

## AREAS OF EXPERTISE

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Bankruptcy and debtor-creditor law, commercial law, financial distress of American families, consumer law, credit and debt collection markets, credit reporting, student loans, the Consumer Financial Protection Bureau, access to civil justice, randomized control trials in law, and empirical analysis of law.

## ACADEMIC APPOINTMENTS

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### University of Connecticut School of Law, Hartford, CT

*Associate Professor of Law and Jeremy Bentham Scholar*, 2011-present

- Courses Taught: Contracts, Bankruptcy and Debtor-Creditor Law, Consumer Law: Debt Collection, Consumer Bankruptcy Seminar.
- Future Courses: Secured Transactions, Modern Consumer Law.

## PUBLICATIONS AND WORKS IN PROGRESS

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- *Ending Perpetual Debts* (in progress).
- *Thinking Like a Non-Lawyer* (with D. James Greiner and Lois R. Lupica) (in progress).
- *Lessons from Bankruptcy Reform in the Private Student Loan Market* (with Alexei Alexandrov), forthcoming in *HARVARD LAW & POLICY REVIEW* (Fall 2016).
- *Self-Help, Reimagined* (with D. James Greiner and Lois R. Lupica), forthcoming in *INDIANA LAW JOURNAL* (Spring 2017), available at <http://papers.ssrn.com/abstract=2633032>.
- *Engaging Financially Distressed Consumers*, 26 *COMMUNITIES & BANKING* 23 (Summer 2015) (with D. James Greiner and Lois R. Lupica).
- *Dirty Debts Sold Dirt Cheap*, 52 *HARV. J. ON LEGIS.* 41 (2015).
- *Reforming Preference Law*, 100 *IOWA L. REV. BULLETIN* 41 (2015).
- *Private Student Loans and Bankruptcy: Did Four-Year Undergraduates Benefit from the Increased Collectability of Student Loans?* in *STUDENT LOANS AND THE DYNAMICS OF DEBT*, KEVIN HOLLENBECK AND BRAD HERSHBEIN, EDS. (UPJOHN PRESS 2015) (with Xiaoling Ang).
- *ABI Chapter 11 Survey Results*, 33 *AM. BANKR. INST. J.* 10 (July 2014).
- *Improving the Lives of Individuals in Financial Distress Using a Randomized Control Trial: A Research and Clinical Approach*, 20 *GEO. J. ON POVERTY L. & POL'Y* 449 (2013) (with D. James Greiner, Lois R. Lupica, and Rebecca L. Sandefur).
- *The Distribution of Assets in Consumer Chapter 7 Bankruptcy Cases*, 83 *AM. BANKR. L. J.* 795 (2009) (peer reviewed) (received the 2009 Judge John R. Brown Award for Excellence in Legal Writing, and a \$10,000 prize).

## ORIGINAL EMPIRICAL PROJECTS

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- **Financial Distress Research Project (ongoing):** Randomized control trial of individuals who have been sued on at least one credit card collection case to evaluate effectiveness of (1) an offer of a lawyer, (2) an offer of an incentive to undergo financial counseling of the type required in bankruptcy (pre-discharge counseling), and (3) a combination of (1) and (2) on

the individual's financial health (e.g., credit scores and credit reports) and other outcomes. Co-Principal Investigator with D. James Greiner (Harvard Law School) and Lois R. Lupica (Maine Law School). Study will involve between approximately 1,200 participants. We have raised over \$1.4 million in direct and indirect costs to fund project.

- **The Problem of Default, Part 2 (ongoing):** This randomized control study will test the effectiveness of low-cost mailings to decrease default rates in debt collection cases. The mailings incorporate learnings from psychology, public health, adult education, and other literatures and attempt to address what psychological barriers to responding to the lawsuit. Co-PI with D. James Greiner (Harvard Law School), Andrea Matthews (Consumer Financial Protection Bureau), and Roseanna Sommers (Yale University).
- **The Canadian Financial Distress Research Project (ongoing):** This randomized control trial aims to replicate the research of the Financial Distress Research Project (FDRP) in the Canadian context. Similar to the FDRP, the aim is to find out what works to help individuals in financial distress. We will build upon the FDRP's self-help materials, translating them for a web-based system, and compare them with the current level of help that financially distressed individuals in Canada can access. We are currently applying for funding to the Social Sciences and Humanities Research Council in Canada). Co-PI with Stephanie Ben-Ishai<sup>1</sup> and Saul Schwartz<sup>2</sup>
- **Studying Consumers Who Have Non-Exempt Assets in Bankruptcy (completed):** Examined over 2,500 randomly sampled bankruptcy cases to find the number of consumer Chapter 7 bankruptcy cases that had non-exempt assets. Coded subsample of asset cases for over 40 variables.

## GRANTS AWARDED

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- Laura and John Arnold Foundation to support the Consumer Financial Distress Research Project (2016) (\$567,896).
- Abdul Latif Jameel Poverty Action Lab (J-PAL) to support the Consumer Financial Distress Research Project (2016) (\$75,000).
- American Bankruptcy Institute Foundation to support the Consumer Financial Distress Research Project (2015) (\$249,500).
- Sears Fund (administered by the National Association of Attorneys General) to support the Consumer Financial Distress Research Project (2015) (\$25,000).
- National Science Foundation Law & Social Sciences to support the Consumer Financial Distress Research Project (2014) (\$430,511).
- National Conference of Bankruptcy Judges Endowment for Education to support the Consumer Financial Distress Research Project (2014) (\$26,395).
- American Bankruptcy Institute Foundation to support the Consumer Financial Distress Research Project (2013) (\$14,400).
- Edmond J. Safra Center for Ethics to support the Consumer Financial Distress Research Project (2013) (\$47,892).

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<sup>1</sup> Professor of Law, Osgoode Hall Law School

<sup>2</sup> Professor, School of Public Policy & Administration, Carleton University

## HONORS/DISTINCTIONS

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- Affiliated Faculty, Access to Justice Lab at Harvard Law School (2016—present).
- Affiliated Faculty, Harvard Law School Center on the Legal Profession (2013—present).
- National Conference of Bankruptcy Judges / American Bankruptcy Law Journal Fellow (2013).
- Law & Society Early Career Workshop invitee (2013).
- Recipient, Judge John R. Brown Award for Excellence in Legal Writing (2010).

## SCHOLARLY PRESENTATIONS (SELECTED)

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- (upcoming) “Higher Education, Finance, and Student Debt,” Association of American Law Schools Section on Socio-Economics (San Francisco, CA, Jan. 5, 2017)
- (upcoming) “New Directions in Access to Justice Research – Measuring Outcomes,” Association of American Law Schools (San Francisco, CA, Jan. 5, 2017).
- (upcoming) “Ending Perpetual Debts,” University of North Carolina School of Law Faculty Workshop (Chapel Hill, NC, Nov. 10, 2016)
- “Ending Perpetual Debts,” Law & Society Annual Meeting (New Orleans, LA May 31, 2016).
- “Ending Perpetual Debts,” discussed at “The Ethics of Bankruptcy” faculty colloquia at Georgetown University (Washington, DC, April 1, 2016).
- “Automatic Bankruptcy” faculty workshop presentation at the University of Illinois Law School (Urbana-Champaign, IL, Oct. 15, 2015).
- “Buying Claims in Consumer Cases,” National Conference of Bankruptcy Judges 89th Annual Conference (Miami, FL, Sept. 29, 2015).
- Association of Professors of Political Economy and the Law Conference on Higher Education Finance (Buffalo, NY, June 2015).
- “Automatic Bankruptcy,” Law & Society Association Annual Conference, presenter (Seattle, WA, May 2015).
- “Undue Hardship: An Analysis of Student Loan Debt Discharge in Bankruptcy,” Emory Bankruptcy Developments Journal Symposium (Atlanta, GA, Feb. 26, 2015).
- “Emerging Scholars in Commercial and Consumer Law,” Association of American Law Schools Section on Commercial and Related Consumer Law (Washington, DC, Jan. 2-5, 2015).
- “The Next Generation of Bankruptcy Reform,” Association of American Law Schools Section on Creditors’ and Debtors’ Rights (Washington, DC, Jan. 2-5, 2015).
- “Extreme Empirical Methods” panel, Association of American Law Schools Section on Law & Social Sciences (Washington, DC, Jan. 2-5, 2015).
- “Lay Deployment of Professional Legal Knowledge,” American Bankruptcy Institute / Brooklyn Law School Junior Bankruptcy Scholars Conference (New York, NY, Nov. 20-21, 2014).
- Law & Society Association Annual Conference, presenter, session chair, and discussant in panels relating to Household Debt & Insolvency and Access to Justice (Minneapolis, MN, May 29-June 1, 2014).
- “Effect of BAPCPA on Community College v. For-Profit College Loans,” Suffolk Student Loans Conference, invited from Call for Papers (Boston, MA, April 11-12, 2014).

- Presented at multiple conferences: “Private Student Loans and BAPCPA: Did Consumers Benefit from Increased Collectability of Student Loans?”
  - Conference on Empirical Legal Studies (Philadelphia, PA, Oct. 25-26, 2013) (with Xiaoling Ang).
  - W.E. Upjohn Institute, Spencer Foundation, and Ford School Conference on Student Loans (Ann Arbor, MI, Oct. 24-25, 2013) (with Xiaoling Ang).
  - Midwest Law & Economics Conference (Champaign, IL, Oct. 10-11, 2013) (with Xiaoling Ang).
- Presented at multiple conferences: “Dirty Debts Sold Dirt Cheap” (formerly titled “Evidence of Illegality in Consumer Debt Purchasing Contracts”)
  - Law & Society Annual Conference (Boston, MA, May 30, 2013).
  - UConn Law Junior Scholars Conference (Hartford, CT, June 14, 2013).
- “Success of Finance Companies in Bankruptcy,” LoPucki UCLA Bankruptcy Success Modeling Conference, invited presentation of empirical research-in-progress on commercial bankruptcy success (Los Angeles, CA, Feb. 15, 2013).
- “The Resurgence of Consumer Financial Protection,” commentator on presentation by Professor Patricia A. McCoy, Society of Socio-Economists Annual Conference: 25 Years of Banking Regulation – Socio-Economics Perspectives (New Orleans, LA, Jan. 4, 2013).
- “Learning to Use the Randomized Control Trial Method, by Example: An RCT Testing What Works for Individuals in Financial Distress and an Investigation into the Debt Collection System,” Association of American Law Schools (AALS) Joint Session panel on the Debt Crisis, Poverty Law & Clinical Legal Education sections, invited presenter selected from the Call for Papers (New Orleans, LA, Jan. 5, 2013).
- Presented at multiple venues: “Improving the Lives of Individuals in Financial Distress: A Randomized Control Trial To Determine What Works, And an Investigation into the Debt Collection Industry.”
  - Federal Trade Commission Division of Financial Practices (Washington, DC, Oct. 4, 2012).
  - Consumer Financial Protection Bureau (Washington, DC, Oct. 4, 2012).
  - Access to Civil Justice Conference, poster presentation (Chicago, IL, Dec. 7, 2012).

#### SERVICE TO ACADEMY / PUBLIC (SELECTED)

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- “Occasional Blogger,” Credit Slips blog, [www.creditslips.org](http://www.creditslips.org), (Jan. 2014—present).
- Co-Chair, Law & Society Association’s Collaborative Research Network on Household Finance (2014—present).
- Secretary/Treasurer, Section on Law & Social Sciences, American Association of Law Schools (2013-16).
- Workshop on Federal Court Data funded by the National Science Foundation, closed session, invited participant (Philadelphia, IL, Oct. 8-9, 2015).
- Executive Committee, Section on Commercial and Related Consumer Law, American Association of Law Schools (2013-16).
- Access to Civil Justice: Re-Envisioning and Reinvigorating Research Workshop funded by National Science Foundation Law & Social Sciences Program, closed session, invited participant (Chicago, IL, Dec. 7-8, 2012).

## SERVICE TO GOVERNMENT (SELECTED)

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- Selected to participate in invitation-only “Convening on Student Loan Data Conference” at the Federal Reserve Bank of New York (New York, Mar. 4, 2015).
- Invited to private roundtable discussion on student loans with Deputy Secretary of the Treasury Sarah Raskin (Washington, DC, June 3, 2014).
- Comment Letter with Patricia McCoy to Consumer Financial Protection Bureau’s Advanced Notice of Proposed Rulemaking in Debt Collection (Feb. 28, 2014).
- Consumer Financial Protection Bureau Hearing on Debt Collection, invited panelist (Portland, ME, July 10, 2013). Available at: <http://www.consumerfinance.gov/blog/live-from-portland-maine/>.
- Consumer Financial Protection Bureau / Federal Trade Commission “Life of a Debt” closed session, invited participant (Washington, DC, June 7, 2013).

## SERVICE TO LEGAL PRACTICE AND PROFESSIONAL COMMUNITIES (SELECTED)

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- Advisor, UpSolve (non-profit startup that helps low-income individuals file bankruptcy for free) (2016—present), [www.upsolve.org](http://www.upsolve.org)
- Invited panelist at “Student Debt Crisis: Issues and Solutions,” Boston College symposium (Boston, MA Mar. 17, 2015).
- Invited panelist at “Eliminating Debt and Combating Poverty” at American Bar Association’s Midyear Meeting (Houston, TX, Feb. 6, 2015).
- Invited panelist at “Consumer Debt Buying and UDAAP: Point/Counter-point” at Debt Buyer’s Association Annual Meeting (Las Vegas, NV, Feb. 4, 2015).
- Invited participant at Roundtable Discussion of Collection Professionals and Consumer Advocates, Consumer Relations Consortium (Washington, DC, July 31, 2014).
- Invited panelist at “Assisting Consumers in Debt Collection Cases,” American Bar Association / National Legal Aid & Defender Equal Justice Conference (Portland, OR, May 1-3, 2014).
- Invited panelist at panel: “A discussion about Common Ground with Consumer Advocates,” insideARM Large Market Participant Forum (Washington, DC, Jan. 23-24, 2014).
- Invited panelist at “Debt Buying: The Players, The Profits, and The Predators,” Louisiana State Bar Association, Consumer-Mortgage Law: The Players, Procedures, Practices, and Pitfalls seminar (New Orleans, LA, Nov. 15, 2013).
- Invited panelist at “The Evolving Debt Collection State and Federal Legal and Regulatory Landscape: Emerging Change,” Financial Services Collections & Credit Risk Conference (Chicago, IL, Oct. 21-23, 2013).

## INTERVIEW AND MEDIA APPEARANCES (SELECTED)

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- ABA JOURNAL, *Question of the Week* (Aug. 31, 2016).
- NBC CONNECTICUT NEWS, *Bankruptcy for Hartford Considered Final Option* (Aug. 29, 2016).
- NPR MARKETPLACE TECH WITH BEN BROCK JOHNSON, *Comcast Lawsuit* (Aug. 9, 2016).
- BLOOMBERG LAW RADIO SHOW WITH JUNE GRASSO, *Spokeo Supreme Court Case* (Nov. 5, 2015).

- BLOOMBERG BNA, *Debt-Buyers Face Many Land Mines, Panelists Say* (Sep. 30, 2015).
- WALL STREET J., *Federal Lawmakers Propose Credit Reporting Changes* (Jul. 27, 2015).
- BLOOMBERG BNA BANKING DAILY BULLETIN, *Citibank to Pay \$770 Million on Card Claims As \$35M CFPB Penalty Called Largest So Far* (June 2015).
- NBC CONNECTICUT TROUBLESHOOTERS, *Old Debt Can Take a Chunk Out of Your Paycheck* (May 14, 2015).
- WALL STREET J., *Major Banks to Delete Records for Some Borrowers Who Filed For Bankruptcy* (May 13, 2015).
- INSIDEARM, *Consumer Advocate Wants to End Debt Sales with Warranty Disclaimers* (March 6, 2015).
- BLOOMBERG LAW RADIO SHOW, *Skiplagged Lawsuit* (Nov. 11, 2014).
- FORBES, *CFPB's Loan Report Attacks Lenders Rather Than Empowering Students* (Oct. 21, 2014).
- THE MOTLEY FOOL, *We All Lose Under Current Student Loan Bankruptcy Rules* (Sep. 28, 2014).
- BLOOMBERG LAW RADIO SHOW WITH JUNE GRASSO, *CFPB Focused on Debt Collection Law Firms* (Aug. 14, 2014).
- BLOOMBERG NEWS, *Firm Suing 270 Debtors Daily Accused of High Speed Errors* (Aug. 8, 2014).
- DAILY HAMPSHIRE GAZETTE, *Debtor's Jail? South Hadley Man Describes Day He Was Jailed in Dispute Over \$508* (Jul. 18, 2014).
- BOSTON GLOBE, *Law, Empathy at Issue in Jailing of Debtor* (Jul. 2, 2014).
- AMERICAN BANKER, *Complaint Data Key to CFPB Scrutiny of Debt Collectors* (Jul. 10, 2013).

## EDUCATION

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### **Harvard Law School**

J.D., *cum laude*, June 2009

Honors:

- American Bankruptcy Institute Award for Outstanding Bankruptcy Student
- Harvard Academic Fellowship, Summer 2008 & 2009

Activities:

- Senior Editor, *Harvard International Law Journal*
- Teaching Assistant, Contracts with Professor Elizabeth Warren
- Represented clients in bankruptcy and small claims court debt collection proceedings, Predatory Lending / Consumer Protection Clinic

### **Massachusetts Institute of Technology**

B.S. in Electrical Engineering and Computer Science, June 2001

B.S. in Political Science, June 2001

- Thesis: "High Tech Goes to Washington: A Look at High Tech Lobbying Effectiveness in 1998 and 2000" (using a qualitative case study and a statistical model, this paper analyzed the economic factors that influenced the high tech industry to donate to Congress and the correlation between donations to Congressional members with members' voting behavior).

## FELLOWSHIPS & EMPLOYMENT

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### **Consumer Financial Protection Bureau, Washington, DC**

*Policy Fellow*, Deposits, Cash, Collections & Reporting Markets Office (Research, Markets & Regulations division), May 2011 – April 2012

- Co-authored two reports to Congress and the President regarding (1) the way remittances can be used in credit scoring, and (2) the difference in credit scores obtained by consumers and those obtained by lenders when making credit decisions.
- Advised Bureau staff on debt collection and credit reporting issues including internal presentations to supervision, enforcement, regulations, and other divisions.
- Authored or co-authored internal market and legal reports on credit reporting, debt collection, and credit counseling / debt settlement markets. Presented reports to offices internally (e.g., enforcement and regulation) and also Bureau-wide.
- Expertise in credit reporting and scoring, debt buying and debt collection, debt relief, credit entry markets, student loans, unbanked populations, and fringe financial markets.

### **Ropes & Gray, L.L.P., Boston, MA**

*Associate*, Litigation Department, Nov. 2010 – May 2011

### **Honorable Judge Juan R. Torruella, U.S. Court of Appeals for the First Circuit, San Juan, PR**

*Law Clerk*, Aug. 2009 – Aug. 2010

### **Ropes & Gray, L.L.P., Boston, MA**

*Summer Associate*, Summer 2008 & 2009

### **Robins, Kaplan, Miller & Ciresi, L.L.P., Boston, MA**

*Summer Associate*, Summer 2007; *Clerk*, Sept. 2007 – Jan. 2008

### **Office of State Senator Jarrett T. Barrios, Boston, MA**

*Director of Special Projects and Budget Director*, July 2004 – Aug. 2006

- Representative bills drafted included bills requiring credit reporting agencies to allow MA consumers to freeze their credit reports; data collectors to notify consumers of a data breach; and check cashers, payday lenders, and money transfer operators to plainly disclose all fees.

## BAR ADMISSIONS

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Admitted to the bars of Massachusetts (active) and the U.S. Court of Appeals for the First Circuit.