

Lois R. Lupica

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Academic Appointments & Employment

UNIVERSITY OF MAINE SCHOOL OF LAW Maine Law Foundation Professor of Law Courses & Consulting Expertise: Bankruptcy and Insolvency Secured Transactions Consumer Credit Law Negotiation and Mediation Legal Ethics	Portland, ME 1994 - present
Research: Business Bankruptcy, Financial Markets, Structured Finance, Consumer Credit, Legal Ethics, Bankruptcy Ethics, Access to Justice	
HARVARD LAW SCHOOL CENTER ON THE LEGAL PROFESSION Cambridge, MA Affiliated Faculty	2013 - present
THOMPSON & KNIGHT, LLP New York, NY Special Counsel Bankruptcy & Creditors' Rights Section	2008 - 2014
AMERICAN BANKRUPTCY INSTITUTE Alexandria, VA Resident Scholar	Spring 2007& Fall 2014
SOUTHERN VERMONT COLLEGE Bennington, VT Acting Provost	Spring 2008
SETON HALL UNIVERSITY SCHOOL OF LAW Newark, NJ Associate Clinical Professor of Law	1992 – 1994
ARNOLD & PORTER, LLP New York, NY Corporate and Commercial Law	1988 – 1992
WHITE & CASE, LLP New York, NY Corporate, Commercial & Real Estate Law Associate	1987 – 1988

Selected Scholarship

Self-Help, Reimagined (with D. Jiménez, et. al.) (*forthcoming* in the Indiana Law Journal).

Engaging Financially Distressed Consumers (with D. James Greiner, et. al.), COMMUNITIES AND BANKING, summer 2015.

Unsecured Creditor Distributions under BAPCPA: An Empirical Study (with economist Dr. Michael R. Donihue, Colby College).

Access to Justice: A Randomized Control Trial Study of Credit Counseling, Legal Representation and Debt Collection Practices, GEORGETOWN J. ON POVERTY LAW, (with D. Jiménez et. al.) (2013).

The Consumer Bankruptcy Fee Study: The Final Report, 20 AM. BANKR. INST. L. REV. 17 (2012) (*winner of the 2012 Hon. Wesley Steen Prize for Best Scholarly Article – peer reviewed award*).

The Costs of BAPCPA: Preliminary Report on BAPCPA's Impact on Chapter 7 Trustees Administering Consumer Cases, PRESENTED TO THE HOUSE JUDICIARY COMMITTEE, SUBCOMMITTEE ON COURTS, COMMERCIAL AND ADMINISTRATIVE LAW, Hearings on Chapter 7 Bankruptcy Trustee Responsibilities and Remuneration, July 27, 2011.

Business Bankruptcy Practice, Sophisticated Clients and Rules of Professional Conduct, AMER. BANKR. INST. JOURNAL, June 2011.

The Costs of BAPCPA: Report of the Pilot Study of Consumer Bankruptcy Cases, 18 AM. BANKR. INST. L. REV. 43 (2010).

Credit Rating Agencies, Structured Securities and The Abyss, 28 B. U. REV. OF BANK. AND FIN. LAW 639 (2010).

The Consumer Debt Crisis and the Reinforcement of Class Structures, 40 LOY. U. CHI. L. REV. 557 (2009).

Corporate Restructuring: Insolvency Goes Global, NATIONAL LAW JOURNAL, February 2009 (with Ira Herman).

A Study of Consumers' Post-Discharge Finances: Struggle, Stasis or Fresh Start? 16 AM. BANKR. INST. L. REV. 2008 (with Jay L. Zagorsky, Ph.D.)

Legislative Messaging and Bankruptcy Law, 67 PITT. L. REV. 497 (2006) (with K. Gross and K. Heidt).

The Impact of Revised Article 9, Symposium on Business Bankruptcy, 93 KEN. L. J. 867 (2005).

Bankruptcy Bill Targets Wrong People, Op-Ed, PORTLAND PRESS HERALD, March 2005.

Professional Responsibility Re-designed: Sparking a Dialogue between Students and the Bar, 29 THE J. OF THE LEGAL PROF. 71 (2004-2005).

Moral Values, Social Justice, PORTLAND PRESS HERALD, BANGOR DAILY NEWS, November 11 & 12, 2004 (with Cullen Ryan).

The Effect of Bankruptcy upon a Firm using Patents and Trademarks as Collateral, Symposium, 41 IDEA J. OF LAW & TECH. (2002).

Revised Article 9, The Proposed Bankruptcy Code Amendments and Securitizing Debtors and their Creditors, Symposium, FORD. J. OF CORP. FIN. LAW (2002).

Revised Article 9, Securitization Transactions and the Bankruptcy Dynamic, Symposium, 9 AM. BANKR. INST. L. REV. 287 (2001).

The Technology-rich .com in Bankruptcy: The Debtor as Owner of Intellectual Property, Symposium Issue on Financing the Enterprises on the Internet, 53 ME. L. REV. 362 (2001).

Circumvention of the Bankruptcy Process: The Institutionalization of Securitization, 33 CONN. L. REV. (2001).

Bankruptcy Reform -- Bad Deal for Consumers, Maine Voices, PORTLAND PRESS HERALD, September 8, 2001 (with Professor T. Ward).

Transition Losses in the Electric Power Market: A Challenge to the Premises Underlying the Arguments for Compensation, 52 RUTGERS L. REV. 649 (2000).

Asset Securitization: The Unsecured Creditor's Perspective, 76 TEXAS L. REV. 595 (1998).

Books & Book Chapters

BANKRUPTCY – CASES AND MATERIALS (6th ed. 2016) (with Professor Margaret Howard).

DEVELOPING PROFESSIONAL SKILLS – BANKRUPTCY –2016 (with Professor Margaret Howard).

THE YEAR IN CONSUMER BANKRUPTCY – 2014 (published by the American Bankruptcy Institute) (L.R. Lupica, ed.)

Smaller Practices and Consumer Debt Issues under the United States Bankruptcy Code, CONSUMER DEBT REPORT II REPORT OF FINDINGS AND RECOMMENDATIONS, (published by International Association of Restructuring, Insolvency and Bankruptcy Professionals, 2013).

Recent First Circuit Developments in Consumer Bankruptcy, AMERICAN COLLEGE OF BANKRUPTCY CIRCUIT REVIEW 2013/2014.

BANKRUPTCY AND ITS IMPACT ON INTELLECTUAL PROPERTY – 2007 (published by the American Bankruptcy Institute) (L.R. Lupica, ed.)

Honors, Awards and Appointments

Consultant, World Bank, 2015. Worked with the World Bank and Central Bank of Vietnam to develop a strategy for addressing non-performing loans.

Grant Recipient, National Science Foundation, National Conference of Bankruptcy Judges Foundation for Education, the American Bankruptcy Institute Endowment, the Sears Consumer Protection and Education Fund, the Maine Economic Improvement Fund, Harvard University, and the Arnold Foundation.

American Bankruptcy Institute's Hon. Wesley W. Steen Prize for Best Article, 2012 (*The Consumer Bankruptcy Fee Study*).

Fellow, American College of Bankruptcy, Class 23, March 2012.

Co-Reporter, American Bankruptcy Institute Presidential Task Force on Uniform Ethics Standards for Bankruptcy Practice, 2011 to 2013.

The Maine Law Foundation Professor, 2007 to present.

American Bankruptcy Institute, Scholar-in-Residence, Washington, D.C., Spring 2007 & Fall 2014.

Reporter, Maine Task Force on Ethics 2000, Professional Responsibility Rules Committee, State of Maine, 2005 to 2008.

Honorable Mention, National Award for Innovation and Excellence in Teaching Professionalism, ABA Committee on Professionalism and the Conference of Chief Justices, 2005.

Recipient, Faculty Senate Award for Excellence in Scholarship, Maine School of Law, 2004.

Class of 1973/Glassman Faculty Research Scholar, Maine School of Law, 2002 to 2004.

First Place, Cape Elizabeth Education Foundation Spelling Bee, 2003 & 2004.

Recipient, National Conference of Bankruptcy Judges Fellowship, 2002.

Appointment, First Circuit Court of Appeals Merit Selection Committee to fill Bankruptcy Judgeship, District of Maine, 2001.

Certificate of Completion, LE CORDON BLEU, French Regional Cooking Paris, France, 1989.

Board Membership & Leadership Positions

Member, Board of Directors, American Bankruptcy Institute, 2014 to present. Serving on the Research and Grants Committee of the ABI Endowment

Programming Committee, National Conference of Bankruptcy Judges 2014 Annual Meeting.
Pro Bono Expert Advisor, National Association of Consumer Bankruptcy Attorneys, Securitization Task Force, 2010 – 2011.

Member, Education Committee, First Circuit, American College of Bankruptcy, 2012 to present.

Member, Advisory Board, AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW, 2008 to present.

Member, Editorial Advisory Board, THE JOURNAL OF BANKRUPTCY LAW & PRACTICE, 2009 to present.

Co-Coach and Faculty Advisor, Duberstein Moot Court Competition, 2005 to 2013.

Member, Planning Committee, Joint American Association of Law Schools-National Conference of Bankruptcy Judges Workshop on New Developments in Bankruptcy, Fall 2007.

Member, Executive Committee, American Association of Law Schools Section of Commercial and Consumer Law, 2003 to 2006.

Faculty Advisor, MAINE LAW REVIEW, 1995 to 2005.

Chair, American Association of Law Schools Section on Debtor & Creditors' Rights, 2005 to 2006.

Member, Board of Directors, Community Housing of Maine, 1995 to 2006 (non-profit housing developer for low-income mentally disabled population).

Member, University of Southern Maine Institutional Review Board, 1995 – 2000.

Member, Board of Directors, American Board of Certification, 2000 to 2003, Dean of Faculty, 2002 to 2003.

Member, Advisory Board, Technology Law Center, University of Maine School of Law, 1999 to 2002.

Select Presentations

Keynote Speaker, World Bank, Non-Performing Loans Securitization Symposium, Hanoi, Vietnam, 2015.

Speaker, American College of Bankruptcy First Circuit Conference, The Consumer Debt Tsunami, Boston College Law School, 2016.

Speaker, Maine State Bar Association Winter Meeting, Access to Civil Justice in Maine, Rockport, ME, 2015.

Speaker, American Bankruptcy Institute Winter Leadership Conference, Social Media and Legal Ethics, Palm Springs, CA, 2014.

Moderator, National Conference of Bankruptcy Judges Annual Meeting, "Who is Driving the Train? Judges, Trustees and Lawyers in Chapter 13 Cases, Chicago, IL, 2014.

Speaker, National Legal Aid and Defender Association, "Using Data to Maximize Impact on Vulnerable Populations, Alexandria, VA, 2014.

2014 Frank W. Kroger Bankruptcy Symposium Distinguished Lecture, "21st Century Bankruptcy Ethics" Kansas City, MO, 2014.

University of Maine School of Law, "Empirical Study and Analysis of the Consumer Bankruptcy System," Portland, ME, 2013.

Speaker, Finding a Solution to *Pro se* Litigants, American Bankruptcy Institute Winter Leadership Conference, Los Angeles, CA, 2013.

Speaker & Moderator, ABI New York Bankruptcy Conference, "Ethical Issues in Business Bankruptcy Cases," New York, NY, 2013

Speaker, National Association of Consumer Bankruptcy Attorneys (NACBA), "Is there Such a Thing as Being Too Poor to File Bankruptcy?," San Diego, CA, 2012.

Speaker, ABI Annual Spring Meeting, "Consumer Bankruptcy & Professional Compensation," National Harbor, MD, 2013.

Speaker, ABI Annual Spring Meeting, "Final Report of the ABI Bankruptcy Ethics Task Force," National Harbor, MD, 2013.

Speaker, Maine Inn of Court, "Empirical Study of Consumer Bankruptcy," Portland, ME, 2013.

Panelist, "Conflicts and Controversies in a Reorganization: A Play in Three Acts," ABI Winter Leadership Conference, Tucson, AZ, 2012.

Panelist, "Standing in Bankruptcy Cases: The Mortgage Foreclosure Morass," The American College of Bankruptcy, Third Circuit Program, Pittsburgh, PA, 2012;

Panelist, "Limited Services Representation and Access to Justice," Big Sky MT, 2012.

Panelist, Debtors' Cost of Access to the Chapter 13 System, NACTT Annual Meeting, New Orleans, LA, 2012.

Speaker, "The Cost of Access to the Consumer Bankruptcy System," HBA, Galveston, TX, 2012.

Panelist, "21st Century Ethics," ABI Annual Spring Meeting, Harbor, MD, 2012.

Keynote Speaker, "The Costs of Consumer Bankruptcy," ABI Northeast Consumer Forum, Boston, MA 2012.

Panelist, "Access to Chapter 7 Consumer Bankruptcy," NABT Annual Meeting, LV, NV 2012.

Panelist, "The Consumer Bankruptcy Fee Study," ABI Winter Leadership Conference, 2011.

Panelist, "Using Ethics as a Sword in Bankruptcy", Beard Group Distressed Investing Conference, 2011.

Panelist, "The Implications of Stern v. Marshall," ABI NE Bankruptcy Conference, 2011.

Keynote Speaker, "The Costs of Consumer Bankruptcy Reform," ABI Boston Consumer Bankruptcy Conference, 2011.

Keynote Speaker, "The Costs of Consumer Bankruptcy Reform," ABI Detroit Bankruptcy Conference, 2010.

Panelist, "The Government's Role in the GM and Chrysler Bankruptcies," National Federation of Municipal Analysts, Advanced Seminar on Bankruptcy, Boston, MA, 2009.

Keynote Speaker, "Mortgage Securitization and the Secondary Market, Mortgages, Notes, and UCC Concepts, and A Survey of Key Mortgage Documents," Defending Homes Threatened by Foreclosure, sponsored by Maine Attorneys Savings Homes (MASH) 2009.

Panelist, "The New Maine Rules of Professional Conduct," Portland, ME, 2009.

Lecturer, "The Commercialization of Intellectual Property," University College of Cork, Cork, Ireland, 2008.

Panelist, Interdisciplinary Approaches to the Crisis of Over-indebtedness, AALS/NCBJ Joint Bankruptcy Workshop, Orlando, Florida, 2007.

Panelist, "Consumer Finance and the Reinforcement of Class Structures", Law and Society Meeting, Humboldt University Berlin, Germany, 2007.

Panelist, "Ethical Issues for Bankruptcy Lawyers; The Continuing Relevance of the Chapter 11 Process," American Bankruptcy Institute, New York, NY, 2007.

Constitution Day Speaker, "Constitutional Principles," S. Vermont College, 2006.

Speaker, "Legislative Messaging and the New Bankruptcy Legislation," The New York Law School Faculty Scholarship Lunch Series, 2006.

Speaker, "The Impact of Revised Article 9 in Bankruptcy," University of Kentucky College of Law, 13th Annual Judge Joe Lee Bankruptcy Institute, 2005.

Panelist, "Ethics 2000 Comes to Maine: Should Maine Revise its Bar Rules to More Closely Coincide with the ABA Model Rules of Professional Responsibility?" Annual Meeting, 2005.

Panelist, "Business Bankruptcy Ethics & Revised Article 9's Impact in Bankruptcy," Stetson University College of Law, 2004.

Panelist and Moderator, "Revised Article 9's Impact in Bankruptcy," National Conference of Bankruptcy Judges Annual Meeting, Nashville, TN, 2004.

Speaker, "Revised Article 9 and the Competing Visions of Business Bankruptcy," Florida State University Law School, Faculty Enrichment Series, Tallahassee, FL, 2002.

Panelist, "Revised Article 9, The Proposed Bankruptcy Code Amendments and Securitizing Debtors and Their Creditors," Two Shocks to the Bankruptcy System: Revised UCC Article 9 and the Pending Bankruptcy Reform Act of 2001," D. S. Murphy Conference on Corporate Law, Fordham Law School, New York, NY, 2001.

Panelist, "The Intersection of Revised Article 9 and Bankruptcy Law," AALS Workshop on Bankruptcy Law, St. Louis, MO, 2001.

Panelist, "The dot.com in Bankruptcy," Financing The Enterprises of the Internet, Technology Law Center of the University of Maine School of Law, 2000.

Moderator, "Legal Issues in Cyberspace," 1999 Cyberposium, Harvard Business School.

Moderator, "Intellectual Property in the Marketplace," 1998 Cyberposium, Harvard Business School.

Media Appearances, Interviews and Press Coverage

Radio Interview, Here and Now, WVBR, "Zombie Debt," May 2015.

Television Interview with Lee Pacchia, Bloomberg Television, "The Costs of Access to the Consumer Bankruptcy System," New York, NY, May 2012.

Featured, Mover of the Week, "National Bankruptcy Association Honors Maine Professor Lupica," Dow Jones Bankruptcy News, December 2012.

Radio Interview, Maine Public Broadcasting, Josie Huang, "The Cost of Consumer Bankruptcy," 2010.

Radio Interview, Maine Public Broadcasting, Irwin Gratz, "Too Poor for Bankruptcy?" 2012.

Podcast Interview, "Cost of Access to the Consumer Bankruptcy System," S. Gerdano, 2007.

Television Interview, Jennifer Rooks, NBC Affiliate, 2005.

Regularly interviewed by news media, including The New York Times, Huffington Post, The Wall Street Journal, USA Today, The Portland Press Herald, Maine Biz, Maine Public Radio, Bloomberg Television, and other national and regional newspapers and publications.

Education

Boston University School of Law

J.D. *magna cum laude*, 1987

Honors:

Case & Note Editor, AMERICAN JOURNAL OF LAW AND MEDICINE

G. Joseph Tauro Scholar

Paul J. Liacos Distinguished Scholar

Edward F. Hennessey Scholar

American Jurisprudence Award in Property

Cornell University

Bachelor of Science, Consumer Economics & Housing

College of Human Ecology, 1981

Bar Admissions

New York State

U.S. District Court, Southern District of New York

U.S. District Court, Eastern District of New York