



The Seventh Annual National Institute on Consumer Financial Services Basics

October 17-19, 2016
Waterview Conference Center
Arlington, VA





Seventh Annual National Institute on Consumer Financial Services Basics

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Program Description:

The evolution of consumer financial services (CFS) laws and regulations can leave even the experienced consumer finance lawyer feeling overwhelmed. This annual in-person educational institute is designed to expose practitioners to key areas of CFS law, whether you are new to the world of consumer finance or simply need a refresher.

Get back to basics with seasoned and expert presenters who have decades of practical experience in consumer finance. A classroom approach is used to review the history and background of CFS law, cover the fundamental laws that apply, and hear from regulators, consumer advocates, and industry representatives on the current state of affairs and what is on the horizon.

Key topics covered include:

- History and development of federal and state consumer financial services laws
- Truth in lending and disclosure requirements
- Fair lending
- Financial privacy and credit reporting
- Data security, fraud prevention, and identity theft protection
- Consumer communications: FDCPA, TCPA, TSR, Can-Spam, and others
- Asset account regulation
- Mortgage origination and servicing
- UDAAP
- Litigation and enforcement actions

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Agenda

Day One: Monday, October 17, 2016

12:00 p.m. **Registration**

1:00 p.m.–
1:15 p.m. **Welcome and Introduction**

1:15 p.m.–
2:30 p.m. **History and Development of Federal and State Consumer Financial Services Laws and Regulations**

Presented by: Jim Brown, Emeritus Professor, University of Wisconsin, Milwaukee, WI, Marjorie A. Corwin, Gordon Feinblatt LLC, Baltimore, MD

Presenters will discuss the evolution of consumer financial services law and the interplay of federal and state law.

2:30 p.m.–
2:45 p.m. **Break**

2:45 p.m.–
4:30 p.m. **Meet the Regulators**

Moderator: Nicole Munro, Hudson Cook LLP, Hanover, MD

Presented by: Michael W. Briggs, Federal Deposit Insurance Corporation, Washington, DC, Kimberly Hebb, US Department of the Treasury, Washington, DC, Ducie Le, Federal Reserve Board, Washington, DC, Margaret C. Liu, Conference of State Bank Supervisors, Washington, DC, Malini Mithal, Federal Trade Commission, Washington, DC, Christopher J. Young, Consumer Financial Protection Bureau, Washington, DC

In a moderated question and answer panel, representatives from the primary federal and state regulators of consumer financial protection laws will discuss where each agency fits within the regulatory process, the tools they use, what differentiates one agency from another, and their current focus for the next year.

4:30 p.m.–
5:30 p.m. **Researching Consumer Financial Services Law**

Presented by: Ashley R. Hutto-Schultz, Castle & Cook Mortgage, LLC, Draper, UT, Oliver I. Ireland, Morrison & Foerster LLP, Washington, DC

Seasoned practitioners will discuss their tricks of the trade and practical pointers for excellent research skills.

5:30 p.m. **Adjourn**

5:30 p.m. **Reception**

Day Two: Tuesday, October 18, 2016

7:30 a.m.–
8:00 a.m. **Continental Breakfast**

8:00 a.m.–
9:00 a.m. **Consumer Communications: TCPA, TSR, CAN-SPAM, and Do-Not-Call**

Presented by: Katrina Christakis, Pilgrim Christakis LLP, Chicago, IL
Lauren E. Campisi, McGlinchey Stafford, PLLC, New Orleans, LA

Presenters will discuss the federal and state laws that affect consumer communications and the recent related regulatory actions.

Agenda

9:00 a.m.–
10:00 a.m.

Financial Privacy and Data Security

Presented by: Rick Fischer, Morrison & Foerster, LLP, Washington, DC
Ronald I. Raether, Troutman Sanders, Irvine, CA

Presenters will discuss key restrictions on the use and disclosure of consumer financial information, including the Gramm-Leach-Bliley Act's privacy provisions and the Affiliate Marketing Rule. They will also examine federal and state laws requiring financial institutions to safeguard consumer information; and the impact of data security breaches on the financial services industry.

10:00 a.m.–
10:15 a.m.

Break

10:15 a.m.–
11:00 a.m.

Cybersecurity

Presented by: Rick Fisher, Morrison & Foerster, LLP, Washington, DC
Ronald I. Raether, Troutman Sanders, Irvine, CA

Presenters will discuss the heightened focus on cybersecurity, including federal and state developments in this area.

11:00 a.m.–
12:00 p.m.

Truth in Lending

Presented by: Ben Olson, Buckley Sandler, Washington, DC, Terry Randall, Consumer Financial Protection Bureau, Washington, DC

Presenter will address the primary disclosure statutes and regulations for consumer lending that are intended to increase consumer knowledge through disclosure, the features of these disclosure regimes, and the future of disclosure as a regulatory technique.

12:00 p.m.–
1:15 p.m.

Lunch with Faculty and Guest Speaker

William Alvarado Rivera, AARP Foundation, Washington, DC

1:15 p.m.–
2:15 p.m.

Debt Collection and Bankruptcy

Presented by: David N. Anthony, Troutman Sanders, Richmond, VA,
Andrew Buxbaum, Troutman Sanders, Richmond, VA

Presenters will discuss the Fair Debt Collection Practices Act and its interplay with federal bankruptcy law.

2:15 p.m.–
2:30 p.m.

Break

2:30 p.m.–
3:30 p.m.

Mortgage Origination

Moderated by: Lynette Hotchkiss, Rabobank, N.A., Roseville, CA

Presented by: Angela Cheek, EllieMae, Irvine, CA
Thomas J. Kearney, Akerman, LLP, Washington, DC

Presenters will discuss the changing landscape of mortgage origination, including the many new rules implemented in 2014 and those we can expect in the future.

3:30 p.m.–
4:00 p.m.

Mortgage Servicing

Presented by: Heather Thayer, Thayer Legal Services, Minneapolis, MN
Lynette Hotchkiss, Rabobank, N.A., Roseville, CA

Presenters will discuss the changing landscape of mortgage servicing, including the many new rules implemented in 2014 and those we can expect in the future.

4:00 p.m.–
4:30 p.m.

Servicemembers Civil Relief Act and Military Lending Act

Presented by: Sasha Leonhardt, BuckleySandler, LLP, Washington, DC

Presenters will discuss the federal laws affecting servicemembers and their families.

4:30 p.m.

Adjourn

Agenda

Day Three: Wednesday, October 19, 2016

7:30 a.m.–
8:00 a.m. **Continental Breakfast**

8:00 a.m.–
9:00 a.m. **Fair Credit Reporting Act**

Presented by: Victoria H. Giller, JPMorgan Chase Bank, N.A., Columbus, OH, Rebecca E. Kuehn, Hudson Cook, LLP, Washington, DC

Presenter will address the basis and purpose of the Fair Credit Reporting Act and the regulation of consumer reporting agencies and user and furnishers of consumer report information.

9:00 a.m.–
9:45 a.m. **UDAAP**

Presented by: Malini Mithal, Federal Trade Commission, Washington, DC, Lawrence DeMille-Wagman, Consumer Financial Protection Bureau, Washington, DC

Presenters will analyze what constitutes unfair, deceptive, or abusive acts or practices in the world of consumer financial products and services and will provide examples of how these standards have been applied in enforcement actions and by the courts.

9:45 a.m.–
10:00 a.m. **Break**

10:00 a.m.–
11:00 a.m. **Installment Lending: Payday Loans, Title Loans, Indirect Auto Contracts, Student Loans**

Presented by: Heather Garms Allen, Federal Trade Commission, Washington, DC, Christopher J. Willis, Ballard Spahr, LLP, Atlanta, GA

Presenters will examine the regulation of indirect auto credit, student loans, and small dollar loans, such as payday and title loans. The discussion will address the current focus federal regulators are placing on these areas of the consumer financial services arena.

11:00 a.m.–
12:00 p.m. **Fair Lending**

Presented by: Jean Noonan, Hudson Cook, LLP, Washington, DC

Presenters will discuss credit discrimination, reviewing the Equal Credit Opportunity Act, Fair Housing Act, Community Reinvestment Act, and the Home Mortgage Disclosure Act. As part of this discussion, the presenter will address the costs and benefits of regulating access to credit.

12:00 p.m.–
1:15 p.m. **Lunch (Informal discussions)**

1:15 p.m.–
2:15 p.m.

The Regulatory Landscape for FinTech Products and Services

Presented by: Lynne B. Barr, Goodwin Procter LLP, Boston, MA, Veronica K. McGregor, Goodwin, San Francisco, CA

No discussion of consumer financial services law can be complete today without exploring what lawyers need to know to advise clients about the legal and regulatory hurdles for FinTech entrepreneurs and their financial institution partners. The presenters will outline the basics of compliance for marketplace lenders, emerging payments services and digital currency providers.

2:15 p.m.–
2:30 p.m.

Break

2:30 p.m.–
3:30 p.m.

Asset Accounts: Payments, Regulation E, Prepaid Cards

Presented by: Mark J. Furletti, Ballard Spahr LLP, Philadelphia, PA, Linda C. Odom, K&L Gates, Washington, DC

Presenters will discuss payment systems and deposit products, including electronic payments, funds availability, and stored value. Presenters will address new developments and possible future regulation of general purpose reloadable prepaid cards.

3:30 p.m.–
4:30 p.m.

Perspectives on Consumer Finance: How Technology Is Changing Consumer Finance

Moderated by: Andrew M. Smith, Covington & Burling, LLP, Washington, DC

Presented by: Jodi Golinsky, FS Card Inc., Washington, DC, Duane Pozza, Federal Trade Commission, Washington, DC, Aaron Rieke, Upturn, Washington, DC

Presenters will discuss the hottest issues for consumers and the industry, trends in the courts and in enforcement actions, and the overall impact of technology on consumer financial services law.

4:30 p.m.

Adjourn

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Reservations: Call 703.351.9170 or 888.627.7101 and mention this ABA meeting to receive the group rate.

Hotel Deadline: September 16, 2016

Program Location

Waterview Conference Center
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	Early Bird Rate	Advance Rate Aug. 25, 2016	Standard Rate Sept. 19, 2016
General Public	\$1,295	\$1,395	\$1,495
ABA Members	\$1,195	\$1,295	\$1,395
ABA Business Law Section Members	\$995	\$1,095	\$1,195
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