



Wednesday, December 7, 2022

Tuition:

- \$245.00 – Creditor Debtor Rights Section Members
- \$275.00 – Standard/Non-Section Members
- \$275.00 – Join the Creditor Debtor Section (\$30) and register at the discounted rate (\$245)

7.00 CLE credits

- L&LP – 6.25
- Ethics – 0.75

Washington State Bar Association

1325 Fourth Avenue, Suite 600
Seattle, WA 98101

In-person and Webcast

*Presented in partnership with the
WSBA Creditor and Debtor
Rights Section*

DESCRIPTION:

Join the Creditor/Debtor Rights section for this year's installment of a helpful and timely program on Liens. Understand some important effects that bankruptcy and the UCC can have on liens and key concepts related to deeds of trust and mortgage. Learn about updates ranging from personal property to construction. Gain tips for writing, perfecting, and effecting liens both for yourself, as practitioner, and for your clients.

COVID-19 VACCINATION/TESTING REQUIREMENTS

All in-person attendees will be required to provide proof of vaccination from COVID-19 plus a booster shot; or provide proof of a negative PCR COVID test within the past 72 hours. Verification of the aforementioned will occur at the event. Requirements are subject to change.

CO-CHAIRS:

Michael M. Sperry – Schweet Linde & Coulson, PLLC, Seattle

Thomas Linde – Schweet Linde & Coulson, PLLC, Seattle

Schedule

8:00 a.m. Webcast Lobby Opens

8:25 a.m. Welcome and Introductions by Program Co-Chair

Michael M. Sperry – Schweet Linde & Coulson, PLLC, Seattle

8:30 a.m. Will Your Lien Survive Bankruptcy?

In this session we will discuss methods bankruptcy can be used to alter or avoid certain pre-bankruptcy liens, and strategies for both debtors and creditors. Included in this discussion is the impact of Washington's recent amendment to the homestead exemption on these long-standing bankruptcy powers, and federal limitations on the same.

Michael M. Sperry – Schweet Linde & Coulson, PLLC, Seattle

9:30 a.m. Attachment and Execution Liens

Liens arising from attachment are those effectuated by a writ of execution on personal property. This session will cover the procedures and logistics of enforcing a judgment against personal property of a debtor with a writ of execution on personal property. Topics will include statutory authority for personal property executions, practical considerations, and pleadings to utilize.

Matt Green – Green & Norwood, Seattle

Elizabeth Norwood – Green & Norwood, Seattle

10:15 a.m. BREAK

10:30 a.m. Construction Liens

Overview of construction liens against private construction projects in the State of Washington, including:

- (1) How construction liens are created.
- (2) How they are perfected.
- (3) Their priority as to other liens and encumbrances.
- (4) How construction liens are foreclosed.

Magnus Andersson – Hanson Baker Ludlow Drumheller PS, Bellevue

11:30 a.m. Tax Liens

This session will be an introduction to Federal and state tax liens. It will cover the creation, perfection, priority, and enforceability of Federal tax liens, both secret and properly noticed. It will also review the rules pertaining to liens held by the Department of Revenue, the Employment Security Department, and the Department of Labor & Industries.

Kenneth Weil – Law Office of Kenneth C. Weil, Issaquah

12:15 p.m. LUNCH

1:00 p.m. Liens Under Article 9 of the Uniform Commercial Code

We will discuss the methods for creating and perfecting a security interest in personal property. We will explore enforcement options and limits under the UCC. We will also review the rules governing the priority of security interests.

Amit Ranade – Snell & Wilmer LLP, Bellevue

2:00 p.m. Foreclosure of Deeds of Trust: Judicial or Non-Judicial?

This session will address issues relating to whether a judicial v. non-judicial foreclosure should be pursued. Issues to be presented relate to whether a workout is preferable, the preservation of deficiencies, redemption issues and the impact of Washington's receivership statute on the foreclosure process.

Thomas S. Linde – Schweet Linde & Coulson, PLLC, Seattle

3:00 p.m. BREAK

(schedule continued next page)

(schedule continued from previous page)

3:15 p.m. Attorney's Liens

Washington attorney's lien statute largely dates back to territorial days before statehood. It's ambiguous, incomplete, and confusing, and virtually silent on judicial mechanisms for enforcement. Lien procedures may not only render an attorney's lien unenforceable; they may even result in disciplinary action. This section of the lien seminar flags those ethical perils and provides practical tips on how to use the statute to secure and collect your fees.

Arthur J. Lachman - Attorney at Law, Lake Forest Park

4:00 p.m. Liens on Intangible Property

This presentation covers security interests in the personal property collateral categories of general intangibles and investment property and methods of perfection of those security interests. General intangibles in this presentation will include intellectual property, such as patents, copyrights, and trademarks. But we will also explore the overlap of other general intangibles, such as partnership and limited liability company interests, with investment property, and the emerging area of cryptocurrency and non-fungible tokens. Perfection is usually effected by filing a financing statement with the Department of Licensing, but other locations or modes of perfection may be necessary or of higher priority.

John Knapp - Miller Nash LLP, Seattle

4:45 p.m. Complete online evaluations • Adjourn

REGISTRATION

Please fill out the registration form and mail to WSBA seven business days prior to the program. To register online, go to www.wsba.org and enter 23357 in the search box. For your security, do not email or fax credit card information.

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- #23357 WEB, attend via webcast, 12/7/22
o \$245.00 - Creditor Debtor Rights Section Members
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- #23357 SEA, attend in Seattle, 12/7/22
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o \$275.00 - Standard/Non-Section Members
o \$275.00 - Join the Creditor Debtor Section (\$30 and register at the discounted rate (\$245)

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Registrations received less than 48 hours before a seminar are not guaranteed a coursebook or other presentation materials on-site.

MAIL: Washington State Bar Association, 1325 Fourth Ave, Suite 600, Seattle, WA 98101-2539

INTERNET: Register online at www.wsba.org Order products online at www.mywsba.org.

PHONE: 800-945-9722 or 206-443-9722 with credit card and registration/order form in hand.

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REFUNDS: Registration fees may be refunded, less \$25 for handling, for written cancellations postmarked or emailed by 5 p.m., up to 3 business days before the seminar. No refunds after that date, but you will receive the coursebook. Canceled registrations may not be transferred to other seminars. You may send a substitute (e.g., someone from your firm) in lieu of canceling.