

# Jane Harris Downey

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## LEGAL EXPERIENCE

- **Moore Taylor Law Firm, P.A., West Columbia, South Carolina. 2008-present.** Created and developed bankruptcy department overseeing all aspects of the bankruptcy practice at the firm, including marketing, client intake, case management, and administrative responsibilities. Consumer and business cases range from debtor to creditor representation in Chapters 7, 9, 11, 12 and 13, including adversary proceeding litigation and main case filings.
- **Jane H. Downey, P.A., Columbia, South Carolina. 1997-2013.** Built and maintained a successful bankruptcy practice, representing creditors and debtors with an emphasis on creditor litigation and debtor filings in a boutique practice setting, enabling attorney and staff to serve clients personally. Clients ranged from national lenders to regional banks and individuals.
- **Nelson, Mullins, Riley and Scarborough, L.L.P., Columbia/Greenville, South Carolina. 1990-1997.** Practiced at largest law firm in South Carolina with offices worldwide. Practice concentrated on bankruptcy law, particularly in domestic law and bankruptcy. Responsibilities included taking the lead or secondary role representing the interests of creditors, unsecured creditors' committees and debtors in medium to large cases.

## PROFESSIONAL ACTIVITIES

- Appointed by the Hon. David R. Duncan, Chief Bankruptcy Judge for the District of South Carolina, to serve on the Small Business Reorganization Act working group, 2019.
- TMA NOW co-chair for South Carolina, 2019-2020.
- Consumer Law Council of South Carolina Bar, Section Delegate (interim) and Immediate Past Chair 2020-21, Chair 2019-2020, Council Member 2016-present, Member 2014-Present.
- J. Bratton Davis Bankruptcy American Inn of Courts, Master of the Bench Member 2018 - Present
- ABI Southeastern Seminar Advisory Board, 2015 - Present.
- Carolinas Network of International Women's Insolvency and Restructuring Confederation, Chair 2019-2021, Member 2014 – Present.
- *South Carolina Lawyer* Article Editor, 2009-Present.
- Volunteer for South Carolina Supreme Court's Lawyer Mentoring Program, 2016 – Present.
- Pro Bono Committee, 2009-Present.
- South Carolina Bar Association 1990-Present.
- American Bankruptcy Institute member, 1996-present.
- Appointed by United States Bankruptcy Court for the District of South Carolina to serve on Committee on Chapter 13 Issues 2012-2014.
- Bankruptcy & Debtor-Creditor Law Specialization Advisory Board, 2005-2009 Chair; Member 2003-2009; Certified Specialist 1996 – Present.
- Solo and Small Firm Section of South Carolina Bar 2006-2008, Section Delegate, 2005-2006 Chair, Member 2003-2008.
- South Carolina Bankruptcy Law Association Past Member of Board of Directors, Previously served as President, Vice-President, Secretary, Treasurer, Chair of Convention and Seminar Planning Committee, Incorporating Attorney, Chair of Public Service Committee, and member of Convention and Seminar Planning Committee.
- Appointed to Committee of South Carolina Bar Probate and Estate Council to study Uniform Trust Code and to make a recommendation to South Carolina legislature by 2005 whether to adopt Code in South Carolina. Legislature adopted recommendations.
- Qualified candidate for Circuit Court Judge by Judicial Merit Selection Commission, 2003.

- Certified by American Bankruptcy Board of Certification in business bankruptcy, 1996.
- Admitted to practice in United States District Court for the District of South Carolina and United States Court of Appeals for the Fourth Circuit in 1991.
- Admitted to South Carolina Bar in 1990.

## COMMUNITY ACTIVITIES

- Member of Women in Philanthropy, 2017-Present.
- Appointed to Bicycle Pedestrian Advisory Committee for the City of Columbia, actively organized and planned Columbia SC's first Open Streets Event. 2016-2019.
- CARE (Credit Abuse Resistance Education) speaker, providing financial education to high school and college students, co-wrote Prezi shown to students. 2007-Present.
- United States Bankruptcy Court Ask-a-Lawyer Program, accepting calls *pro bono* in a telephone bank setting, 2007-Present.
- SC Bar Pro Bono Program, file cases for free to low income families, 1990-Present.
- USTA member and participant.
- Church choir member.
- Previously participated as a FAN member, interviewing Furman University applicants.
- South Carolina Bar Ask-A-Lawyer television and web chat volunteer 2013.

## RECENT AWARDS

- Nominated by peers for Columbia Business Monthly Legal Elite, Aug 2020
- Selected to Lawdragon 500 Leading US Bankruptcy and Restructuring Lawyers, 2020
- Received Avvo Superb rating 2012-Present.
- Selected into South Carolina Super Lawyers yearly 2008-Present.
- Voted by peers as Midlands Legal Elite 2010-2016, and 2020.
- Named one of the Top Attorneys in South Carolina as published in *Columbia Living Magazine* in May 2013 and May 2016.

## RECENT PUBLICATIONS

- Co-authored *Modern Day Meals on Wheels: The Food Truck Surge* published in SC Lawyer Magazine, September 2018.
- Authored "Adjusting to and Navigating the New Bankruptcy Forms: A Debtor Attorney's Perspective" *American Bankruptcy Institute*, [www.abi.org](http://www.abi.org), April 28, 2016. Also published in the Summer 2016 TMA Carolinas newsletter.
- Co-authored *Best Practices for Filing Chapter 13: Leading Lawyers on Examining Today's Consumer Bankruptcy Trends and Preparing a Thorough Chapter 13 Filing*, Aspatore, 2016.
- Co-authored *Chapter 7 Commercial Bankruptcy Strategies: Leading Lawyers on Analyzing the Trends, Strategies, and Risks in Chapter 7 Liquidations*, Aspatore, 2015.
- Co-authored *Chapter 7 Consumer Bankruptcy Strategies: Leading Lawyers on Filing Chapter 7 Cases in Today's Consumer Bankruptcy Climate*, Aspatore, 2014.

## LECTURES WRITTEN AND PRESENTED RECENTLY

- Killing 3 Birds with One Stone: When Mom, Pop and the LLC need to file Bankruptcy, presented at ABI Southeast, July 2020
- Seminar coordinator, planner and moderator for *New and evolving topics in consumer law practice involving the little guy in the big pond with regard to the CFPB, student loans and enforcement of judgments*. Consumer Law Section Seminar for SCBAR, January 2020.
- Incarceration, Vendettas and Other Tall Tales: Domestic law and Bankruptcy, co-presented to the SC Bankruptcy Law Association annual meeting, March 2019.
- Presented on Consumer Law Webcast with Carrie Grube Lybarker: *The Collision of Consumer Protection Law and Bankruptcy: Creative Solutions for a Way Out*, January 2019

- Appeared on Direct Examination Podcast Women's Roundtable, December 2018.
- Panelist on Appeals in Consumer Bankruptcy for ABI Southeast, July 2018.
- DMM Portal Training with special remarks from the Honorable John E. Waites, US Bankruptcy Court, Lexington County Judicial Center, December 2016
- The Love Triangle: Domestic Law Issues in Chapters 7, 11 and 13 co-presented to the SC Bankruptcy Law Association annual meeting, May 2015.
- South Carolina Bar Law School for Non Lawyers, educated students on bankruptcy law, March 2015.
- CARE (Credit Abuse Resistance Education) volunteer, assisted in the curriculum development and made multiple presentations to college and high school students on the effect of credit card debt and impact of student loan borrowing to college students 2015-Present.
- Bankruptcy Issues, explained effect of bankruptcy upon foreclosure to SC Masters-in-Equity and Foreclosure Attorneys at South Carolina Foreclosure Law CLE, June 2013.
- Drafting Separation Agreements to Avoid or Ensure Bankruptcy Discharge, developed and presented Power Point Presentation to SC Bar and Family Court Judges for the South Carolina Bar Annual Convention, January 2013.

## REPORTED CASES

- *LVNV Funding, LLC v. Harling*, No. 16-1346 (4<sup>th</sup> Cir. 2017)
- *In re Belton*, 2016 WL 7011570 (D.S.C. 2016)
- *In re Harling*, 541 B.R. 330 (Bankr. D.S.C. 2015)
- *Fitzgerald v. Norris*, 2012 WL 1203764, (D.S.C. 2012)
- *In re Johnson*, 438 B.R. 854 (Bankr. D.S.C. 2010)
- *In re Phoenix*, 429 B.R. 195 (Bankr. D.S.C. 2010)
- *In re Breitbart*, 325 B.R. 724 (Bankr. D.S.C. 2004)
- *In re Joyner*, 326 B.R. 334 (Bankr. D.S.C. 2004)
- *In re Twins*, 295 B.R. 568 (Bankr. D.S.C. 2003)
- *In re Kingsmore*, 295 B.R. 812 (Bankr. D.S.C. 2002)

## MEDIATION ACTIVITIES

- Certified Mediator by the United States District Court for the District of South Carolina.
- Certified Mediator by South Carolina Supreme Court.
- Certified Arbitrator by South Carolina Supreme Court.
- Midlands Mediation Network: Past Vice-President, and Past Member of Board of Directors.

## EDUCATION

### **Emory University School of Law, J.D., May 1990.**

- Outstanding Young Women of America Recipient
- Moot Court Society: Law Day Competition Semi-Finalist, Special Teams Finalist
- Honor Court Judge
- Phi Alpha Delta Justice
- Student Bar Association Representative
- Student Legal Services Caseworker

### **Furman University, B.A., June 1987, *cum laude*, political science major**

- Pi Gamma Mu International Social Science Honorary
- Participant in Furman Foreign Study Program in The Baltic, Winter 1987
- Furman Singers.

### **Vanderbilt University, 1983-1984.**