

**FIFTHTEENTH ANNUAL VIRGINIA CREDITORS' BAR ASSOCIATION CLE**

**October 18, 2024  
Richmond Marriott Short Pump  
Richmond, VA**

- 7:45 – 8:30 Registration and Breakfast Buffet
- 8:30 – 8:45 Opening Remarks  
*Reiss Wilks, Esq., Event Moderator*
- 8:45 – 10:15 Current Ethics Issues Impacting Consumer Financial Services Attorneys  
*Donald Maurice, Esq., Maurice Wutscher  
Jonathan Floyd, Esq., Troutman Pepper*
- 10:15 – 10:30 Break
- 10:30 – 11:30 Chat GPT – Can it help or hurt you?  
*Joyvan Malbon-Griffin, Esq., Minnesota Lawyers Mutual Insurance  
Company*
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- 11:30 – 12:30 Buffet Lunch and Sponsor Presentations
- 12:30 – 2:00 Recent Developments and Case Updates in Creditor's Rights Issues in  
Virginia and Across the Nation  
*William D. Prince IV, Esq., ThompsonMcMullan, P.C.  
Andrew Biondi, Esq., SandsAnderson, P.C.*
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- 2:00 – 3:00 What to Watch for at Trial in Virginia Courts to Avoid Having Your  
Appeal "Disqualified" or "Sent to the Rear"  
*W. Thomas Chappell, Esq., WoodsRogers*
- 3:00 – 3:15 Break and Snack
- 3:15 – 4:15 Navigating Occupational Risks to Practicing Law and Cultivating  
Attorney Well-Being  
*Barbara Mardigian, LPC, and Charlene P. Reilly, Esq.,  
Virginia Judges and Lawyers Assistance Program*

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### **Current Ethics Issues Impacting Consumer Financial Services Attorneys**

*Donald Maurice, Esq., Maurice Wutscher*

*Jonathan Floyd, Esq., Troutman Pepper*

Attorneys practicing in consumer financial services law, particularly those providing debt collection legal services, unique challenges. Some states and locales are proposing requirements that require these attorneys to make disclosures or refrain from taking particular actions, which implicate various Model Rules of Professional Conduct ("RPC"). One federal regulator has gone as far as imposing restrictions on how attorneys can practice law. This presentation looks at the conflict between these activities and RPCs 1.6, 1.9, 1.18, 5.4, 5.6(b).

The use of Artificial Intelligence ("AI") by lawyers is making headlines, for all the wrong reasons. What are the RPCs implicating the use of AI (RPC 1.1, 1.6, 5.3)? What should lawyers do to assure their compliance with the RPC when using AI?

Finally, consumer financial services lawyers can possess significant amounts of non-public personal information ("NPI"). Law firms are being routinely targeted by bad actors seeking to obtain the NPI they possess. We discuss the RPC that are implicated and what lawyers should can do to assure compliance.

### **Chat GPT – Can it help or hurt you?**

*Joyvan Malbon-Griffin, Esq., Minnesota Lawyers Mutual Insurance Company*

In this CLE, we will discuss the advantages and disadvantages of attorneys using Chat GPT as a work resource. We will take a deep dive into the history and creation of Chat GPT and how it has impacted case law and several top firms throughout the world. Finally, we will discover how Chat GPT affects rules of civil procedure and model rules of professional conduct. Chat GPT is a new but dynamic tool if used properly – are you ready?

### **Recent Developments and Case Updates in Creditor's Rights Issues in Virginia and Across the Nation**

*William D. Prince IV, Esq., ThompsonMcMullan, P.C.*

*Andrew Biondi, Esq., SandsAnderson, P.C.*

This in-depth review of matters decided this year in tribunals across the nation will keep Virginia Creditor's attorneys, their clients, and their stakeholders apprised of risks facing them as they do business and face private litigation initiated against creditors in state and federal courts. The analysis provided will assist attorneys in forming successful arguments and defense plans in their own cases by seeing what worked...and what didn't... in legal matters decided in 2023 and 2024.

## **What to Watch for at Trial in Virginia Courts to Avoid Having Your Appeal “Disqualified” or “Sent to the Rear”**

*W. Thomas Chappell, Esq., WoodsRogers*

With the expansion in the size and scope of the Court of Appeals of Virginia on January 1, 2022, civil litigators in Virginia have an increased likelihood of a full appeal of virtually any trial court decision. However, since there are many seemingly innocuous ways an appeal may be harmed or lost, trial counsel must consider the finer points of appellate procedure during the trial phase of any case. Even the most effective appellate lawyer may be unable to save a case if procedural default has been baked in at trial. Therefore, this CLE provides an overview of some common ways a trial litigator may harm or even destroy his or her chances on appeal.

Article: [What to Watch for at Trial in Virginia Courts to Avoid Having Your Appeal “Disqualified” or “Sent to the Rear” | Woods Rogers](#)

## **Navigating Occupational Risks to Practicing Law and Cultivating Attorney Well-Being**

*Barbara Mardigian, LPC, and Charlene P. Reilly, Esq.,  
Virginia Judges and Lawyers Assistance Program*

During the presentation, we discuss what gave rise to the well-being movement in the legal profession, define the term well-being and the many dimensions proposed by the national task force, highlight some of the occupational risks to practicing law, provide practical strategies (that can be adopted at the institutional and individual level), and discuss the reasons change is necessary and briefly discuss some of the rules of ethics/provide hypotheticals.

Course ID: LHLL003

