



Keys to Operations

2017 Webinar Series

2:00 - 3:30 pm CST
Unless otherwise noted

February

***\$259.00**

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February 1 ●

Developing & Managing a Consumer Complaint Program – Avoiding Reputational Damage
Veronica Madsen, JD, Howard & Howard Attorneys, PLLC

February 6 ●

The New World of Debt Collection: What Recent CFPB Actions Indicate About the Future of Regulations & Enforcement
David A. Reed, JD, Reed & Jolly, PLLC

February 7 ●●

Handling Provisional Credit Under Reg E: Rules, Best Practices & FAQs
Elizabeth Fast, JD, CPA, Spencer Fane, LLP

February 8 ●

Understanding TRID Tolerance Cures
Steven Van Beek, Esq., NCCO, Howard & Howard Attorneys, PLLC

February 9 ●

Establishing Compliant E-SIGN Act Procedures for Electronic Documents & Statements
Steven Van Beek, Esq., NCCO, Howard & Howard Attorneys, PLLC

February 13 ●●

Part 2 – New FFIEC Consumer Compliance Rating System, Effective March 31, 2017: Violations of Law & Consumer Harm
Ann Brode-Harner, Brode Consulting Services, Inc.

February 14 ●●

Military Lending Act: Exam Procedure Changes, Post-Implementation Considerations & FAQs
Elizabeth Fast, JD, CPA, Spencer Fane, LLP

February 15 ●●

Qualifying Borrowers Using Personal Tax Returns Part 1: Schedules A, B, C & D
Tim Harrington, CPA, TEAM Resources

February 16 ●●

FinCEN's CDD Rules & BSA Compliance: Why Preparing Now for the Fifth Pillar is Critical
Susan Costonis, Compliance Consulting and Training for FIs

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Developing an Enterprise-Wide Risk Assessment
Marcia Malzahn, Malzahn Strategic

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Flood Compliance in Lending Part 1: Loan Origination
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February 27 ●●

Everything You Need to Know About Regulation CC: Holds, Funds Availability, Compliance & More
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Imaged Documents: What to Keep, What to Destroy, What Holds Up in Court?
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The League offers many programs that include national speakers. Keep in mind that national speakers bring expertise in their field, but they do not typically address issues under state laws and regulations. Please contact the Legal Affairs Department (compliance@theleague.coop) if you have questions about state or federal issues.

NEW! Use these color coded indicators to best determine which program will meet your educational needs!

- Advocacy
- Compliance, Regulatory
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- Leadership
- Lending & Collections
- Marketing & Business Development
- Member Service
- Board Members



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Keys to Operations

February 1

Developing & Managing a Consumer Complaint Program – Avoiding Reputational Damage

Veronica Madsen, JD, Howard & Howard Attorneys, PLLC

Consumer complaints can uncover policy and procedure issues – as well as compliance deficiencies at a financial institution. Addressing complaints before they become widespread can help avoid regulatory action and reputational damage. Since the creation of the CFPB's Consumer Complaint Database, over 650,000 consumer complaints have been addressed. These complaints are being used to create or revise regulations, and to enforce compliance through enforcement actions. Join us to learn how to create and manage an effective complaint handling program.

Learning Objectives

- Consumer complaint database statistics
- Enforcement action case studies
- How to create and manage an effective consumer complaint program

February 6

The New World of Debt Collection: What Recent CFPB Actions Indicate About the Future of Regulations & Enforcement

David A. Reed, JD, Reed & Jolly, PLLC

This session will review recent regulatory actions under the Consumer Financial Protection Act and explain how unfair, deceptive, or abusive acts or practices (UDAAP) will continue to impact unprepared credit unions. It is never a defense to say this is the way we have always done it. The risk of any questionable practices being detected has never been greater, so now is the perfect time to review your collection processes. Do you understand the severity of the collections storm on the horizon? Are you properly prepared to balance full compliance with maintaining an effective collection program?

Learning Objectives

- Important CFPB collections actions
- UDAAP dos and don'ts
- Difference between a false threat and a real promise
- Effectively using account restrictions
- Relaying the credit score implications of a collection action
- Conducting a risk-based collections audit

February 7

Handling Provisional Credit Under Reg E: Rules, Best Practices & FAQs

Elizabeth Fast, JD, CPA, Spencer Fane, LLP

Regulation E sets forth the legal framework that requires your financial institution to investigate alleged unauthorized electronic fund transfers (EFTs) and to provide provisional credit to your accountholders within specific deadlines. Did you know your institution is obligated to provide provisional credit even though the consumer won't file a police report or otherwise cooperate with you? Conversely, did you know you aren't required to provide provisional credit if the consumer won't sign a simple written statement regarding the alleged unauthorized EFT? These nuances and other unique requirements of Reg E can be confusing. This webinar will explain how to properly handle your institution's responsibilities to investigate alleged unauthorized EFTs and provide provisional credit.

Learning Objectives

- Reg E investigation best practices
- Circumstances when provisional credit must be provided to accountholders
- What can and can't be required of accountholders before giving provisional credit
- Deadlines for completing the investigation and providing provisional credit
- Determining the proper amount of provisional credit

February 8

Understanding TRID Tolerance Cures

Steven Van Beek, Esq., NCCO, Howard & Howard Attorneys, PLLC

The CFPB's TILA/RESPA Integrated Disclosure (TRID) requirements continue to cause confusion for mortgage lenders. Specifically, many mortgage lenders have lingering questions regarding the TRID tolerance levels and properly conducting the good faith analysis of fees and charges. This webinar will review mortgage lenders' obligations under the TRID rules to track and monitor tolerance levels. The training will analyze the increased difficulty presented by situations where multiple loan estimates have been issued and a lender needs to determine which fees and charges to use when performing the good faith analysis. Lenders' options and requirements for providing tolerance cures will also be addressed. Attendees will learn TRID tolerance levels, best practices for tracking fees and charges, and the required procedures for curing tolerances on the closing disclosure.

February 8 (Continued)

Understanding TRID Tolerance Cures

Learning Objectives

- Examples of when a revised loan estimate can "reset" tolerance levels
- Best practices for tracking revised disclosures and the appropriate fees for the good faith analysis
- Providing tolerance cures via a lender credit on the closing disclosure
- Post-consummation events triggering a tolerance cure and corrected closing disclosure

February 9

Establishing Compliant E-SIGN Act Procedures for Electronic Documents & Statements

Steven Van Beek, Esq., NCCO, Howard & Howard Attorneys, PLLC

Credit unions have offered electronic statements and disclosures for years. However, many are still sending other disclosures via paper. Rather than obtaining E-SIGN Act consent only for periodic statements, credit unions should ensure their pre-consent disclosures include other required disclosures they want to send electronically. With the proper consent, privacy policies, change-in-terms notices, certificate maturity notices, and other disclosures can be sent electronically.

This webinar will explain the E-SIGN Act consent process and outline best practices to ensure you have an effective, compliant e-disclosure process. You will also learn about other notices and information that can be sent electronically even without E-SIGN Act consent.

Learning Objectives

- Disclosures, notices, and statements credit unions should consider sending electronically
- Required content for pre-consent disclosures
- E-SIGN Act's requirement for documenting how a consumer "reasonably demonstrates" the information can be accessed electronically
- When new E-SIGN Act consent would be required due to hardware or software changes
- Consequences of delivering disclosures or other documents electronically without the required consent

February 13

Part 2 – New FFIEC Consumer Compliance Rating System, Effective March 31, 2017: Violations of Law & Consumer Harm

Ann Brode-Harner, Brode Consulting Services, Inc.

The FFIEC has finalized the new Consumer Compliance Rating System which will become effective March 31, 2017. The new guidelines emphasize that having a standard compliance policy is no longer enough. There are now three pillars to the rating system. The first two pillars for compliance examinations and ratings (covering oversight and the compliance program) were reviewed in an earlier webinar (see link below).

This webinar will address the third pillar – violations and consumer harm. Most of the changes and new expectations are centered here and focus on consumer harm. Join us to learn how your compliance program should be structured and how to mitigate risks. Details of the new guidelines and examiner expectations will be addressed.

Learning Objectives

- Addressing the root cause(s) of violations identified by you, auditors, or examiners
- How to measure the consumer harm resulting from violations
- Determining the duration of time over which violations occurred – especially how long before they were identified
- How serious is the violation? Is it pervasive or an isolated incident?
- How do compliance officers identify, measure, monitor, and control violations of consumer harm?
- What is the process for reporting to the board of directors?

February 14

Military Lending Act: Exam Procedure Changes, Post-Implementation Considerations & FAQs

Elizabeth Fast, JD, CPA, Spencer Fane, LLP

As of October 3, 2016, the Military Lending Act (MLA) expanded its coverage to credit unions. This is the first time that the MLA has applied to credit unions. Are you in compliance? Don't confuse the MLA with the Service-members Civil Relief Act; they have completely different requirements. The penalties for a violation of the Military Lending Act are severe – damages of not less than \$500 per violation, plus punitive damages and attorney fees. This webinar will explain everything that needs to be done to comply with the MLA. You'll also learn the differences between the Military Lending Act and the Service-members Civil Relief Act to ensure compliance with both.



2017 Webinar Series

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February 14 (Continued)

Military Lending Act: Exam Procedure Changes, Post-Implementation Considerations & FAQs

Learning Objectives

- Which MLA requirements apply to your financial institution?
- Which service-members and dependents are covered by the MLA?
- What are the required disclosures and when must they be given?
- How to qualify for the safe harbor provisions
- Difference between the MLA and the SCRA

February 15

Qualifying Borrowers Using Personal Tax Returns Part 1: Schedules A, B, C & D

Tim Harrington, CPA, TEAM Resources

Verifying income from self-employed borrowers can be tricky. Although the best place to find income is the borrower's tax return, it only shows taxable income. Borrowers don't repay debt with taxable incomes – they use cash flow. Overestimating income from a tax return can lead to approving a weak loan that could eventually cost your institution tens of thousands of dollars. Underestimating income can cause denial of good loans. With this process and the free software that is included, you will learn an easy, reliable process to convert a borrower's personal tax return (Form 1040) into a cash flow statement.

This session is designed for consumer and commercial lenders and will cover the first page of the Form 1040: Schedule A (Itemized Deductions), Schedule B (Interest and Dividend Incomes), Schedule C (Sole Proprietorship Incomes), and Schedule D (Capital Gains and Losses). (Note: This method does not follow Fannie, Freddie, or QM rules used in mortgage lending.)

Learning Objectives

- Recurring versus nonrecurring incomes or loss
- Qualifying and non-qualifying income from interest and dividends in Schedule B
- Determine pass-through interest and dividend income from partnerships or S Corporations
- Four forms of hidden income and one hidden expense in Schedule C
- When to accept income from capital gains, installment sales, and other sales

February 16

FinCEN's CDD Rules & BSA Compliance: Why Preparing Now for the Fifth Pillar is Critical

Susan Costonis, Compliance Consulting and Training for FIs

This webinar will address two issues regarding the fifth pillar of the new customer due diligence rules. First will be an overview of changes that mandate additional procedures to "understand the nature and purpose" of the legal entity relationship to develop a "reasonable" risk profile. The second will be how to conduct ongoing monitoring to identify and report suspicious transactions and, on a risk basis, maintain and update account holder information. FinCEN provided ample lead time to navigate these substantial changes to policies, procedures, forms, and effective monitoring processes. Regulators will expect financial institutions to have an implementation plan well in advance of the May 11, 2018, effective date to meet these challenges. (Note: The BSA rules use the term "customer." This has the same meaning as a "member" of a credit union.)

Learning Objectives

- How to comply with the four core elements of the CDD rules
- Documenting the two-prong test for beneficial ownership and control of a legal entity
- What does the frontline and lending staff need to know?
- How will BSA staff, operations, and the audit function support the new rules?
- What new internal controls will be required?
- Tips to identify suspicious activity, beginning with establishing an activity baseline at account opening
- Four unique sources of risk for legal entity accounts, including terrorist financing, money laundering, business identity theft or fraud, and business account takeover
- Events that may trigger an update to the risk profile for both loan and deposit accounts

February 21

Developing an Enterprise-Wide Risk Assessment

Marcia Malzahn, Malzahn Strategic

Financial institutions provide great value to the American economy. But that value comes with risks. Strategic-minded institutions do not strive to eliminate risk or even to minimize it – they strive to manage risk at the enterprise-wide level. They manage risk exposure so that, at any given time, they incur just enough of the right kind of risk to effectively pursue their strategic goals – no more, no less. This is called "optimal risk-taking."

February 21 (Continued)

Developing an Enterprise-Wide Risk Assessment

This webinar will go through a step-by-step process to develop risk assessments to address key areas of your institution. Learn how to develop an enterprise-wide process to conduct risk assessments in a practical, sustainable, and easy-to-understand way. You will receive useful tools and examples that can be implemented immediately.

Learning Objectives

- Three key areas of ERM and how risk assessments fit in
- Identifying and assessing risks enterprise-wide
- Risk assessment system's (RAS) relationship to CAMELS rating
- Top eight risks and others
- How to conduct an ERM risk assessment using a matrix – the core of risk assessments
- Various types of risk assessments, based on the area of risk and what they contain

February 22

Flood Compliance in Lending Part 1: Loan Origination

Ann Brode-Harner, Brode Consulting Services, Inc.

The multitude of rule changes in recent years has created confusion about flood insurance compliance. In addition, failing to properly handle the numerous technical requirements can cause a breakdown in your process. This is a high-risk area for any lender – whether you have 6 or 60 loans on flood properties. Civil money penalties are assessed almost weekly and examiners' citations aren't slowing down. Mitigate your flood compliance risk by joining this webinar which will cover technical rules, disclosure requirements, initial escrow disclosure for flood insurance, loan origination compliance requirements, and FAQs outlined by the CFPB.

Learning Objectives

- What loans are covered?
- Flood determinations: complete, accurate, and timely
- Notice for flood properties – timing is imperative
- What is required for the initial escrow disclosure?
- Detached-structure rules
- FAQs regarding flood requirements during loan origination
- Agencies' proposal on private flood insurance rules

February 27

Everything You Need to Know About Regulation CC: Holds, Funds Availability, Compliance & More

Molly Stull, Brode Consulting Services, Inc.

Regulation CC can seem straightforward, but examiners are still finding weaknesses and violations. This webinar will describe the requirements for applying check holds, explain an easy-to-implement monitoring process, dissect the required funds availability policy, and cover substitute check requirements. Reg CC holds are an important tool to protect assets. Learn how to handle them with confidence! This fast-paced update will also ensure staff members comply with annual training requirements.

Learning Objectives

- Explanation of a case-by-case hold and the six exception holds
- Monitoring process to quickly evaluate the accuracy of a hold
- How to audit for Regulation CC, including your processing system
- Disclosure requirements for substitute checks
- General provisions governing substitute checks
- Training ideas for frontline staff

February 28

Imaged Documents: What to Keep, What to Destroy, What Holds Up in Court?

Elizabeth Fast, JD, CPA, Spencer Fane, LLP

Imaged documents are prevalent on both the deposit side and the credit side of your financial institution. Every day, your institution processes numerous imaged checks and deposit records. Image technology can make transactions more convenient, but it also can complicate matters. Do you know the legal requirements for imaged checks? Which original documents must be retained and which can be destroyed? Not all imaged documents are treated the same under the law. Understanding the rules can protect your institution from costly mistakes.

Learning Objectives

- Review of the Electronic Signatures in Global and National Commerce Act (E-SIGN Act)
- What is the distinction between an imaged document and an electronic signature?
- When is an imaged document legally enforceable?
- When do courts require the original document?
- When can the original be destroyed after the document or check is imaged?
- How do you properly protect and destroy electronically stored information?



Keys to Operations

Cancellations - Cancellations and refund requests made eight or more days prior to the webinar date must be in writing and sent via email or faxed to (262) 549-7722. Cancellation requests are subject to a \$35.00 service charge. No refunds will be granted if a cancellation is received seven days or less before the webinar date.

The recorded webinar and digital download will be provided within 6 business days of purchase and can be viewed anytime 24/7. The recording is available for 6 months from the live event and includes a pdf with handout materials.

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