

## **Collecting Consumer Debts: The Challenges of Change**

October 10-11, 2007

Washington, DC

### ***Draft Agenda - 9/19/06***

#### **Wednesday, October 10, 2007**

**9:00 - 9:15am**      **Welcoming Remarks: Deborah P. Majoras, Chairman, Federal Trade Commission**

**9:15 - 10:30am**      **Overview of Changes in and Affecting the Industry**

This session will provide a high-level look at major trends in and affecting the debt collection industry. Following two overview presentations, panelists will discuss the past, present and future of debt collection.

**Moderator:** Thomas B. Pahl, Assistant Director, Division of Financial Practices, Federal Trade Commission

#### **Presenters:**

- Bill Hampel, Senior Vice President for Research Analysis, Credit Union National Association
- Robert M. Hunt, Senior Economist, Federal Reserve Board of Philadelphia

#### **Panelists:**

- Rozanne Andersen, Vice President and General Counsel, ACA International
- Jean Ann Fox, Director of Consumer Protection, Consumer Federation of America

**10:30 - 10:45am**      **Break**

**10:45 - 12:00noon**      **Debt Collection Today: Understanding the Business**

**Moderator:** Karen E. Hickey, Attorney, Division of Financial Practices, Federal Trade Commission

#### **Panelists:**

- Mark E. Davitt, President and CEO, ConServe
- Robert L. DiGennaro, Chief Executive Officer, Collins Financial Services, Inc.
- Ira Leibsker, Blatt, Hasenmiller, Leibsker, and Moore LLC, and President, National Association of Retail Collection Attorneys
- Robert W. Murphy, Law Office of Robert W. Murphy
- Barbara A. Sinsley, Barron, Newberger, Sinsley & Wier PLLC, and General Counsel, DBA International

**12:00noon - 1:15pm**                    **Lunch (on your own)**

**1:15- 2:30pm**                    **Concerns About Debt Collection: Consumers' Perspective**

This session will provide a description of current debt collection practices that consumers believe raise substantial and growing concerns, and identify possible responses to these concerns.

**Moderator:** Katie Harrington-McBride, Counselor to the Director, Bureau of Consumer Protection, Federal Trade Commission

**Panelists:**

- Dale W. Pittman, Law Office of Dale W. Pittman, P.C.
- Lauren Saunders, Managing Attorney, National Consumer Law Center
- Mary Spector, Director, Southern Methodist University School of Law Civil Clinic and Consumer Advocacy Project
- Marla Tepper, General Counsel, New York City Department of Consumer Affairs

**2:30 - 3:45pm**                    **Concerns About Debt Collection: Collectors' Perspective**

This panel will describe the current restrictions on debt collection practices that debt collectors believe unduly limit their activities, and discuss potential responses to these issues

**Moderator:** Alice Saker Hrdy, Assistant Director, Division of Financial Practices, Federal Trade Commission

**Panelists:**

- Lawrence A. Laskey, Vice President and Counsel, Van Ru Credit Corporation
- Richard Leibert, Hunt, Leibert, Jacobson, P.C., and President, USFN
- Robert Markoff, Baker, Miller, Markoff & Krasny, LLC, and President-elect, National Association of Retail Collection Attorneys
- Stacey J. Schacter, President, Portfolio Operations, OSI Portfolio Services, Inc.
- Christopher G. Wunder, President and CEO, Receivables Outsourcing, Inc., and President, ACA International

**3:45 - 4:00pm**                    **Break**

**4:00 - 5:15pm**                    **The Role of Creditors in Debt Collection**

This session will examine issues surrounding creditors in the debt collection process, including the proper supervision of in-house and third-party collectors, the responsible selection of debt buyers, and the transmission of sufficient documentation to verify disputed debts.

**Moderator:** Charles A. Harwood, Director, Northwest Region, Federal Trade Commission

**Panelists:**

- Bev Evancic, Vice President, Resource Management Services, Inc.
- Cary Flitter, Lundy, Flitter, Beldecos & Berger, P.C.
- Anthony G. Looney, Director, Customer Revenue - Collections, Atmos Energy Corporation
- Kathleen M. Pierce, Managing Counsel - Business Centers, Ford Motor Credit Company LLC
- Ira Rheingold, Executive Director, National Association of Consumer Advocates

**Thursday, October 11, 2007**

**9:00 - 9:10am Welcoming Remarks: Lydia B. Parnes, Director, Bureau of Consumer Protection**

**9:10 - 10:45am Locating the Correct Consumer and Determining the Correct Amount Owed**

This panel will examine proper and improper methods of locating consumers for debt collection purposes (often referred to as “skiptracing”), as well as issues surrounding debt collectors’ verification of debts that consumers have disputed.

**Moderator:** Thomas E. Kane, Senior Attorney, Division of Financial Practices, Federal Trade Commission

**Panelists:**

- Gina Calabrese, Associate Director, Elder Law Clinic, St. John's University School of Law
- Thomas Haag, President and Chief Executive Officer, State Collection Service, Inc.
- Michael C. Lamb, Vice President and Chief Counsel, LexisNexis Risk Information & Analytics Group, Inc.
- Robin R. Pruitt, Senior Vice President & General Counsel, Encore Capital Group, Inc.
- James R. Sheeran, General Counsel, Tidewater Finance Company
- Sonya Smith-Valentine, Valentine Legal Group LLC

**10:45 - 11:00am Break**

**11:00am - 12:15pm Credit Reporting and Debt Collection: Key Concerns**

This session will address the interaction between debt collectors and the credit reporting system, concerns that this interaction raises, and possible responses to these concerns.

**Moderator:** Rebecca E. Kuehn, Assistant Director, Division of Privacy and Identity Protection, Federal Trade Commission

**Panelists:**

- April Breslaw, Acting Associate Director, Division of Supervision and Consumer Protection, Federal Deposit Insurance Corporation
- Eric Ellman, Vice President and Counsel, Consumer Data Industry Association
- Ian B. Lyngklip, Lyngklip & Associates Consumer Law Center, PLC
- Donald W. Redmond, Corporate Counsel, Portfolio Recovery Associates
- Michael C. Tormey, Co-Chairman, The Advantage Group

**12:15 - 1:15pm**      **Lunch (on your own)**

**1:15 - 2:30pm**      **Debt Collection Litigation: Current Issues**

This panel will examine collection litigation practices that have caused concern among consumers and potential responses to these concerns.

**Moderator:** James Reilly Dolan, Assistant Director, Division of Financial Practices, Federal Trade Commission

**Panelists:**

- Lynn Drysdale, Attorney, Jacksonville Area Legal Aid
- Roger Haydock, Managing Director, National Arbitration Forum, LLC
- Steven D. Fritts, Associate Director, Division of Supervision and Consumer Protection, Federal Deposit Insurance Corporation
- Robert J. Hobbs, Deputy Director, National Consumer Law Center
- Manuel H. Newberger, Barron, Newberger, Sinsley & Wier PLLC, on behalf of the Commercial Law League of America
- Adam J. Olshan, Esq., Howard Lee Schiff, P.C.

**2:30 - 2:45pm**      **Break**

**2:45 - 3:45pm**      **Pivotal Issues and Proposed Solutions: Next Steps**

This panel will identify the main issues and possible responses that arose during prior panels. The group also will propose and debate recommended changes in policy and law, including recommendations for amending the FDCPA.

**Moderator:** Peggy L. Twohig, Associate Director, Division of Financial Practices, Federal Trade Commission

**Panelists:**

- Rozanne M. Andersen, General Counsel and Vice President, ACA International
- Richard Riese, Director, Center for Regulatory Compliance, American Bankers Association
- Margot Saunders, Of Counsel, National Consumer Law Center
- Laura Udis, Administrator, Collection Agency Board, Colorado
- Cynthia R. White, Executive Director, National Association of Retail Collection Attorneys
- Gary Wood, President, DBA International

***3:45 - 4:00pm***

**Closing Remarks: Peggy L. Twohig, Associate Director, Division of Financial Practices**