

Lois R. Lupica

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Professional Positions

Director, Law & Innovation Lab/Visiting Professor, University of Denver Sturm College of Law (2020)

Developed an innovative lab where students will learn how to solve intractable legal problems by building technology-based tools. Recent scholarship involves empirical studies and theoretical policy exploration of the access to justice crisis, debt collection's consumption of civil justice processes, and solutions to inequality and consumer financial distress.

Maine Law Foundation Professor of Law, University of Maine School of Law (1994 to 2020)

Associate Dean, University of Maine School of Law (2005 – 2007)

Expertise in Consumer Credit, Bankruptcy Law & Practice, Professional Responsibility, Bankruptcy Ethics, Access to Justice through Technology, Secured Transactions, Sales of Goods, and Negotiation and Conflict Management. Scholarship has focused on empirical studies and theoretical policy exploration of the access to justice crisis, the consumer bankruptcy system, and consumers in financial distress.

Fulbright Senior Scholar, University of Melbourne, Melbourne, Australia (2019)

Conducted research on strategic approaches to address the access to justice crisis. Participated in Law Apps Class, a course in legal innovation, design and systems thinking.

Affiliated Faculty, Harvard Law School Access to Justice Lab (2013 to present)

Co-Principal Investigator on A2J Lab's signature research study, a large-scale randomized control trial evaluating the effectiveness of original, reimagined legal self-help tools.

Consultant, Institute for the Advancement of the Legal System (2017 to present)

Worked with a team to re-imagine and re-design a domestic relations legal system with the goal of addressing barriers to access to justice. Developed Self-Help Guidelines publication.

Resident Scholar, American Bankruptcy Institute (2007 and 2014)

Served as academic expert for think-tank, whose mission it is to provide policy support to Congress, information to the press, education to members, and to serve as a forum for the exchange of ideas.

Special Counsel, Thompson & Knight, LLP (2008 to 2013)

Served as counsel on a variety of business reorganizations and financing transactions.

Associate Clinical Professor of Law, Seton Hall University Law School (1992 to 1994)

Established, designed and served as Director of transactional clinical program.

Attorney, Arnold & Porter, LLP (1988 to 1992)

Served as counsel on a variety of domestic and cross-border transactions.

Attorney, White & Case, LLP (1987 to 1988)

Served as counsel on a variety of domestic corporate and real estate transactions.

Selected Publications & Manuscripts

- The Apps for Justice Project: Deploying Design Thinking to Narrow the Access to Justice Gap***, 44 FORDHAM URBAN LAW JOURNAL 1363 (2017) (with S. Friedman et. al.)
- Self-Help, Reimagined***, 92 INDIANA L. J. 1119 (2017) (with J. Greiner & D. Jiménez)
- Engaging Financially Distressed Consumers***, COMMUNITIES AND BANKING, (2015) (with Greiner, et. al.)
- Access to Justice: A Randomized Control Trial Study of Credit Counseling, Legal Representation and Debt Collection Practices***, GEORGETOWN J. ON POVERTY LAW, (2013) (with J. Greiner & D. Jiménez et. al.)
- Unsecured Creditor Distributions under BAPCPA: An Empirical Study*** (with M. R. Donihue) (2016)
- The Consumer Bankruptcy Fee Study: The Final Report***, 20 AM. BANKR. INST. L. REV. 17 (2012)
- Credit Rating Agencies, Structured Securities and The Abyss***, 28 B.U. BANK. & FIN. 639 (2010)
- The Consumer Debt Crisis & the Reinforcement of Class Structures***, 40 LOY.U. CHI. L. REV. 557 (2009)
- A Study of Consumers' Post-Discharge Finances: Struggle, Stasis or Fresh Start?*** 16 AM. BANKR. INST. L. REV. (with Jay L. Zagorsky, Ph.D.) (2008)
- Legislative Messaging and Bankruptcy Law***, 67 PITT. L. REV. 497 (with K. Gross and K. Heidt) (2006)
- The Impact of Revised Article 9 -- Symposium on Business Bankruptcy***, 93 KEN. L. J. 867 (2005)
- Professional Responsibility Re-designed: Sparking a Dialogue between Students and the Bar***, 29 J. OF THE LEGAL PROF. 71 (2004-2005)
- 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)
- Article 9, Securitization Transactions & the Bankruptcy Dynamic***, 9 AM.BANKR.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: Institutionalization of Securitization***, 33 CONN.L.REV. (2001)
- 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 & Introductions

- COMMERCIAL LAW ASPECTS OF RESIDENTIAL MORTGAGE SECURITISATION IN AUSTRALIA (Introduction) (P. Rajapakse, S. Senarath) (2019)
- BANKRUPTCY – CASES AND MATERIALS (6th ed.) (2016) (with M. Howard)
- DEVELOPING PROFESSIONAL SKILLS – BANKRUPTCY (2016) (with M. Howard)
- THE YEAR IN CONSUMER BANKRUPTCY – 2014 (published by the Amer. Bankr. Institute) (L.R. Lupica, ed.)
- Smaller Practices and Consumer Debt Issues under the United States Bankruptcy Code***, CONSUMER DEBT REPORT OF FINDINGS AND RECOMMENDATIONS, Intn'l Assoc. Restructuring, Insolvency, and Bankruptcy (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.)

Grants Received

Fulbright Commission

Fulbright Senior Scholar, University of Melbourne (2019)

National Science Foundation, ~\$260,000

Improving the Lives of Consumers in Financial Distress (2014 – 2018)

Arnold Foundation, \$600,000

Improving the Lives of Consumers in Financial Distress (2016 – 2018)

Maine Economic Improvement Fund, \$176,000

Apps for Justice Project (2016 – 2017)

American Bankruptcy Institute Endowment, \$265,000

Improving the Lives of Consumers in Financial Distress (2015 – 2018)

Sears Consumer Protection and Education Fund, \$25,000

Improving the Lives of Consumers in Financial Distress (2016 – 2018)

Abdul Latif Jameel Poverty Action Lab, \$75,000

Improving the Lives of Consumers in Financial Distress (2015)

National Conference of Bankruptcy Judges Education Foundation, \$26,000

Improving the Lives of Consumers in Financial Distress (2014)

Safra Center, Harvard University, \$50,000

Improving the Lives of Consumers in Financial Distress (2014)

American Bankruptcy Institute Endowment, \$300,000

Consumer Bankruptcy Study (2011)

Maine Judiciary, \$21,000

Ethics 2000 Rules Revision

National Conference of Bankruptcy Judges Education Foundation, \$18,000

Consumer Bankruptcy Study (2009)

Honors, Awards and Appointments

Fulbright Senior Scholar, United States-Australia Fulbright Commission (2019)

Distinguished Visiting Scholar, Georgia State University College of Law (2018)

Principal Investigator, The Apps for Justice Project, University of Maine (2016 – 2017)

Co-Principal Investigator, Financial Distress Research Study (with Greiner & Jimenez) (2013 – present)

Hon. Wesley W. Steen Prize for Best Scholarly Article in Bankruptcy (2012)

Fellow, American College of Bankruptcy, Class 23 (2012)

Co-Reporter, ABI Task Force on Ethics Standards for Bankruptcy (2011 to 2013)

The Maine Law Foundation Professor of Law (2007 to 2020)

Co-Principal Investigator, A Study of Consumers' Post-Discharge Finances (2008)

Reporter, Maine Task Force on Ethics 2000 (2005 to 2008)

National Award for Innovation and Excellence in Teaching Professionalism, ABA (2005)

Faculty Senate Prize for Excellence in Scholarship, Maine School of Law (2004)

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

Recipient, National Conference of Bankruptcy Judges Fellowship (2002)

Glassman Research Scholar, University of Maine School of Law (2001)

Appointment, First Circuit Merit Selection Committee to fill Bankruptcy Judgeship, D. Maine (2001)

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

Honors, Awards and Appointments (continued)

Artist, *First Light*, Sync Gallery, Denver, CO (2020)

Member, Sync Gallery, Denver, CO (2020)

Artist, Permanent Collection, Museum of Encaustic Art, Santa Fe, New Mexico (2020)

Artist, Members' Gallery, Museum of Encaustic Art, Santa Fe, New Mexico (2017 - 2020)

Artist, Juried Art Show, *Wax Stories II*, Niza Knoll Gallery, Denver, CO (2018)

Artist, Juried Art Show, *Synchronicity*, Sync Gallery, Denver, CO (2018)

Artist, Juried Art Show, Summer Art Market, Art Student League, Denver, CO (2018)

Artist, Juried Art Show, *Global Warming is Real*, Museum of Encaustic Art, Santa Fe, NM (2017)

Board Membership & Leadership Positions

Board of Directors, American Bankruptcy Institute (member of Research Grants Committee) (2014 -2020)

Programming Committee, National Conference of Bankruptcy Judges (2014 & 2020)

Education Committee, First Circuit, American College of Bankruptcy (2012 - 2017)

Advisory Board, AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW (2008 – 2019)

Board of Directors, Community Housing of Maine (1995 – 2006)

University of Maine, Institutional Review Board (1995 – 2000)

Dean of Faculty & Board of Directors, American Board of Certification (2000 - 2003)

Chair/Member University of Maine School of Law Committees: Admissions Committee; Appointments Committee; Career Services Committee; New Building Committee; Awards Committee; Clerkship Committee; Dean's Advisory Committee; Tenure and Promotion Committee; Tenured Faculty Review Committee

Selected Presentations

Will legal design improve civil justice systems?: Legal Design VirtualTable Belgium (virtual) (2020)

High Cognitive Loads and Legal Self-help Strategies, LSC Technology & Innovation, Portland, OR (2020)

Limited License Technicians and Other A2J Strategies, ABI Winter Leadership Conference, LA, CA (2019)

Lawyers' Duty of Tech-Competency, ABI Winter Leadership Conference, LA, CA (2019)

Access to Justice: Using Behavioral Economics, Psychology & Technology as Tools to Reach the Hard to Reach, Federation of Community Legal Education Leaders, Adelaide, Australia (2019)

Workshop: Revisiting Victoria Legal Aid's Approach to Developing Self-Help Materials, Victoria Legal Aid, Melbourne, Australia, (2019)

Innovations in Law Practice: The Limits of Technology, Griffith University, Brisbane, Australia (2019)

Access to Justice: Using Techniques from Behavioral Economic & Psychology, Community Law Center, Victoria, Australia (2019)

Self-Help, Reimagined, University of Melbourne Law School Faculty Series, Melbourne, Australia (2019)

Self-Help, Reimagined, Monash Law School Faculty Research Series, Melbourne, Australia (2019)

Self-Help, Reimagined, Community Law Centers & RMIT Law School, Melbourne, Australia (2019)

Access to Justice: Using Behavioral Economics, Psychology & Technology, Consumer Action Law Center, Melbourne, Australia (2019)

Access to Justice: Using Behavioral Economics, Psychology & Technology, Northern Territory Community Legal Education Annual Meeting, Katherine, AU (2019)

Self-Help, Reimagined, Queensland Community Legal Centers, Queensland, Australia (2019)

Selected Presentations (continued)

Access to Justice Strategies, Federal Judicial Center, Denver, CO (2018)
Access to Justice: Using Behavioral Economics & Technology, AALS, San Diego, CA (2018)
Access to Justice: Innovative Strategies, Georgia State University College of Law, Atlanta, GA (2018)
Innovations in Law Practice, ABI Annual Spring Meeting, Washington, DC (2018)
Access to Justice and Lawyers' Professional Responsibilities, University of Texas, Austin, TX (2017)
Access to Justice Through Technology, Microsoft & Kettering Foundation, Palo Alto, CA (2017)
Apps for Justice: A Solution to the Problem that the Poor Pay More, Fordham Law School, NY, NY (2017)
Securitizing Non-Performing Loans, World Bank Symposium, Hanoi, Vietnam (2015)
Access to Civil Justice, Maine State Bar Association (2015)
Celebrating Differences, Wells Fargo PRIDE Ally Event (with N. Lupica), Boston, MA (2015)
Social Media and Legal Ethics, ABI Winter Leadership Conference, CA (2014)
Using Data to Maximize Impact on Vulnerable Populations, Nat'l Legal Aid and Defenders (2014)
The Problem with Pro se Litigants, ABI Winter Leadership Conference (2013)
Ethical Issues in Business Bankruptcy, ABI NY Conference (2013)
Too Poor to File, National Association of Consumer Bankruptcy Attorneys, San Diego, CA (2012)
The Mortgage Foreclosure Morass, American College of Bankruptcy, Third Circuit Program (2012)
The Government's Role in the Auto Bankruptcies, National Federation of Municipal Analysts (2009)
The Commercialization of Intellectual Property, University College of Cork, Cork, Ireland (2008)
Interdisciplinary Approaches to the Crisis of Over-indebtedness, AALS/NCBJ Annual Meeting (2007)
Consumer Finance and the Reinforcement of Class Structures, Law & Society, Berlin, Germany (2007)
Constitutional Principles, Southern Vermont College (2006)
Legal Issues in Cyberspace, 1999 Cyberposium, Harvard Business School, Cambridge, MA (1999)
Intellectual Property in the Marketspace, 1998 Cyberposium, Harvard Business School (1998)

Selected Media Appearances, Testimony, Interviews, Podcasts, Blog Posts & Op-Eds

Credit Slips, Contributor (2011 to present)
Congress Must Protect Working Families from Payday Predators, THE HILL (2018)
Sexual and Financial Predators Use Forced Arbitration to Hide Misconduct, AMER. FOR FIN. REFORM (2017)
Maine's Credit Unions and Community Banks Can Support Mainer's Day in Court, Lewiston Sun J. (2017)
Project Launches to Test New Kind of Self-Help for Consumers, Inside ARM (2017)
How the affordable care act drove down personal bankruptcy, CONSUMER REPORTS (2017)
The impact of the insurance mandate on personal bankruptcy, KCBS San Francisco, WRVA (2017)
Technology offers Solution to Unequal Access to Justice, PORTLAND PRESS HERALD (2016)
Zombie Debts, Here & Now, WBUR (NPR Station), Meghna Chakrabarti (2015)
The Costs of Access to the Consumer Bankruptcy System, Bloomberg Television, Lee Pacchia (2012)
National Bankruptcy Association Honors Maine Professor Lupica, Feature Story, Mover of the Week, Dow Jones Bankruptcy News (2012)
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 (2011)
The Cost of Consumer Bankruptcy, Maine Public Broadcasting (2010)
Too Poor for Bankruptcy, Maine Public Broadcasting (2012)
Cost of Access to the Consumer Bankruptcy System, Podcast Interview, ABI Studios (2007)

Selected Media (continued)

Consumers in Debt, Television Interview, NBC Affiliate, Portland ME (2005)

Bankruptcy Bill Targets Wrong People, PORTLAND PRESS HERALD (2005)

Moral Values, Social Justice, PORTLAND PRESS HERALD, BANGOR DAILY NEWS (with Cullen Ryan) (2004)

Bankruptcy Reform -- Bad Deal for Consumers, PORTLAND PRESS HERALD (with T. Ward) (2001)

Podcast Interviews with Judge Steven Rhodes (Presiding Judge, Detroit Chapter 9 case), **Jake Halpern** (author, BAD PAPER), **Theresa Payton** (author, PRIVACY IN THE AGE OF BIG DATA) (as interviewer) (2014)

Regularly interviewed by news media, including *The New York Times*, *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 (1998 to present)

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, B.S. 1981

College of Human Ecology

Major: Consumer Economics

Bar Admission

New York State (1988)

Federal District Court, Southern District of New York (1989)

Federal District Court, Eastern District of New York (1989)