 chapter 7 *pro se* cases, or 9.2 percent of the national total, and 25,639 *pro se* chapter 13s, or 8.5 percent of the national total.⁶ Some districts attract a greater percentage of *pro se* chapter 13 cases. For example, in calendar year 2015, the Eastern District of New York reported a 52 percent rate of its total chapter 13 case filings and the Central District of California reported a 37.5 percent rate of its total

¹ See Lois R. Lupica and Nancy B. Rapoport, Am. Bankr. Inst., *Final Report of the ABI National Ethics Task Force* (April 21, 2013).

² 11 U.S.C. § 109(g).

³ 11 U.S.C. § 362(c)(3)-(4).

⁴ See, e.g., *Kostyshyn v. Joseph (In re Kostyshyn)*, 2011 WL 815103 (D. Del. March 1, 2011).

⁵ See fn.1 at p. 50 (citing Lois R. Lupica, "The Consumer Bankruptcy Fee Study: Final Report," 20 *Am. Bankr. Inst. L. Rev.* 17 Spring 2012), available at abi.org/members-resources/law-review/the-consumer-bankruptcy-fee-study-final-report; unless otherwise indicated, all links in this article were last visited on March 23, 2016.

⁶ Table F-28 U.S. Bankruptcy Courts, Bankruptcy Cases Filed by Pro Se Debtors, by Chapter, During the 12-Month Period Ending Dec. 31, 2015 (unpublished).

chapter 13s.⁷ Last year, the U.S. Bankruptcy Court for the Eastern District of New York had an unusually high *pro se* case rate, with approximately 1,000 dismissal motions being filed and noticed by the chapter 13 trustees.⁸ Most of these cases take months to process and are often filed individually by one spouse, only to be followed by another *pro se* case filed by the other spouse. Eventually, almost all of these cases are dismissed.

Bankruptcy court clerks' offices nationwide provide information about filing bankruptcy without an attorney and direct *pro se* debtors to their courts' websites.⁹ Special assigned staff are designated by the clerks to handle the *pro se* case intake. All bankruptcy courts and clerks' offices face this problem every day, and many have developed their own processes and procedures. For example, judges in the Eastern District of New York refer *pro se* litigants to the Pro Se Legal Assistance Project.¹⁰

Several years ago, recognizing the significant impact of *pro se* consumer bankruptcy debtors in the District of Delaware, Bankruptcy Judge **Brendan Linehan Shannon** convened a special committee consisting of consumer bankruptcy attorneys, as well as representatives from the clerk's office, the U.S. Trustee's Office and the Chapter 13 Trustee, to consider the problem. After a significant amount of review, the committee determined that the best approach was to contact every *pro se* chapter 13 debtor and provide a referral contact and information about the need for representation. The initial contact would be Legal Services Corporation of Delaware (LSCD), which could provide bankruptcy representation to debtors who qualify for their services. Debtors who otherwise did not qualify for LSCD's services would be provided a referral to a panel of experienced bankruptcy attorneys. LSCD would make contact in all *pro se* chapter 13 cases and provide information and assistance to debtors in need.

With a grant from the American College of Bankruptcy and matching funds from the Bankruptcy Section of the Delaware State Bar Association, LSCD was able to establish the Delaware Pro Se Initiative. LSCD provided a *pro se* consumer bankruptcy coordinator to receive referrals from the bankruptcy court clerk's office, the New Castle County Sheriff's Office and the Delaware Legal Help Link, as well as direct calls from debtors. The bankruptcy coordinator is also available on site at the bankruptcy court clerk's office around the time of scheduled sheriff foreclosure sales in Delaware (when many *pro se* filings are made). The bankruptcy coordinator provides information and screening services to the prospective debtors to allow for quick and efficient access to appropriate bankruptcy representation. As part of this initiative, LSCD expanded its referral panel of bankruptcy attorneys. The referral panel agreed to initial free consultations with *pro se* debtors that are designed to help the filers learn about their obligations to the bankruptcy court and chapter 13 trustee, as well as encourage them to retain counsel to assist

them in the complexities of chapter 13. If retained, the referral panel members would be permitted to charge the standard fees allowed in Delaware.

Since the launch of the Delaware Pro Se Initiative in 2013, the program has seen a steady increase in the number of referrals. In 2015, recognizing the ongoing need to continue the program and with generous contributions from local law firms, the Delaware Consumer Bankruptcy Pro Se Foundation Fund was established under the Delaware Community Foundation. The aim is to maintain the future funding of the program.

While it may appear as though a number of *pro se* chapter 13 cases are filed without the intent to propose a plan or seek a discharge, there are certainly exceptions. Where the court or a trustee is faced with an honest-but-misguided debtor, it is an invaluable resource to have LSCD and the Pro Se Initiative available for a referral and consultation. Here are some recent examples.¹¹

The Delaware Pro Se Initiative helped "JD," a 48-year-old single mother who filed her own chapter 13 to stop a sheriff's sale. JD's income had been limited to her daughter's Social Security and some financial assistance from a friend. She fell behind on making payments for her mortgage and could not catch up. Desperate to avoid foreclosure, she turned to filing a chapter 13 petition without any concept of how it might work. Fortunately, she made initial contact with a *pro se* coordinator and was screened and referred to an attorney whom she retained. At the time she filed her case, JD had gotten a new job and gained sufficient monthly income to support a chapter 13 plan. She successfully proposed a plan that is curing her mortgage arrears and pre-petition property taxes, and is on her way to saving her home.

Another debtor who benefited from the Pro Se Initiative is "LS," also a single mother supporting her household on Social Security, food stamps and minimal child-support payments. She previously filed a chapter 7 case in 2008 that was not closed until 2011. Her previous filing history would have caused concern if this new case did not proceed well. LS filed the chapter 13 *pro se* to stop a sheriff's sale. She was contacted by the *pro se* coordinator and accepted a referral to an attorney on the consumer bankruptcy panel. With that attorney's assistance, her plan has been confirmed, she has been able to retain her home, and she also avoided a second lien as unsecured.

"KN" has three children and two grandchildren living with her. She also filed a *pro se* chapter 13 case to stop a sheriff's sale that had been scheduled after the Delaware Mandatory Foreclosure Mediation was unsuccessful. KN also wanted to pursue a mortgage modification; however, her ex-husband refused to cooperate and sign a quitclaim deed to clear the title. Although KN has limited income from employment, child support and food stamps, she was able to pay a chapter 13 plan and cure her mortgage arrears. At the same time, with the assistance of counsel, she will pursue clearing the title so she may qualify for an affordable mortgage modification. She qualified for LSCD representation and retained LSCD after consulting with the *pro se* coordinator.

Finally, "WA" is a single man with limited income and a prior dismissed bankruptcy case filed in 2011. He has

¹¹ Personal identifiable information has been changed to protect privacy.

⁷ *Id.*

⁸ As personally reported to the author by Marianne DeRosa and Michael Macco, standing chapter 13 trustees for the Eastern District of New York.

⁹ See, e.g., "Filing Without an Attorney," Administrative Office of the U.S. Courts, available at uscourts.gov/services-forms/bankruptcy/filing-without-attorney.

¹⁰ See "Pro Se Centers Help Even the Odds for Litigants Without Lawyers," Administrative Office of the U.S. Courts, Aug. 20, 2015, available at uscourts.gov/news/2015/08/20/pro-se-centers-help-even-odds-litigants-without-lawyers.

questioned his alleged mortgage arrears and has had issues with delinquent city property taxes. WA commenced a *pro se* chapter 13 case and was referred to LSCD, whom he retained. With the assistance of an LSCD attorney and several months of sorting out the claims, resolving both income and property tax issues, an amended plan was approved and confirmed by the court.

Conclusion

The proliferation of *pro se* consumer bankruptcy cases is problematic. Although *pro se* chapter 7 debtors have a greater chance of completing their case, albeit without knowing potential pitfalls that competent legal advice could avoid, *pro se* chapter 13 debtors are the least likely to have successful outcomes and the most likely to detrimentally impact their financial futures. *Pro se* cases also require more support from court staff and trustees' offices. Developing a program that targets consumer bankruptcy *pro se* debtors helps alleviate this burden. Having a referral program as a resource for *pro se* debtors who are acting in good faith and who desire such assistance benefits everyone. **abi**

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The American Bankruptcy Institute is a multi-disciplinary, non-partisan organization devoted to bankruptcy issues. ABI has more than 12,000 members, representing all facets of the insolvency field. For more information, visit abi.org.

NCLC Pro Bono Bankruptcy Training Program Material

The National Consumer Law Center has prepared training material to assist pro bono programs, legal services programs, and local bar associations in providing high-quality trainings for volunteer attorneys representing consumers in bankruptcy cases. This material is provided free of charge, subject to acceptance of the terms of use. It is available on NCLC's website at www.nclc.org/issues/pro-bono-bankruptcy-training-program-material.html

We request that users review the terms of use before reviewing and downloading the information and material on the site. The training material may be used only for educational purposes.

There is a Training Manual for each module. It is intended to be provided to volunteer attorney training participants as the printed or electronic course material that accompany the training event. It should be suitable for obtaining continuing legal education (CLE) credit course approval in most states. Although users are not permitted to make alterations to the training manuals, we encourage training organizations to supplement the manuals with additional material that address local bankruptcy practice issues.

There is also a PowerPoint Presentation for each module. Included are presentation notes provided for trainers that include additional discussion, training notes, and presentation tips. These trainer notes indicate topics that are particularly subject to variation due to local practice, so that trainers can be prepared to discuss how the topic is treated in the local Circuit or District. Although users are not permitted to delete or edit the text on individual slides contained in the PowerPoint presentations, users may: (a) delete or change the order of slides in the presentations; (b) change the layout and design of the presentations; (c) edit the notes for trainers; and (d) create new slides to add to the presentations.

The training material is designed to provide authoritative information concerning the subject matter covered. However, users are cautioned to always use other sources for more recent developments or for special rules for individual judicial districts. The material cannot be a substitute for the independent judgment and skills of an attorney or other professional. This project was funded in part by the Endowment for Education of the National Conference of Bankruptcy Judges. In funding the project, the Endowment does not endorse nor express any opinion about the conclusions, opinions, or results contained in any report, article, book, or other writing based on the work funded by the Endowment.

The following is a description of the content for each Module:

MODULE 1 - BANKRUPTCY OVERVIEW

There are many factors a client will need to consider in deciding whether to file bankruptcy. The attorney's role is to help the client understand the factors that are relevant based on the client's specific financial situation. This will include reviewing with the client what may and may not be possible in the bankruptcy process. This Module assists attorneys in that process by providing information needed to effectively counsel consumer clients.

This Module provides an overview of bankruptcy law. It gives attorneys a general understanding of the legal issues that arise in a consumer bankruptcy case. After an overview of the sources of bankruptcy law and available chapters for bankruptcy protection, we explain the concept of the bankruptcy estate. This includes a discussion of exemptions, property that a debtor is permitted to remove from the bankruptcy estate and keep to assist with the fresh start. Next we explain the automatic stay in bankruptcy, which prohibits collection efforts against the debtor while the bankruptcy case is pending. We then explain the scope of the bankruptcy discharge and identify nondischargeable debts. In Sections 2 and 3, we provide an overview of chapter 7 and chapter 13 cases, respectively. Finally, in Section 4 we discuss important considerations in counseling a client who is considering filing bankruptcy.

MODULE 2 - PRE-FILING CONSIDERATIONS

Determining the best course of action for a client in financial distress requires a thorough understanding of that client's specific financial situation. Therefore, the first step in advising a client about bankruptcy is to gather the necessary information. After the information is collected, it can be analyzed to determine whether bankruptcy is the best option for the client or whether other possible avenues for relief are available. If bankruptcy is the right choice for the client, the next decisions are what is the most appropriate chapter of the Bankruptcy Code under which to file and when to file the petition for relief. Finally, the client should be advised about satisfying the prepetition credit counseling requirement and making arrangements to pay, or seek a waiver of, the bankruptcy filing fees and related expenses. This Module reviews these pre-filing considerations. It also discusses several attorney responsibilities and client representation issues that are unique to bankruptcy practice.

MODULE 3 – PREPARING THE BANKRUPTCY SCHEDULES

Once the debtor has decided that bankruptcy is appropriate in a particular case, most of the remaining work for the attorney involves the preparation of the necessary papers for the initial filing. This Module uses a sample case to illustrate how to prepare the forms used in a typical chapter 7 bankruptcy case. A full set of filled-in forms based on the sample case is attached to this Module as Appendix A. Portions of the forms are referenced in this Module to highlight particular issues. The Official Forms used for this Module and for the set of filled-in forms are the revised forms that went into effect on Dec 1, 2015.

MODULE 4 – GETTING TO DISCHARGE: STEPS AFTER THE CASE IS FILED

The focus of this Module is on the essential activities that occur in most cases after the bankruptcy petition is filed. These remaining steps help the debtor achieve the ultimate goal in individual bankruptcy cases, the granting of a discharge. These steps include representation of the debtor at the meeting of creditors, satisfying the document production requirements, dealing with secured debt, and completing the financial education course. This Module also discusses final steps that should be taken before closing the debtor's case to help the debtor get the most from the bankruptcy discharge and the fresh start opportunity. A checklist of the key actions to take after the initial filing is provided at the end of this Module. A timeline showing the important deadlines in a typical chapter 7 case is also provided at the end of this Module.

American College of Bankruptcy Foundation

2017 Pro Bono Grant Request Guidelines

The American College of Bankruptcy Foundation (the "Foundation") awards grants to legal services organizations whose activities are consistent with the objectives of the mission of the Foundation. Grant awards are made by the Foundation's Pro Bono Committee (the "Committee").

Deadlines

Applications for grants during a calendar year must be received by the Committee on or before July 1 of the calendar year. Applications may be emailed or otherwise mailed to Carole McNamara, Communications Director, American College of Bankruptcy Foundation, P.O. Box 249, Stanardsville, Virginia 22973; Email: cmcnamara@amercol.org. *If you do not receive a confirmation of receipt of your application within five (5) business days, please call our office at 434-939-6005.* The Committee will endeavor to notify applicants of the Committee's decisions regarding grant requests by October 31.

Amount

The Committee will ordinarily not award grants in excess of \$10,000 or a grant for more than one year. The Committee may make a few grants of up to \$15,000. These are intended for new programs or new initiatives so the recipients will normally be first-time grantees. If a request is made for a grant of \$15,000, please provide budgets in the alternative for grants of \$15,000 or of \$10,000.

Preferred Activities

The Committee **prefers** to award grants for projects related to bankruptcy law and/or debtor-creditor counseling and education that:

- Encourage and promote legal assistance to poor and disadvantaged people
- Encourage pro bono legal work
- Educate the public to understand their rights and obligations under the law
- Train attorneys who may volunteer to represent indigent debtors without charge
- Support new or innovative approaches to the implementation and enhancement of pro bono services that require "seed money" to launch
- Assist the courts with challenges associated with pro se debtors and creditors through counseling, education, and pro bono representation
- Produce legal research, publications, and forums regarding consumer bankruptcy and/or debtor-creditor laws.

Excluded Activities

The Committee does not **ordinarily** grant awards for or to:

- Projects not involving bankruptcy law and/or debtor-creditor counseling and education and activities not fostering pro bono assistance
- Propaganda, lobbying activities, or the election of public officials
- Fund raising benefits or mass appeal solicitations
- Continuing legal education programs, unless they are for the training of attorneys who will volunteer to represent indigent debtors in bankruptcy cases without charge
- Fee-charging credit counseling agencies
- Compensation for the delivery of services whether by paid staff or outside attorneys (payment of staff to administer pro bono programs is within the scope of included activities)
- Court filing fees or speaker fees.

Instructions for Completing a Grant Application

- Use the application form provided by the College/Foundation with no more than 2 pages of attachments describing the project.
- Describe only the essential aspects of the project, without redundant elaborations.
- If the applicant is a tax-exempt organization, attach the tax-exemption letter to the application.
- Submit only one application per calendar year.
- The application must be typed in at least 12-point font.
- Do not use spiral binding, folders or special covers.
- If the applicant is an organization, provide a list of the governing members with telephone numbers and addresses.

Conditions of Grants

- Grant awards must be used strictly in accordance with the proposal and budget submitted in writing to the Committee. A grantee must provide to the Committee a written request for permission to make any changes or alternate uses of grant funds, and no changes or alternate uses are authorized until approved in writing by the Committee.
- All publications relating to the activity for which a grant is made must acknowledge the support of the College and Foundation.
- Upon completion of the project or activity for which a grant is made, a final written report and evaluation must be provided to the Committee within 90 days after the project or activity is completed. The report must detail the expenditures and outcomes from the grant. No further grants will be considered until the written report referred to in this paragraph is received.
- Grant funds must be expended within 12 months of the date of the award, and if not so expended, must be returned to the College unless the Committee has provided a written extension of time for such expenditure.

American College of Bankruptcy Foundation
Grant Application for Pro Bono Legal Services Organizations
Must be submitted by July 1, 2017

NAME OF ORGANIZATION: _____ **DATE:** _____

ADDRESS: _____

Street/P.O. Box

City

State

Zip

Telephone

Fax

DATE ORGANIZED: _____ **EIN:** _____

WEBSITE: www. _____

DESCRIBE THE GEOGRAPHICAL AREAS AND THE CLIENTELE SERVED BY YOUR ORGANIZATION:

AMOUNT REQUESTED: \$ _____

(The Committee will not ordinarily award grants in excess of \$10,000 or a grant for more than one year. The Committee may make a few grants of up to \$15,000. These are intended for new programs or new initiatives so the recipients will normally be first-time grantees. If a request is made for a grant of \$15,000, please provide budgets in the alternative for grants of \$15,000 or of \$10,000.)

DESCRIBE THE PROGRAM OR PROJECT YOU ARE REQUESTING GRANT FUNDS FOR, AND ITS RELATIONSHIP TO BANKRUPTCY OR DEBTOR/CREDITOR MATTERS. ITEMIZE THE USE OF THE GRANT, THE TOTAL COST OF THE PROGRAM OR PROJECT AND DESCRIBE ALL OTHER FUNDING SOURCES FOR THE PROGRAM OR PROJECT (ATTACH ADDITIONAL SHEETS IF NECESSARY):

ORGANIZATION BUDGET (FOR CURRENT YEAR)

\$ _____

PROGRAM/PROJECT BUDGET (IF SEPARATE)

\$ _____

(Please attach a simple budget to this application.)

LINK TO YOUR ORGANIZATION'S IRS FORM 990: _____

CONTACT PERSON FOR ORGANIZATION: _____

CONTACT EMAIL: _____

CONTACT PHONE NUMBER: _____

Return To: Carole McNamara, Communications Director, cmcnamara@amercol.org
American College of Bankruptcy Foundation, P.O. Box 249, Stanardsville, VA 22973

**Please call our office at 434-939-6005 if you do not receive confirmation of receipt of your application within five (5) business days.*

Speaker Biographies



Michael B. Joseph is the Chapter 13 Trustee for the District of Delaware (appointed in 1987) and has served as a Chapter 7 Bankruptcy Trustee (appointed in 1981) and a Chapter 12 Case Trustee. He also is a partner in the Wilmington, Delaware law firm of Ferry, Joseph & Pearce, P.A. Mr. Joseph received his B.A. from Rutgers University (1972) and his J.D. from Widener University (1975). He is admitted to practice in Delaware (1976), New Jersey (1977), United States District Court for the District of Delaware (1977) and the Third Circuit Court of Appeals (1990). Mr. Joseph is a Fellow of the American College of Bankruptcy. Mr. Joseph is a Past President of the National Association of Chapter 13 Trustees (2010-2011) He is also has served as a member of the Liaison Committee to the U.S. Department of Justice Executive Office for United States Trustees in Washington, D.C. (2006-2011). He is a member of the Delaware Bankruptcy American Inn of Court, the Bankruptcy Section of the Delaware State Bar Association, the American Bankruptcy Institute, the American Bar Association, and the Local Rules Committee of the United States Bankruptcy Court for the District of Delaware.



John Rao is an attorney with the National Consumer Law Center, Inc. Mr. Rao focuses on consumer credit and bankruptcy issues and has served as a panelist and instructor at numerous bankruptcy and consumer law trainings and conferences. He has served as an expert witness in court cases and has testified in Congress on consumer matters. Mr. Rao is a contributing author and editor of NCLC's *Consumer Bankruptcy Law and Practice*; co-author of NCLC's *Foreclosures; Bankruptcy Basics; Guide to Surviving Debt*; and NCLC Reports: *Bankruptcy and Foreclosures Edition*. He is also a contributing author to *Collier on Bankruptcy* and the *Collier Bankruptcy Practice Guide*. Mr. Rao serves as a member of the federal Judicial Conference Advisory Committee on Bankruptcy Rules, appointed by Chief Justice John Roberts in 2006. He is a conferee of the National Bankruptcy Conference, fellow of the American College of Bankruptcy, vice-president of the National Association of Consumer Bankruptcy Attorneys, member of the editorial board of *Collier on Bankruptcy*, and former board member for the American Bankruptcy Institute. He is an adjunct faculty member at Boston College School of Law. Mr. Rao is a graduate of Boston University and received his J.D. in 1982 from the University of California (Hastings).



Honorable Mary Jo Heston currently is a U.S. Bankruptcy Judge for the Western District of Washington sitting in Tacoma. She is a former shareholder of Lane Powell PC where her practice involved both commercial litigation and transactional matters with an emphasis on business workouts and bankruptcy reorganizations and the acquisition of troubled businesses Prior to joining Lane Powell, the U. S. Attorney General appointed Ms. Heston to serve a five-year term as the United States Trustee, a position with regulatory oversight over all bankruptcy cases filed and bankruptcy fiduciaries serving in Washington, Oregon, Idaho, Alaska and Montana (Region 18). She is a former law clerk to both a federal district court judge and a bankruptcy judge and is a former estate administrator. Ms. Heston previously has taught as an adjunct professor of bankruptcy and reorganization law at both Seattle University School of Law (1984-2004) and the University of Washington Law School (1997-1999) and she is a 2001 fellow of the American College of Bankruptcy. In 2003 the Washington State Bar Association, Debtor-Creditor Section awarded her the Sydney C. Volinn Memorial Award of Merit for services to the local legal community. She has always been is an active participant in both professional organizations and community service organizations and has served on the boards of the American College of Bankruptcy Foundation (2009-2014), the American Bankruptcy Law Journal (2005 to 2006), the St. John's/ABI Law Review (1993-2003), the NW Chapter of the Turnaround Management Association (2001 to present; president in 2004), American Bankruptcy Institute (1991-2001), INSOL International (1996-1999), the Washington State Bar Association - Debtor Creditor Section (1988-1996) and CENTS the local pro bono bankruptcy organization (1996-present as judicial liaison). Judge. Heston is a frequent regional and national speaker and author on bankruptcy related topics including: international insolvency issues.