

# THE DAILY RECORD

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## Paralegal PERSPECTIVES

### PAR participates in Valor Day, holds bankruptcy CLE, and prepares for golf fundraiser

The Paralegal Association of Rochester, Inc. (PAR) participated in Valor Day that was held at the Brighton Campus at Monroe Community College on June 18. Valor Day is a free event for all veterans, active duty or reserve service members and immediate family.



By **DINA BEAUDETTE**  
Daily Record  
Columnist

It is a one-stop shop for veterans to receive one-on-one legal consultations with attorneys from numerous legal fields, employment and counseling workshops, credit/financial counseling, GI Bill benefits counseling, access to service providers, local businesses, and universities.

Members of PAR greeted over 75 veterans and family members, assisted with registration, and guided veterans to the legal area and other areas throughout the event. We were honored to be a part of Valor Day and being able to give back to our veterans.

On July 13, PAR held an Overview of the Bankruptcy Practice seminar presented by Christopher K. Werner, Esq. and C. Bruce Lawrence, Esq. of Boylan Code LLP. Mr. Werner started off the seminar. He is an attorney that represents debtors. He discussed the differences between Chapter 7 and Chapter 13, Schedules, Statement of Financial Affairs, Means Test, Automatic Stay, what to expect at the Trustee's meeting, Preferential Payments, avoidance of Judgment liens (522f), and avoidance of unsecured mortgages (Pond Motions).

A debtor must go to Consumer Credit Counseling and receive a pre-bankruptcy



Christopher K. Werner and C. Bruce Lawrence of Boylan Code LLP presented an Overview of the Bankruptcy Practice seminar on July 13.

certificate before filing for bankruptcy. He stressed that a debtor must disclose *all* assets when filing – even a piece of jewelry, such as a diamond ring.

Debtors are allowed New York State or Federal Exemptions for homestead, auto, household items, jewelry, and tools of the trade, to name a few. These exemptions must be listed with the Trustee in order for the debtor to receive them.

Mr. Lawrence is a former Bankruptcy Trustee, having served on the panel for 20 years. Mr. Lawrence discussed the Trustee's perspective. Currently, there are five

Trustees for Chapter 7 and one for Chapter 13 in the Rochester Division of the Western District.

The Trustees are part of the Department of Justice and report to the Office of U.S. Trustee. The Trustees are responsible for administering assets of the individual case, and have to stay neutral and not give legal advice.

They review the Schedules and documents, which exemptions Federal or State have been selected (Trustees cannot point

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out exemptions if the debtor does not list them), assets, real estate values, assessment, appraisal, review Kelly Blue Book Private Party Sale values, consider how estate assets can be liquidated at what cost/profit, check Means Test for accuracy, look for preferences and fraudulent conveyances (may do Google research, Facebook), and follow-up on creditor calls about assets.

Both the Debtor and Debtor's attorney should be present at the hearing. At the hearing the Trustee will look at the debtor's demeanor/attitude and attorneys that are trying to answer all of the questions that are asked by the Trustee. Trustees expect the attorneys to provide completed schedules and be prepared.

Both attorneys were excellent presenters and very informative. We hope to have them speak again in the future. Our next seminar will be on the topic "Legal Profession: Where We Are and Where

We Are Headed" presented by Timothy Hoover, Esq. from Hodgson Russ LLP on Aug. 23 at noon at the Powers Building. Registration forms will be emailed soon to our members. Be sure to check PAR's website for future events and flyers/registration forms.

Registration/sponsorship forms for PAR's Inaugural Nine and Dine golf fundraiser at Shadow Lake on Friday, Sept. 30, have been emailed to our members and sponsors. Proceeds to benefit the Legal Aid Society of Rochester. This event is open to everyone. There is a 4 p.m. shotgun start followed by dinner at 7 p.m.

For those that do not golf, feel free to join us and register for dinner only. If anyone is interested in sponsoring a hole or a table, please see our registration/sponsorship form. The registration/sponsorship form can be found on our website at [www.rochesterparalegal.org](http://www.rochesterparalegal.org). If you have any questions, please contact Sue Scott at [sscott@goldbergsegalla.com](mailto:sscott@goldbergsegalla.com).

We are excited to announce that PAR will be offering a \$500 scholarship again in 2016 for a paralegal studies student attending Monroe Community College or Bryant & Stratton College. The scholarship application and eligibility requirements are posted on our website's home page. The scholarship will be presented at our annual Kick-Off Dinner and Auction on Sept. 21 at Benucci's Italian Restaurant in Greece.

PAR will be having its summer Board meeting and picnic on July 22. This meeting is where we brainstorm and discuss ideas for increasing membership, fundraising, networking events, and seminars, for the next year. If anyone has any suggestions, please feel free to contact any member of the Board listed on PAR's website.

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