
Investigating Attorney Fees in Consumer Cases

Prof. Lois R. Lupica | University of Maine School of Law; Portland

2010

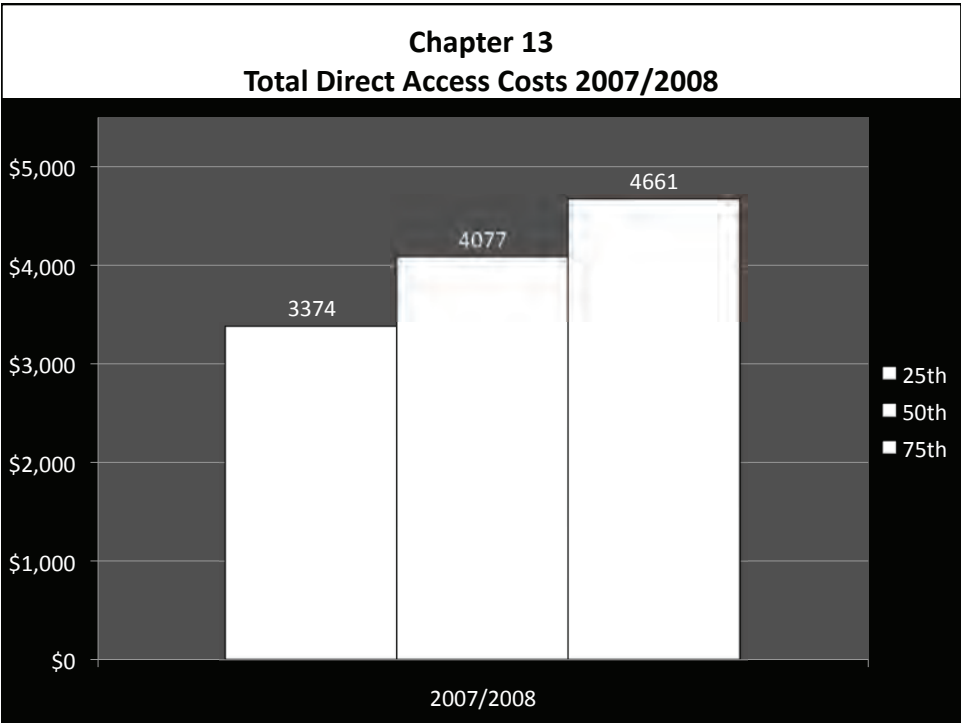
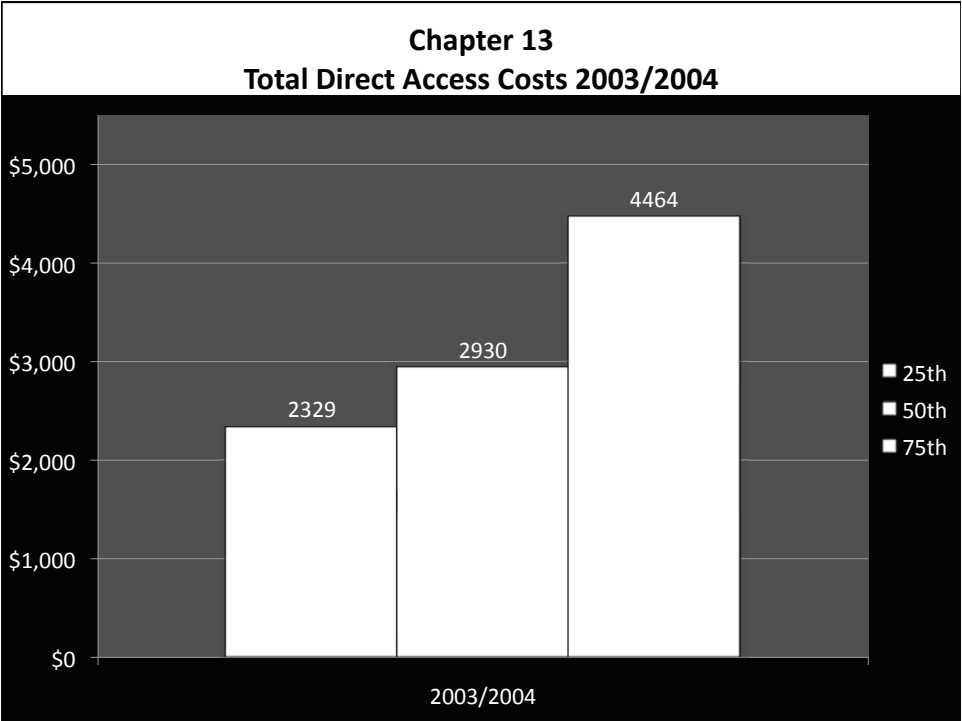
**Educational
Materials**

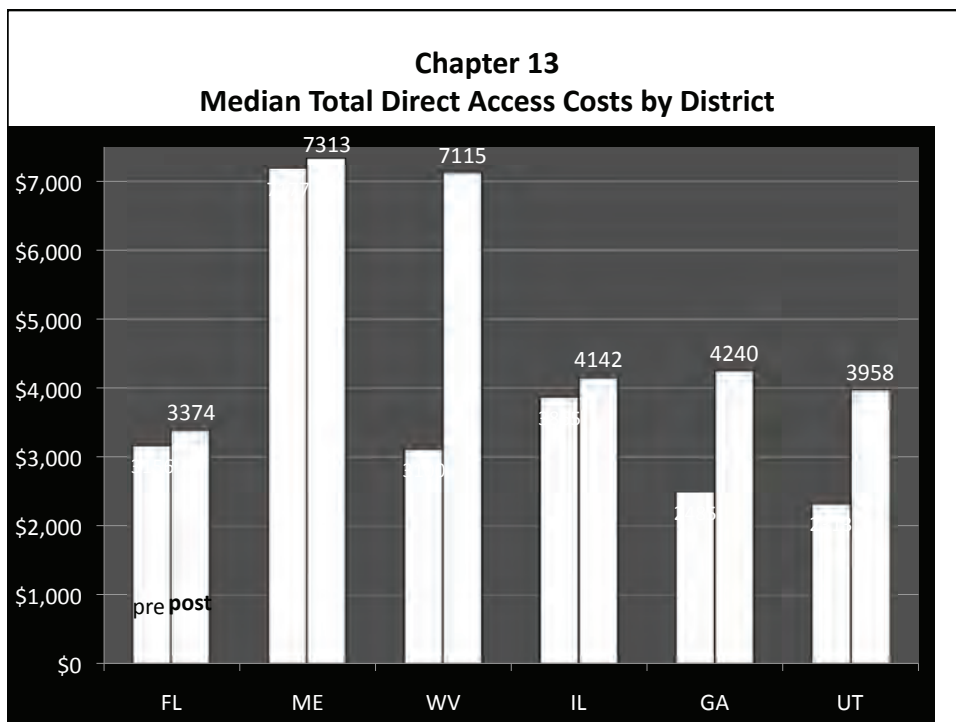
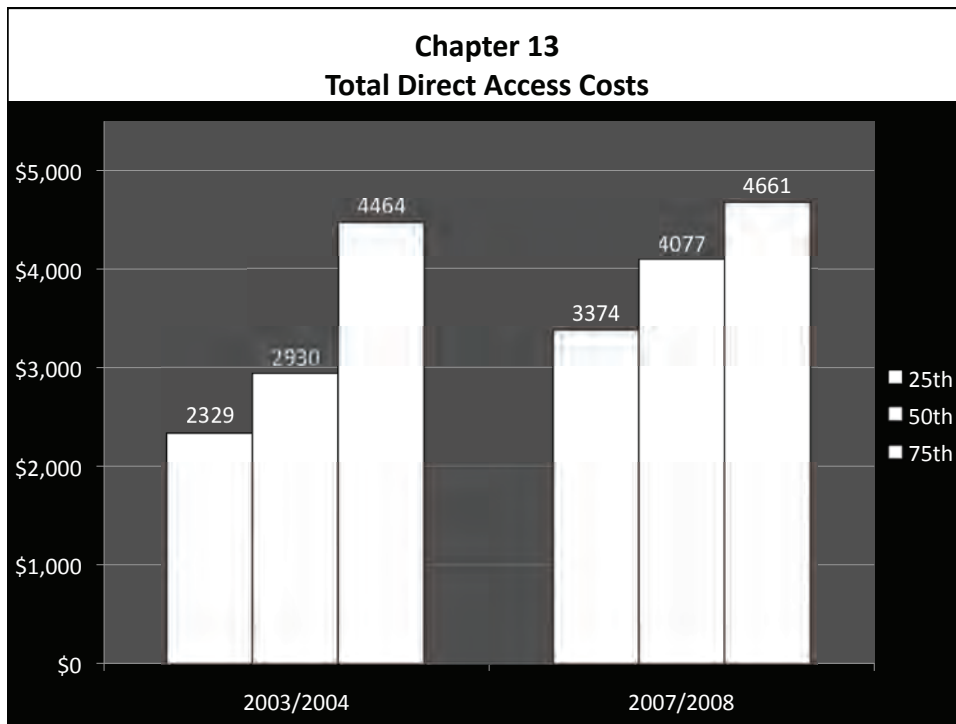
The Costs of BAPCPA: The Consumer Bankruptcy Fee Study

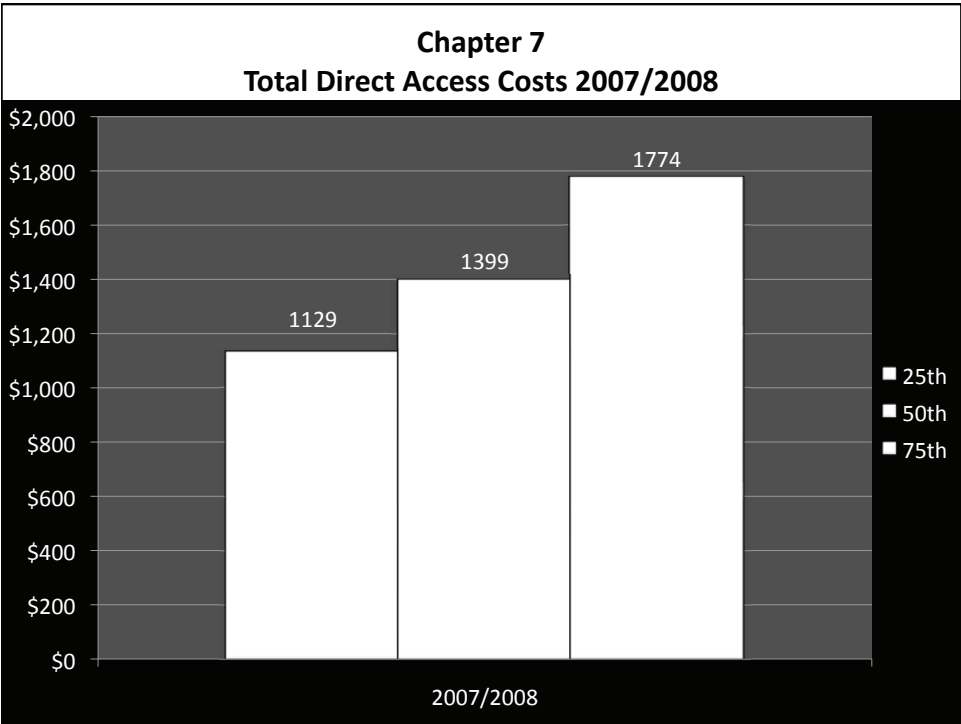
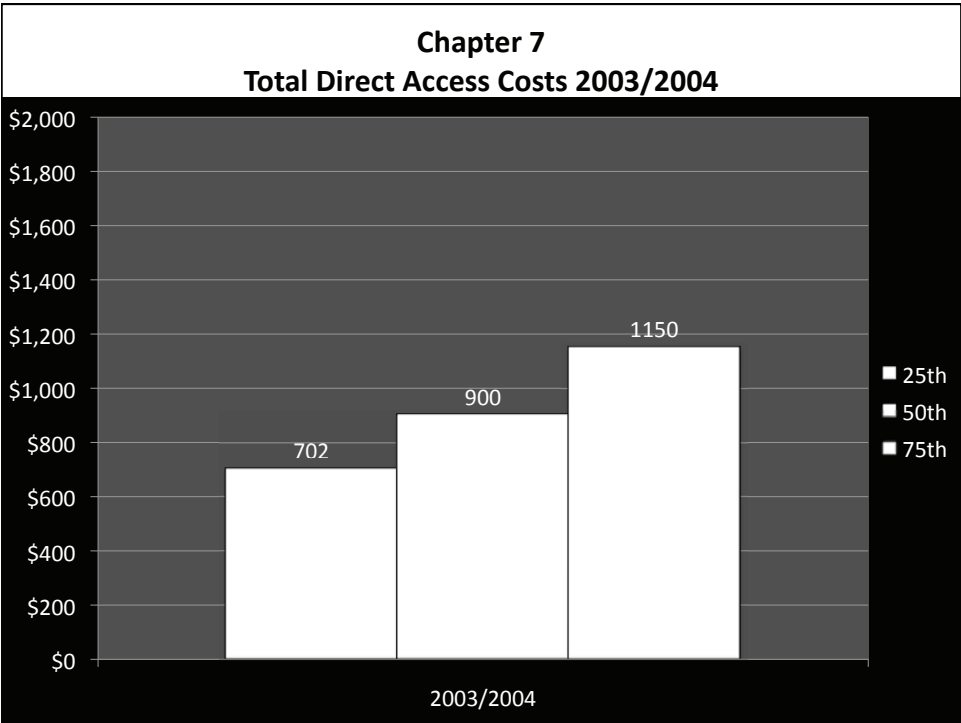
Lois R. Lupica
Principal Investigator
Maine Law Foundation Professor of Law
University of Maine School of Law

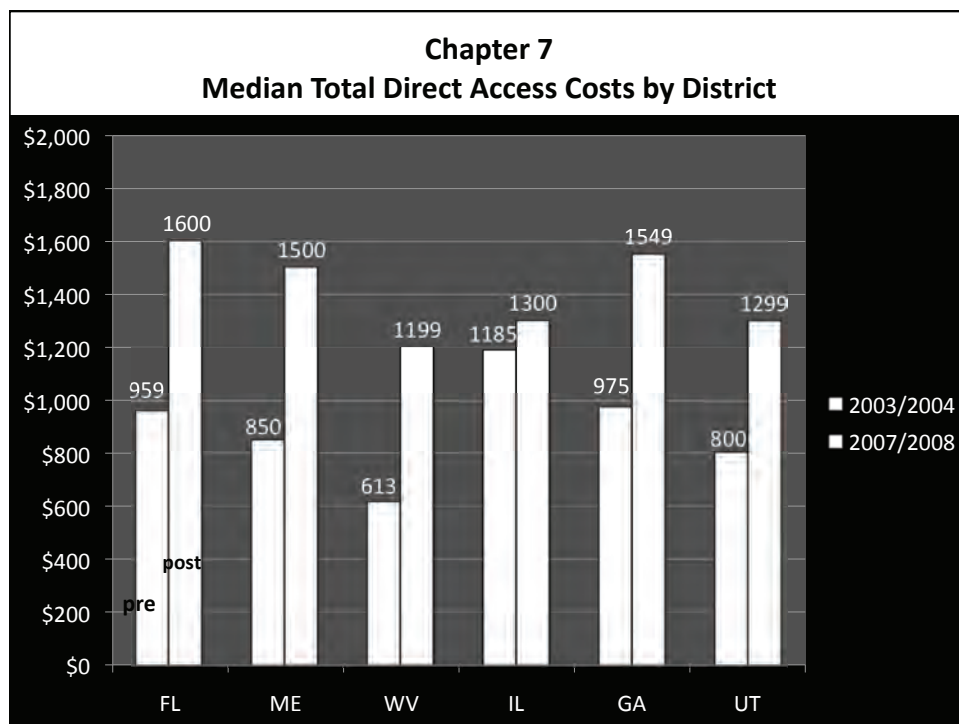
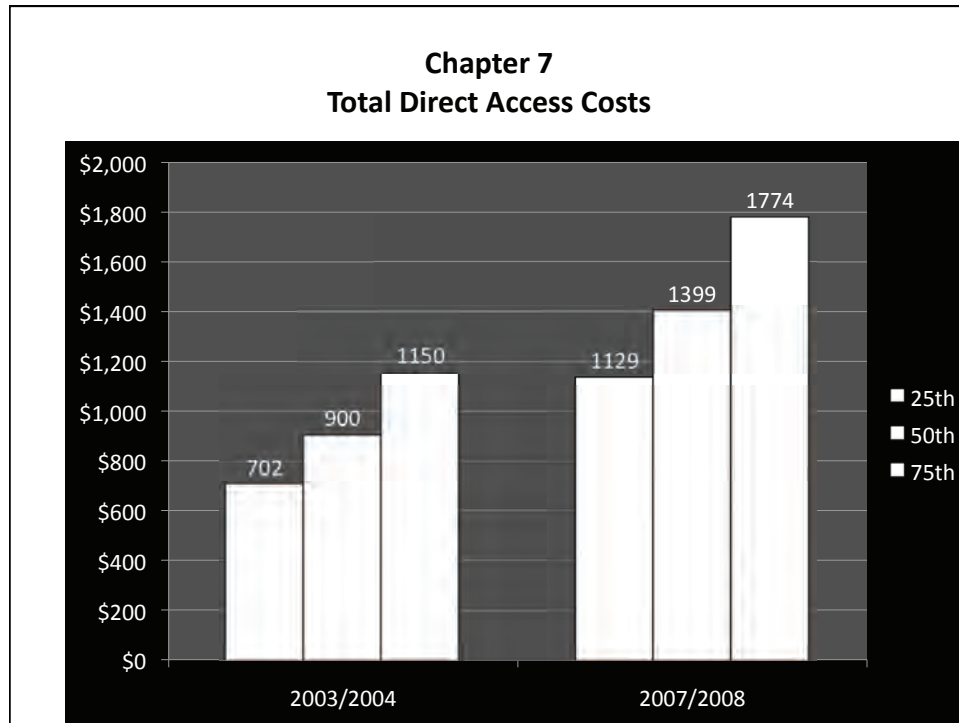
History and Context

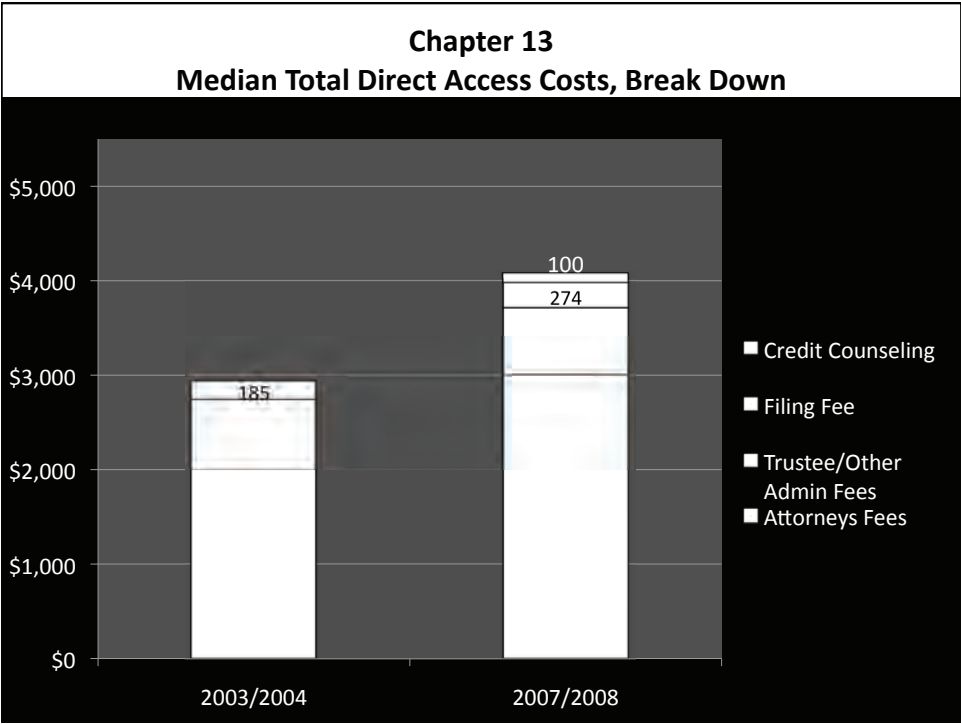
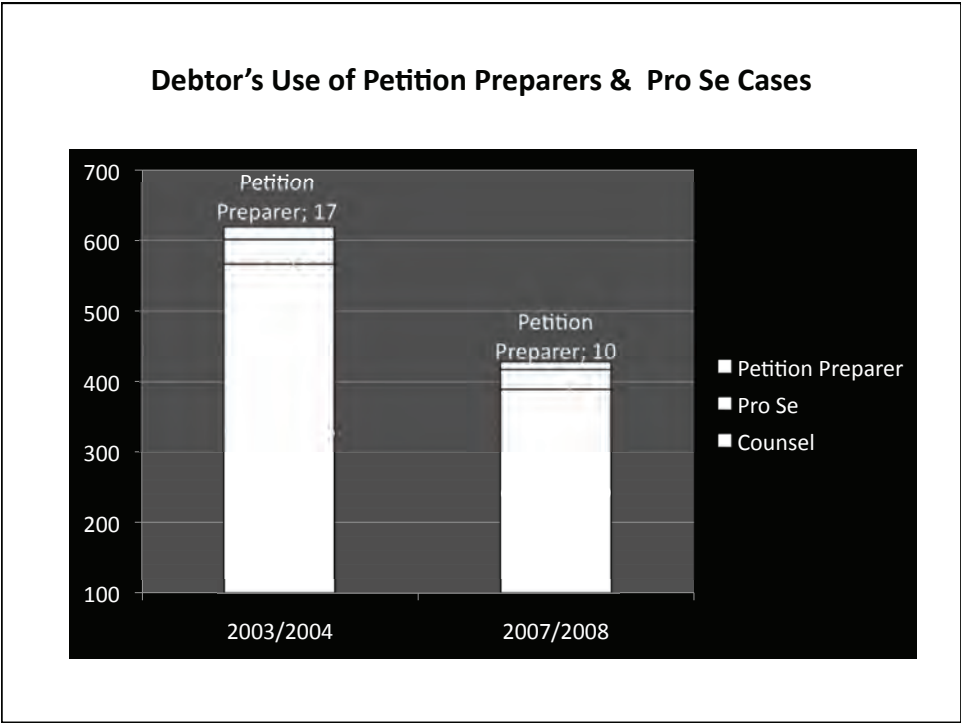


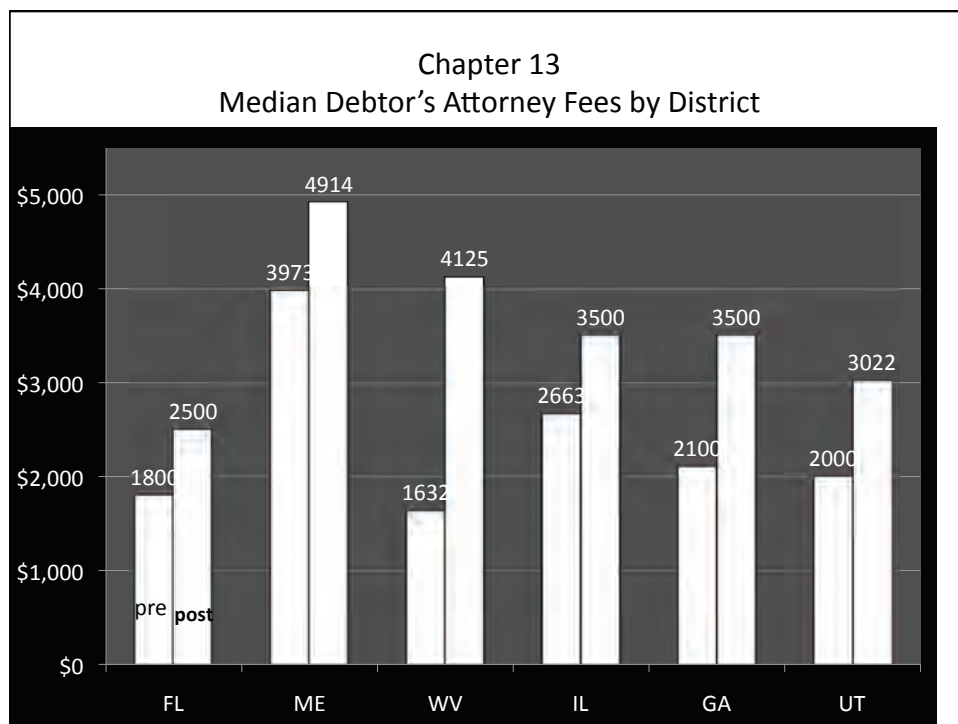
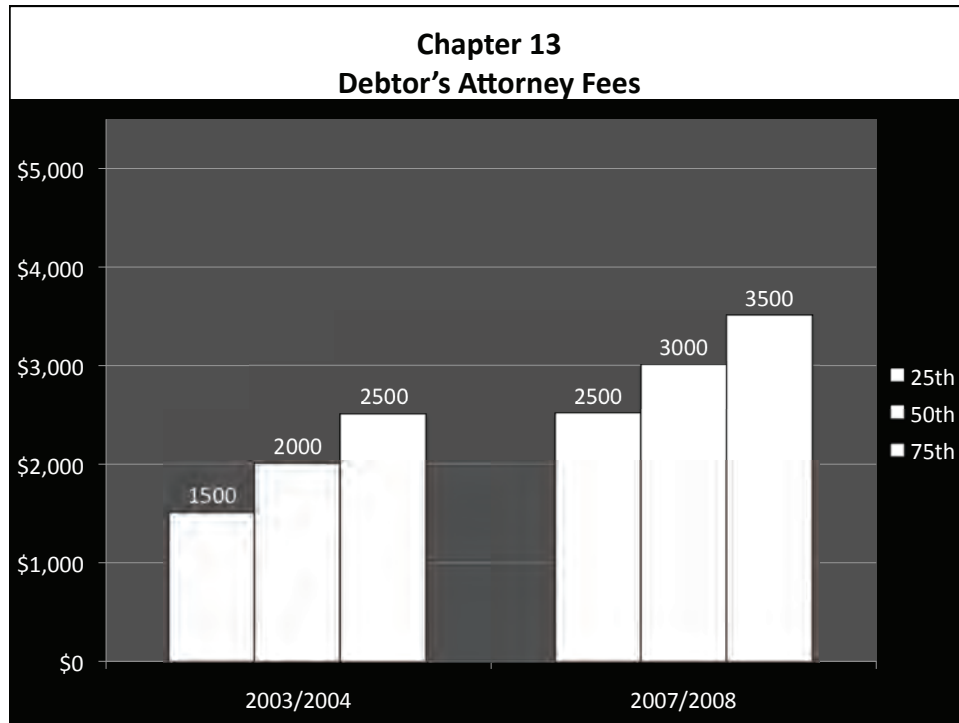


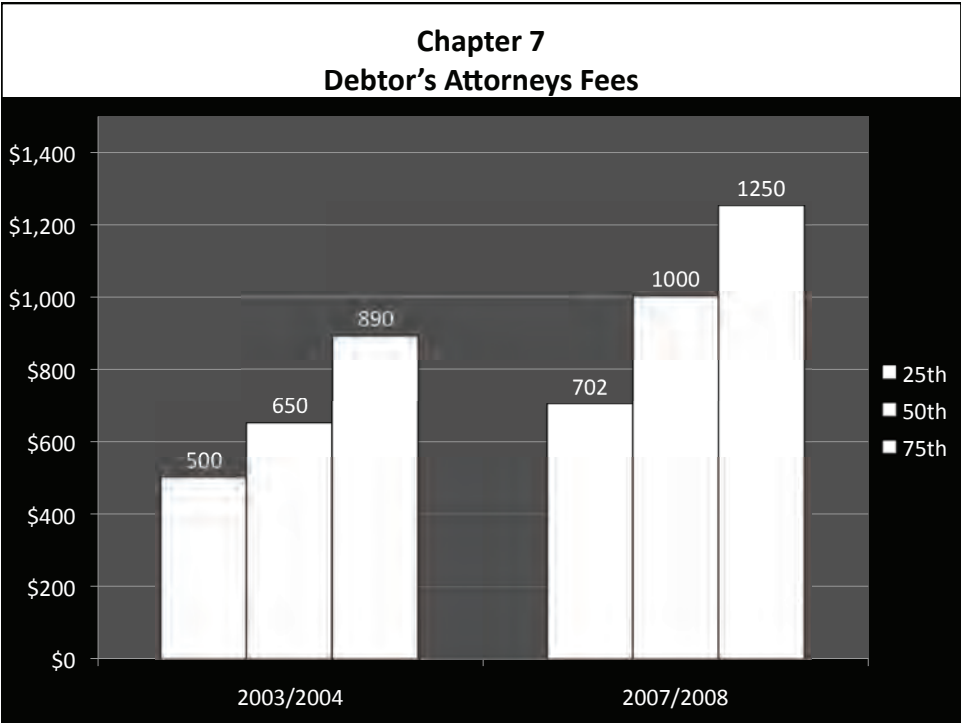
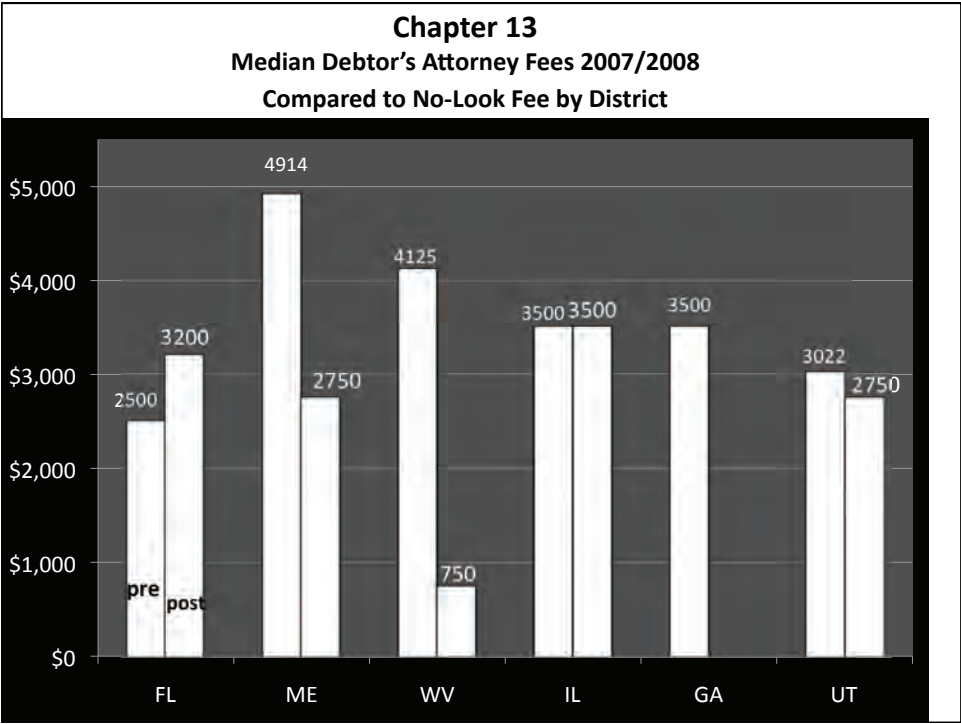


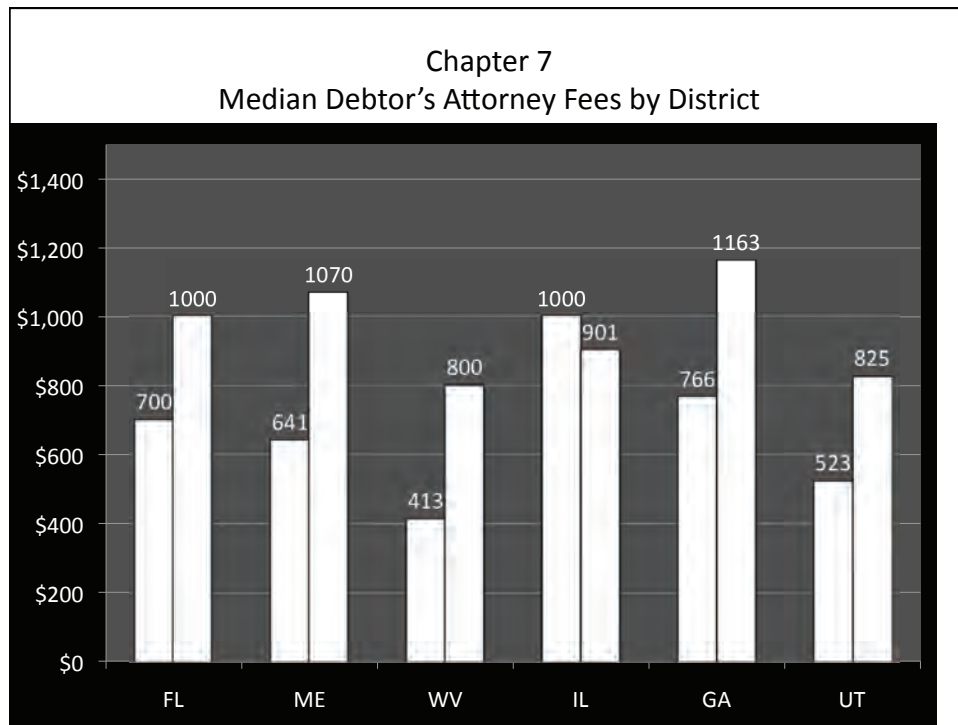




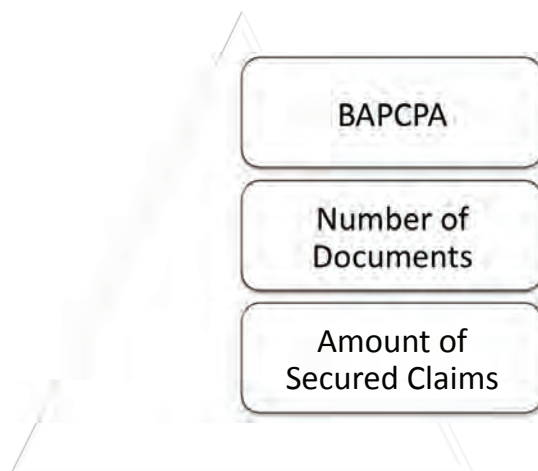




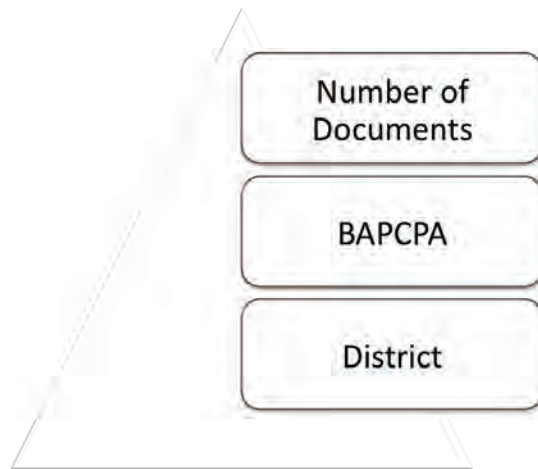




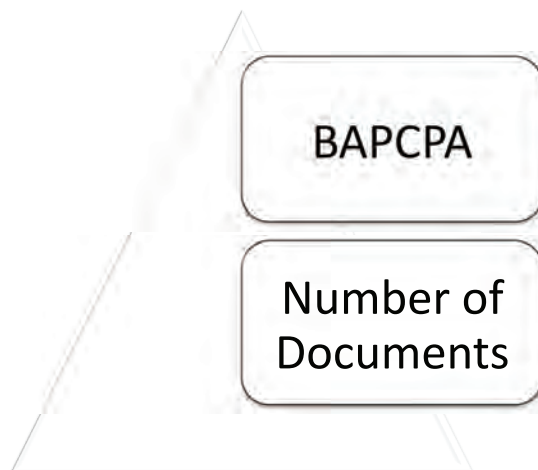
Predictors of Increased Total Direct Access Costs : Chapter 13 Cases



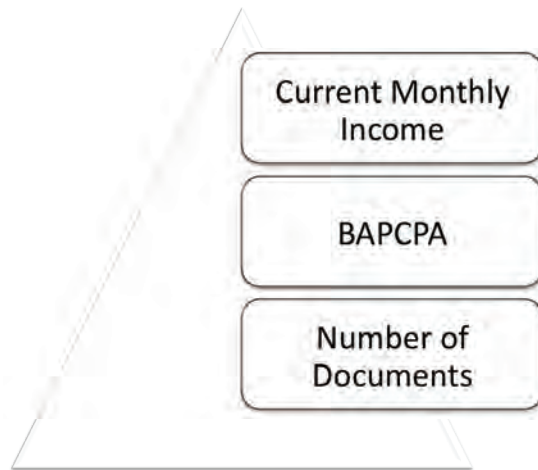
Predictors of Increased Total Direct Access Costs : Chapter 7 Cases



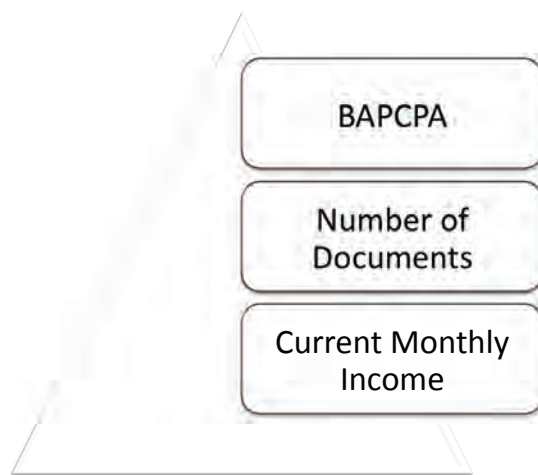
Predictors of Increased Debtor's Attorney Fees: Chapter 13 Cases

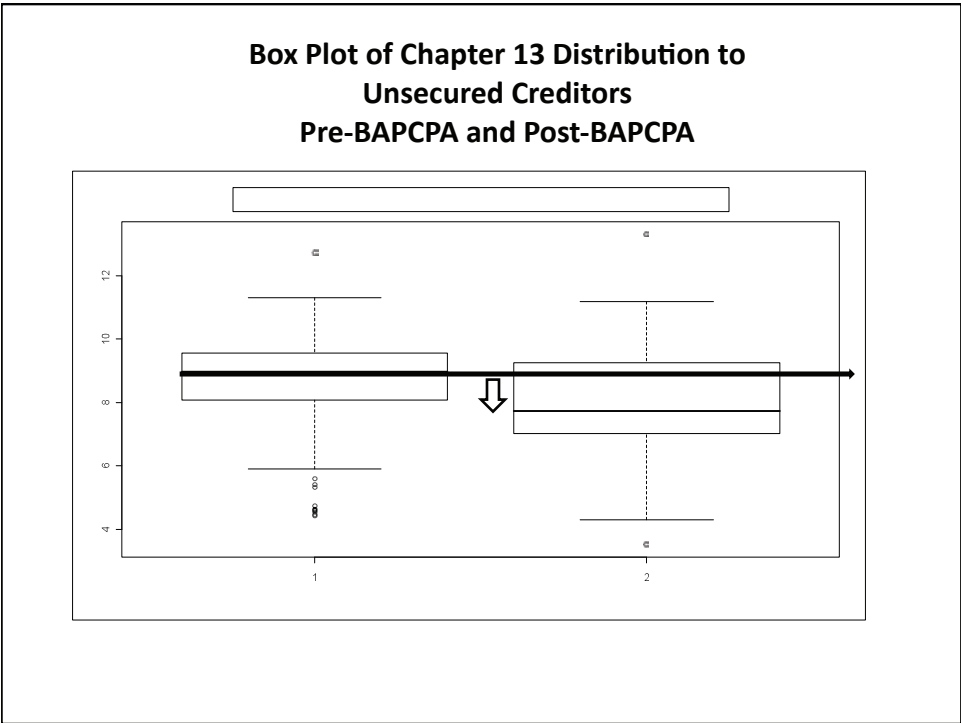
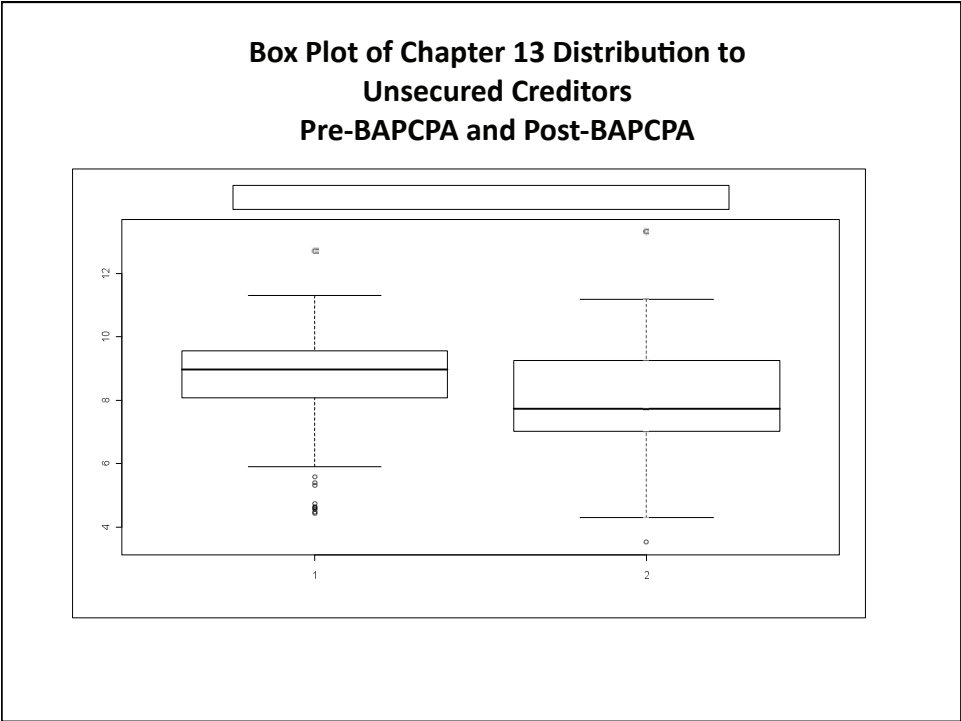


**Predictors of Increased Debtors' Attorney Fees:
Chapter 7 Cases (including no-asset cases)**

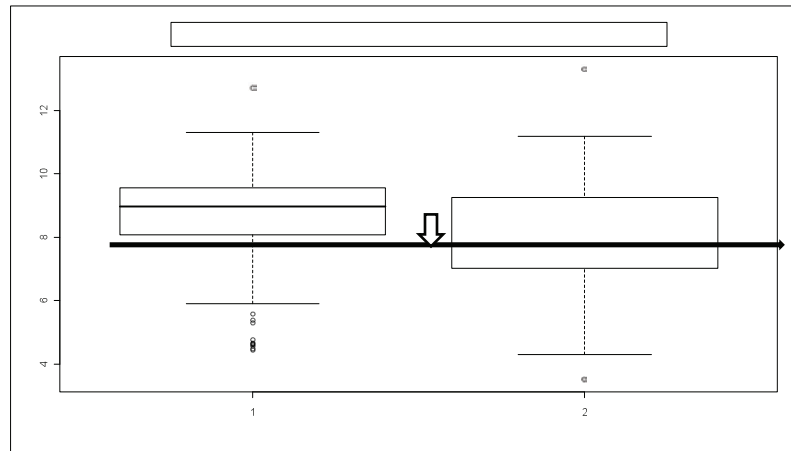


**Predictors of Increased Debtors' Attorney Fees:
Chapter 7 Cases (omitting no-asset cases)**

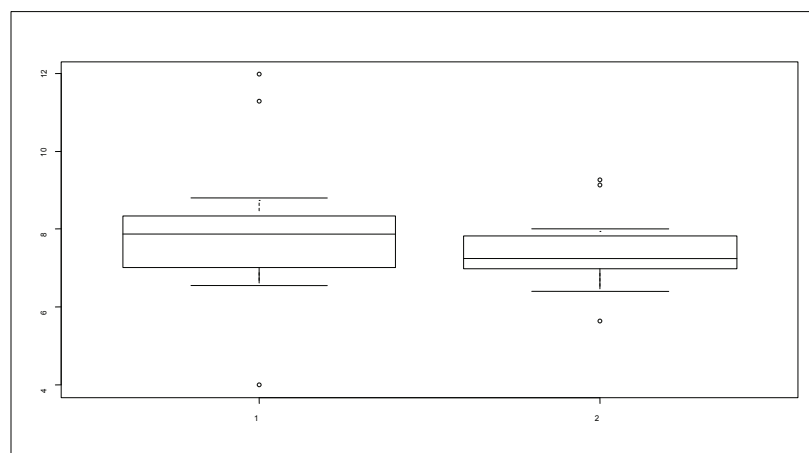


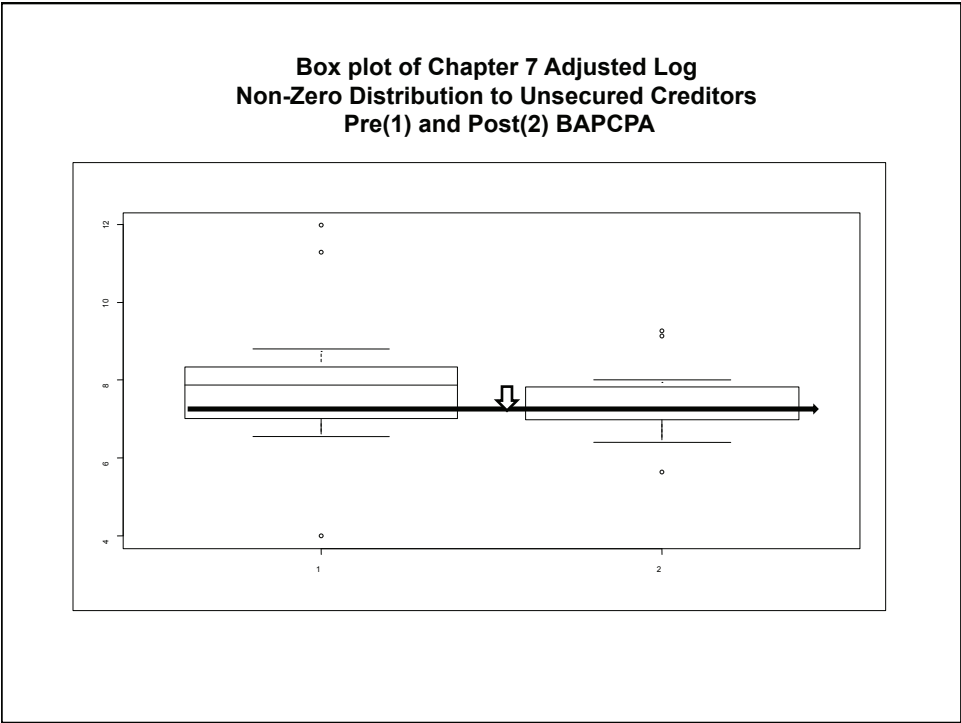
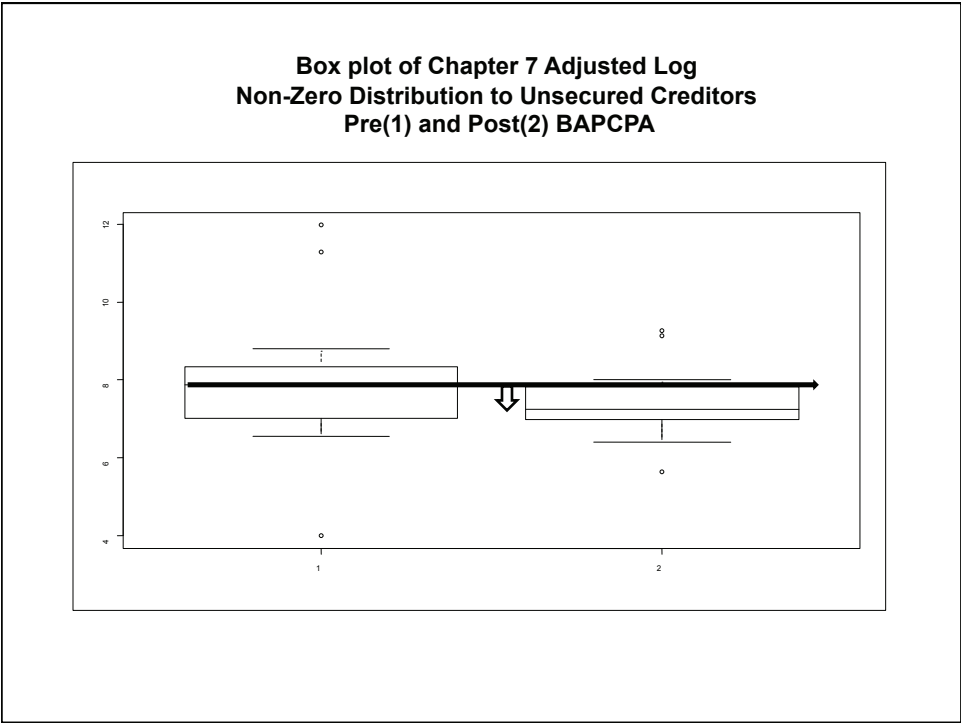


**Box Plot of Chapter 13 Distribution to
Unsecured Creditors
Pre-BAPCPA and Post-BAPCPA**



**Box plot of Chapter 7 Adjusted Log
Non-Zero Distribution to Unsecured Creditors
Pre(1) and Post(2) BAPCPA**



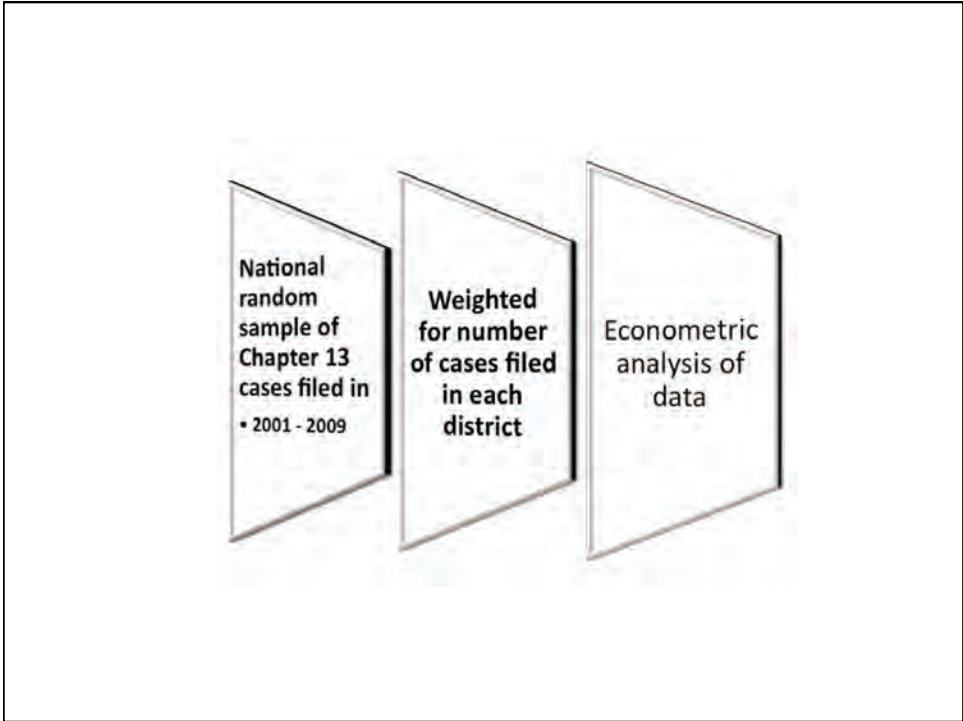
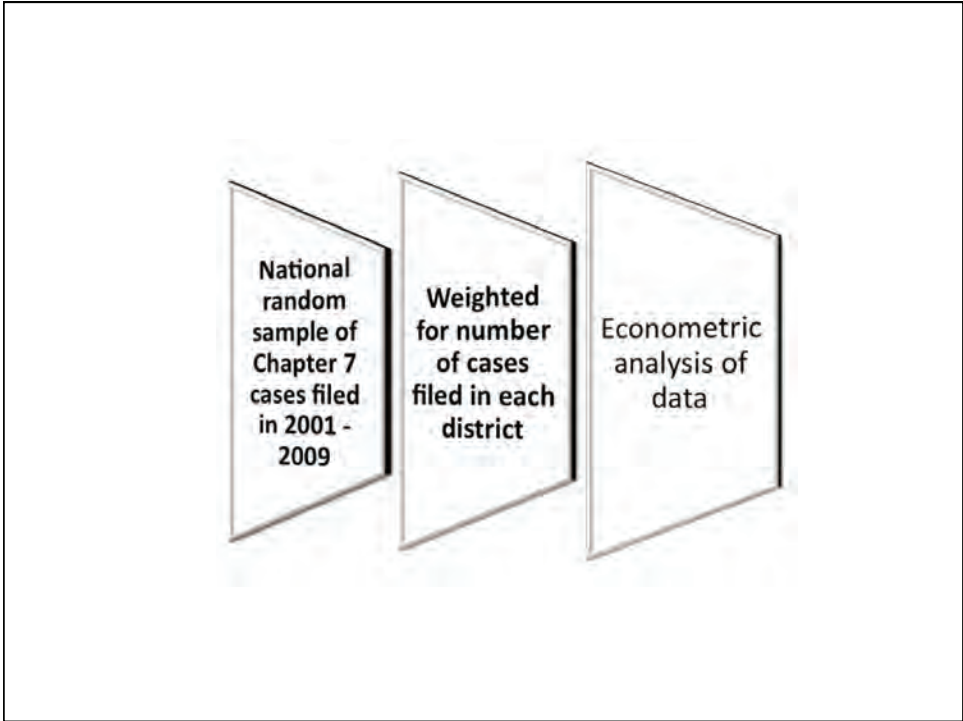


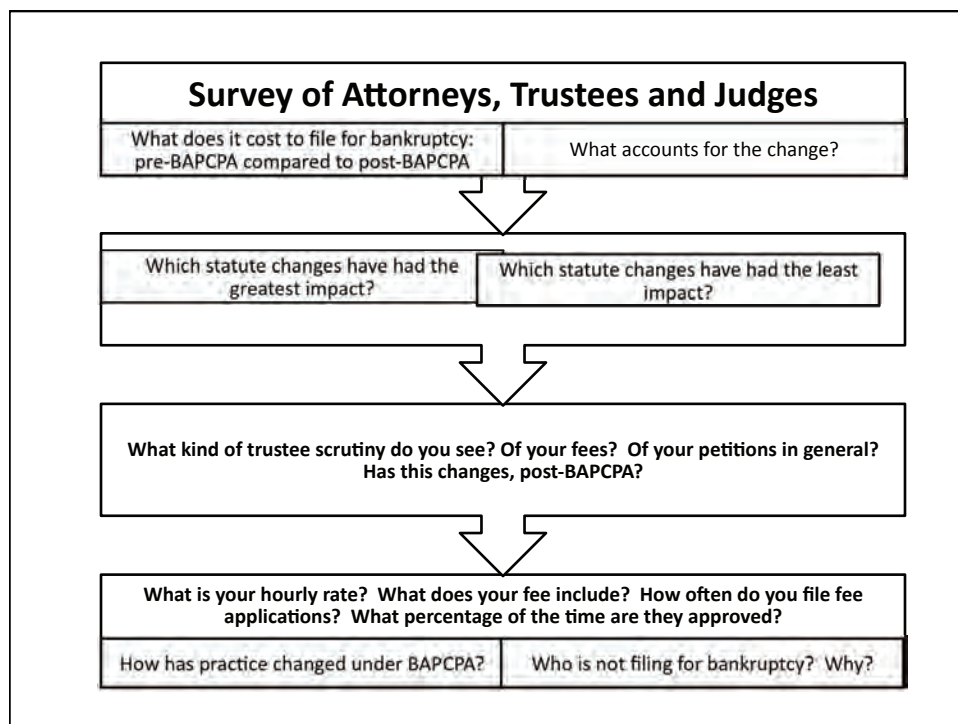
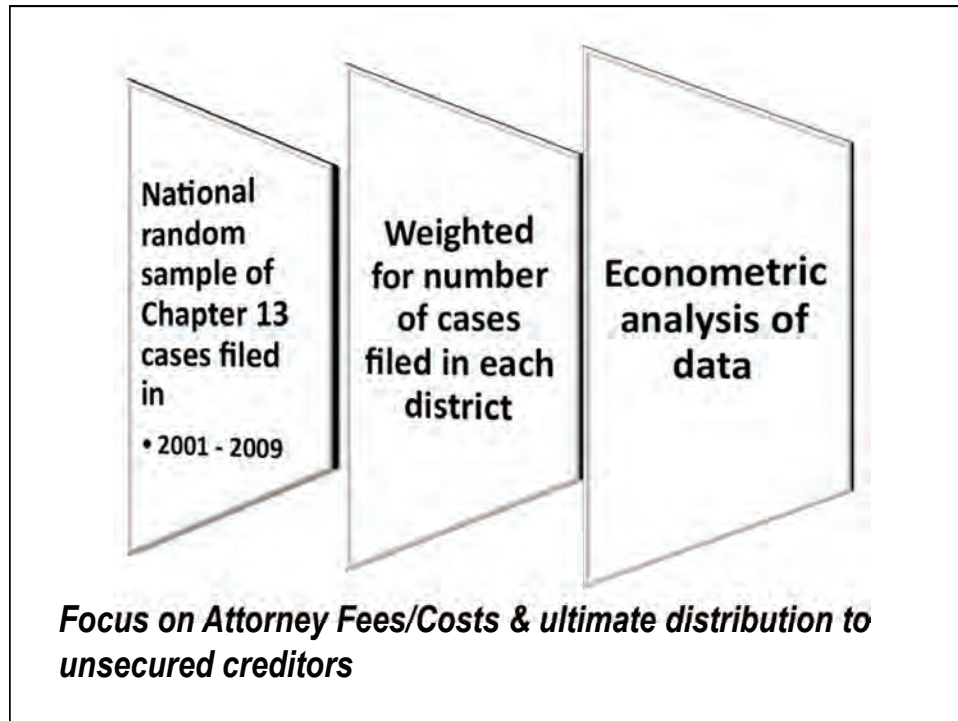
The “National Costs of BAPCPA Study of Consumer Cases”

Sponsored by the American Bankruptcy Institute Anthony N. Snelling Endowment Fund, and the National Conference of Bankruptcy Judges Education Foundation.

Three-pronged study

Quantitative analysis of costs gathered from database of cases filed from 2001 to 2009 Random sample from 90 judicial districts Progress to date: ~7000/~10,000 cases coded	Quantitative analysis of survey results: Four survey populations: (i) Consumer debtors’ attorneys; (ii) Ch. 13 TIBs; (iii) Ch. 7 TIBs; (iv) Bankruptcy Judges Surveys completed. Will be distributed early 2011.	Quantitative and qualitative analysis of focus group data gathered from around of the country: (i) Consumer debtors’ attorneys (9); (ii) Ch.13 TIBs (1); (iii) Ch.7 TIBs (2); (iv) Bankruptcy Judges (1) + individual interviews
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Focus Groups			
Consumer Debtors' Attorneys Boston New England Florida Detroit Nevada Utah California (national pool)	Chapter 7 Trustees (Consumer Practice)	Chapter 13 Trustees	Bankruptcy Judges

Thank you
The American Bankruptcy Institute The Anthony H. N. Snelling Endowment of the American Bankruptcy Institute The National Conference of Bankruptcy Judges Educational Endowment The University of Maine School of Law Lead Research Assistants Bodie Colwell & Claire DeWitte Research Assistants Jonathan McPhee, Brianna Dietrich, Lindsay Laxon, Haley Hall & Colin Morrow Statistical Consultant & Economist Prof. Michael Donihue And all the bankruptcy professionals who have shared their time with me in furtherance of improving bankruptcy law and practice.