

# Seminar for the Community-Bank Attorney



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- A central graphic showing two hands, one on the left and one on the right, holding a blue rectangular panel. The panel has a background of faint, glowing dollar signs. The text on the panel is centered and lists the seminar topics.
- Recent State Legislation and Case Law Affecting Financial Institutions
  - Collecting Despite Bankruptcy: Issues with Discharge and Non-Dischargeability
  - Ag Liens and Article 9
  - Federal Legislative and Regulatory Update
  - Rule 1.7 of the Illinois Rules of Professional Responsibility (2010)

CBAI has applied for 5.5 hours of Minimum Continuing Legal Education (MCLE) credit.



March 23, 2018  
SHAZAM Education Center  
CBAI Headquarters  
Springfield, IL

# Course Introduction

To help community-bank attorneys obtain the latest information regarding the myriad of legislative, legal and regulatory mandates facing community banks, as well as to meet the Supreme Court of Illinois-ordered requirements for Minimum Continuing Legal Education (MCLE), CBAI developed this comprehensive one-day education session entitled, "Seminar for the Community-Bank Attorney." This seminar utilizes the expertise of a number of attorneys who specialize in banking law related topics.

It provides an update on the following topics:

- Recent Legislation and Case Law Affecting Financial Institutions
- Collecting Despite Bankruptcy: Issues with Discharge and Non-Dischargeability
- Ag Liens and Article 9
- Federal Legislative and Regulatory Update
- Rule 1.7 of the Illinois Rules of Professional Responsibility (2010)

**CBAI has applied for 5.5 hours of MCLE credit.** Any attorney who sits on a community-bank board of directors, acts as legal counsel to a community bank, or has an interest in these topics would benefit from attending.

## Speakers & Topics

8:30 - 9 a.m.

**Registration & Continental Breakfast**

9 - 10:30 a.m.

**"Recent State Legislation and Case Law Affecting Financial Institutions"**

*Jerry Cavanaugh, General Counsel*

*Community Bankers Association of Illinois, Springfield, IL*

This presentation addresses recently effective state banking legislation, as well as State and U.S. Appellate Court opinions from the past 12 months.

**Jerry Cavanaugh** joined CBAI in 1999 after serving as legal counsel for 13 years at the Illinois Office of Banks and Real Estate. He drafts and analyzes legislation, and assists in CBAI legislative lobbying efforts. His "Legal Link" column in CBAI's *Banknotes* magazine and "CBAI Legal" in the CBAI bi-weekly electronic newsletter provide information on recent regulatory changes and litigation relevant to financial institutions. He received his B.S. degree from Illinois State University, Normal, and his J.D. from the School of Law at Southern Illinois University in Carbondale.

10:30 - 10:45 a.m.

**Break**

10:45 - 11:45 a.m.

**Collecting Despite Bankruptcy: Issues with Discharge and Non-Dischargeability"**

*William S. Hackney, III, Attorney*

*SmithAmudsen LLC, Chicago, IL*

This presentation discusses a lender's ability to continue collections against borrowers who file for bankruptcy protection by having the obligation declared non-dischargeable or having the borrower's discharge denied. Topics covered include the basic differences between the two, timeframes and deadlines, statutory support, mechanisms to bring actions in bankruptcy, common fact patterns, and elements needed to establish causes of action.

**William Hackney** is a member of the Smith Amudsen's Financial Services Group, concentrating his practice in the area of insolvency, restructuring, and creditors' rights. Hackney has significant experience representing debtors, lenders, secured creditors, creditors' committees, trustees, and other parties in chapter 11 and chapter 7 cases as well as out-of-court workouts and restructurings and the related litigation that accompanies the same. He also acts as outside bankruptcy counsel to a number of business entities and provides general business counseling in distressed situations. Hackney is a member of the bar in Illinois and New York. He is also a member of the Trial Bar in the Northern District of Illinois. In 2011 and 2012, Hackney was named to the Illinois Super Lawyers Rising Stars list and from 2017 to the present, he was named to the Illinois Super Lawyers list, peer review designations published by Thompson Reuters™.

11:45 a.m. - 12:45 p.m.

**Lunch**

12:45 - 1:45 p.m.

**"The Storm Is Coming: Perils and Pitfalls"**

*Brandt N. Hardy, Attorney*

*SmithAmudsen LLC, Chicago, IL*

This session covers a number of ag-lending topics, including secured lending on farm products in the Midwest; getting and keeping your priority security interests in agricultural collateral (with an overview of the interplay of Uniform Commercial Code Article 9 liens); state statutory agricultural liens and federal law and the competing rights of ag product suppliers; landlords; and debtors-in-possession in bankruptcy under Chapter 12 and Chapter 11 and Chapter 7 trustees in Chapter 7 liquidations.

# Speakers & Topics

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**Brandt Hardy** is a member of SmithAmudsen's Banking & Financial Institutions Practice Group, with an emphasis on providing legal services to its financial institution clients in the structuring and documentation of commercial and real estate loans. From his 21 years of experience doing documentation work as in-house counsel at a major regional bank, Hardy has a first-hand appreciation of the issues his banking clients face in the loan approval process and getting the deal documented and closed. In private practice since 2009, Hardy's practice for his banking clients has covered loan workouts, debt restructuring, foreclosures, receiverships and protecting his clients' interests in bankruptcy proceedings. He is a member of the Indianapolis Bar Association, Indiana State Bar Association, and American Bar Association.

**1:45 - 2 p.m.**  
**Break**

**2 - 3 p.m.**

## Federal Legislative and Regulatory Update

*David Schroeder, SVP of Federal Governmental Relations, Community Bankers Association of Illinois, Springfield, IL*

CBAI's Senior Vice President Federal Governmental Relations, David Schroeder, provides an update on federal issues impacting community banks. Schroeder's frequent meetings with members of the Illinois Congressional Delegation and federal regulators in Washington D.C. and Chicago provide the foundation for a review of the legislative and regulatory initiatives that have passed or are pending in Congress and with the regulators. His more than 40 years of experience as a community banker, and former CBAI leadership banker, ensure that his focus is on the important federal challenges and opportunities facing community banks.

**David Schroeder** is senior vice president of Federal Governmental Relations with the Community Bankers Association of Illinois (CBAI). Schroeder joined the executive staff of CBAI in 2010 after a long career as a community banker in the Chicago area.

He has served on numerous CBAI committees and boards, and was elected its chairman in 2005-2006. He has testified in Washington, D.C. (on behalf of the Independent Community Bankers of America) before congressional committees on small-business lending issues and the financial crisis. His responsibilities with CBAI include working closely on federal banking issues with members of the entire Illinois Congressional Delegation and federal-banking regulators.

**3 - 4 p.m.**

## "Am I Really Conflicted or Just Simply Confused?"

*William F. Moran, III, Managing Partner  
Stratton, Moran, Giganti, Reichert, Sronce & Appleton,  
Springfield, IL*

This program entails general information concerning Rule 1.7 of the Illinois Rules of Professional Responsibility (2010) concerning conflicts of interest, as well as related ethical concepts, and those portions of the relevant rules which have specific application to attorneys who are involved with community banking in the State of Illinois.

**William F. Moran, III**, is the managing partner at Stratton, Moran, Giganti, Reichert, Sronce & Appleton in Springfield, IL. His practice is in the areas of administrative law, civil and criminal litigation, appeals, family law, trademarks, and general practice. He is a member of the Sangamon County and Illinois State Bar Associations. He is formerly a law clerk, counsel and senior counsel for the Administrator of the Illinois Attorney Registration and Disciplinary Commission. He was the director of arrangements, secretary, treasurer and past president of the Lincoln-Douglas Inn of Court, and is the commissioner of the Illinois Supreme Court Commission on Professionalism. He was admitted to the Illinois bar in 1985; U.S. District Court, Central District of Illinois in 1986; U.S. Court of Appeals for the Seventh District in 1999; and the U.S. Supreme Court in 1989.

**4 p.m.**  
**Adjourn**

# Registration Fees

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Fees include hand-out materials, refreshment breaks, and lunch. An income-tax deduction may be allowed for educational expenses undertaken to maintain or improve professional skills.

### Cancellation Policy

Registrants cancelling two days prior to each seminar receive 100% refund; one day prior, 50%; the day of the seminar, no refund. **All cancellations must be made in writing prior to the seminar day. Invoices and training materials will be sent to all "no shows."**

### CBAI MEMBER

One person .....	\$265
Two or more from same banking institution .....	\$245 each

### \*\*PROSPECTIVE-MEMBER

One person .....	\$465
Two or more from same banking institution .....	\$445 each

*CDD members receive a 10% discount.*

\*\*Only financial institutions/firms eligible for CBAI membership.

# Registration Form

SEMINAR FOR THE COMMUNITY-BANK ATTORNEY

MARCH 23, 2018

SHAZAM Education Center, CBAI Headquarters, Springfield

**Please Print**

Name of Bank \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Tel. No. \_\_\_\_\_

Name/Title \_\_\_\_\_

E-Mail \_\_\_\_\_

(E-mail is required for registration).

Name/Title \_\_\_\_\_

E-Mail \_\_\_\_\_

(E-mail is required for registration).

I have special needs, please contact me before the seminar.

**Please select your payment method.**

Check Enclosed

Check in Mail

Pay at Door

Credit Card\*

*\*If you are paying by credit card, please fill out the following information.  
(Visa, MasterCard & Discover accepted).*

Name as It Reads on Card \_\_\_\_\_

Company Name on Card \_\_\_\_\_

Billing Address of Card \_\_\_\_\_

Card Number \_\_\_\_\_ Exp. Date \_\_\_\_\_

Three-Digit Security Code \_\_\_\_\_



**Mail it in:**  
CBAI Education Department  
901 Community Drive  
Springfield, IL 62703-5184



**Fax it in:**  
(217) 585-8738



**Call it in:**  
(800) 736-2224 (Illinois only)



**Click it in:**  
[www.cbai.com](http://www.cbai.com)

## Date and Location

March 23, 2018  
SHAZAM Education Center  
CBAI Headquarters  
901 Community Drive  
Springfield, IL 62703  
(217) 529-2265

## Agenda

Registration begins at 8:30 a.m. The seminar runs from 9 a.m. to approximately 4 p.m. Continental breakfast and lunch provided.

## Continuing Education

CBAI is a registered Public Accounting Continuing Professional Education (CPE) provider by the Illinois Department of Financial and Professional Regulation.

## For More Information

Tracy McQuinn, Senior Vice President  
Valerie Johnston, Vice President  
Melinda McClelland, Vice President  
Tina Horner,  
Administrative Assistant  
Jennifer Nika,  
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