

Recent Developments in Debt Collection Litigation and Enforcement: Identifying and Avoiding the Latest Risks

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ACI's 31st National Forum on Consumer Finance Class Actions and Government Enforcement
Chicago, IL

Member **Brian McGrath** (New York City) will co-present "Recent Developments in Debt Collection Litigation and Enforcement: Identifying and Avoiding the Latest Risks" on July 23 during the ACI's 31st National Forum on Consumer Finance Class Actions and Government Enforcement in Chicago, IL.

The presentation will cover the following topics:

- Examining the latest trends in FDCPA litigation: what types of new claims are coming out of the plaintiffs' bar?
- Analyzing the Supreme Court case of *Obduskey vs. McCarthy & Holthus LLP* regarding whether the definition of "debt collector" under the FDCPA includes attorneys who effect non-judicial foreclosures
- Assessing the recent heightened scrutiny of potential FDCPA violations
- Minimizing the risk of exposure to FDCPA claims
- Preparing for and managing actions taken by state attorneys general and federal and state regulatory agencies relating to debt collection processes
- Understanding the labyrinth of requirements stemming from inconsistencies in state licensing and registration requirements, persons subject to collection agency laws, and the scope of the obligations imposed on debt collectors and creditors
- Preparing for the CFPB's new proposed rules under the FDCPA
- How debt collectors can craft their internal compliance and auditing policies and procedures to minimize future litigation
- Understanding and making use of statistics and data related to debt collection litigation

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