

# COLLECTIONS: Seeking and Collecting a Judgment

Increase Your Chances  
of Debt Recovery

LOS ANGELES, CA  
NOVEMBER 14, 2012

PASADENA, CA  
NOVEMBER 15, 2012

## Credit Information

CLE - 6.0 (Incl. 1.0 ethics)

California MCLE Paralegal - 6.0

IACET - 0.6

ICB - 7.25

See inside for details.

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*Law Firm of David B. Bloom*

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# SEMINAR OUTLINE

## **FAIR DEBT COLLECTION PRACTICES ACT (FDCPA): BRIEF OVERVIEW**

9:00 - 9:30, Written by Michael A. Cisneros.  
Presented by Stephen H. Turner in Los Angeles and Michael A. Cisneros in Pasadena.

## **COLLECTION LITIGATION AND MOTION PRACTICE**

9:30 - 10:30, Written by Michael A. Cisneros.  
Presented by David B. Bloom in Los Angeles and Michael A. Cisneros in Pasadena.

- Preliminary Concerns
- Demand Letters and Other Ways to Get the Debtor's Attention
- Pre-Petition Discovery
- Procedures for Filing Suit: Time Limits, Venue, Etc.
- The Complaint
- Service of Process; How to Find and Serve Debtors Avoiding Process
- Settlement Offers
- Defensive Pleadings
- Handling the Late Filed Answer
- Pre-Judgment Judicial Remedies
- Obtaining a Judgment

## **IDENTIFYING FRAUDULENT CONVEYANCES**

10:45 - 11:30, Written by Matthew C. Mickelson.  
Presented by Leo G. O'Biecnas Jr. in Los Angeles and Matthew C. Mickelson in Pasadena.

- Laws Governing Fraudulent Conveyance
- Proving the Principle Elements
- Litigation Strategies: Asserting and Defending Against Claims
- Remedies Available

## **ASSET SEARCHES AND THE JUDGMENT DEBTOR EXAM**

11:30 - 12:15, Written by Joshua P. Friedman.  
Presented by Dean P. Sperling in Los Angeles and Joshua P. Friedman in Pasadena.

- Asset Searches: Non-Judicial and Judicial
- Judgment Debtor Exam: Procedures, Service Requirements, Conducting the Exam

## **POST-JUDGMENT COLLECTION STRATEGIES**

1:15 - 2:15, Written by Joshua P. Friedman.  
Presented by David B. Bloom in Los Angeles and Joshua P. Friedman in Pasadena.

- Judgment Liens on Real Property
- Personal Property Liens
- Priority Conflicts: Navigating the Minefield of Judgment Liens vs. Security Interests
- Writs of Execution
- Sheriff's Sales of Property: Procedures and Creditor Priority
- Garnishment of Wages or Other Property
- Assignment Orders
- Deficiency Actions
- Exemptions of Debtor

## **COLLECTION OF OUT-OF-STATE DEBT**

2:15 - 2:45, Written by Michael A. Cisneros.  
Presented by Leo G. O'Biecnas Jr. in Los Angeles and Michael A. Cisneros in Pasadena.

## **CREDITOR REMEDIES AVAILABLE IN BANKRUPTCY**

3:00 - 3:30, Written by James A. Hinds Jr.  
Presented by Dean P. Sperling in Los Angeles and James A. Hinds Jr. in Pasadena.

- What to do With the Judgment When the Debtor Files for Bankruptcy
- Relief From Stay
- Differences Under Chapter 7 and Chapter 13: Secured or Unsecured, Payment of Judgment, Impairment of Exemptions
- Discharge of Debt/Dischargeability

## **AVERTING POTENTIAL ETHICAL PROBLEMS IN COLLECTIONS**

3:30 - 4:30, Written by James A. Hinds Jr.  
Presented by Leo G. O'Biecnas Jr. in Los Angeles and James A. Hinds Jr. in Pasadena.

- Conflicts of Interest
- Dealing With Unrepresented Persons
- The Extent of Lawyer Liability

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

## WHO SHOULD ATTEND

This **basic-to-intermediate level seminar** provides an excellent overview of debt collection litigation and post-judgment enforcement for:

- Attorneys
- In-House Counsel
- Paralegals
- Collection Managers
- Credit Managers
- Presidents/Vice Presidents

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