



COMMUNITY BANKERS ASSOCIATION OF ILLINOIS

E-CLASSROOM SEMINARS

Risk Considerations in Responding to Small Business Customers in the time of Covid-19

Monday, May 18, 2020
10 - 11:30 am

As community banks work around the clock to respond to customers amid the Covid-19 pandemic and provide assistance under the CARES Act, community banks need to remain mindful of unforeseen risks and future liability. Similar emergency situations where community banks have responded to crises of the past with loans documented and made seemingly overnight inevitably result in litigation and regulatory enforcement matters. These liability risks can focus on how information was gathered, reviewed and confirmed, as well as whether the borrowers have demonstrated compliance with the requirements for forgiveness of the loans under the authorizing legislation. We expect courts to accept a broad swath of borrower counterclaims who do not ultimately meet loan forgiveness requirements and regulators to show particular interest in the implementation of these lending programs from a disclosure, documentation and BSA risk perspective. Unfortunately, community banks will find themselves between the federal government and their struggling small businesses customers who, for many community banks, are its lifeblood. This presentation focuses on practical approaches to responding to and lending to small business customers while managing these loan files to mitigate regulatory and litigation risk.

FACILITATORS

Donna Goelz, attorney with Howard & Howard, Peoria, IL, concentrates her practice in corporate, regulatory and compliance matters for financial institutions.

Joseph E. Silvia, attorney with Howard & Howard, Chicago, IL, advises financial institutions and corporate clients on general corporate matters, mergers, acquisitions, strategic transactions, private equity and venture capital investments, and banking and financial services regulation.

Joseph VanFleet, attorney with Howard & Howard, Peoria, IL, concentrates his practice on business, commercial, real estate and construction litigation; with a heavier emphasis on banking, creditors' rights and general business law.

For E-Classroom Seminars, we will be utilizing ZOOM. Each attendee will receive a login to register and participate in the training. Each attendee will need a computer, as you will be participating individually AND in group discussions. With ZOOM, we are able to combine a live presentation, screen views, chat and open questions.

After registering, attendees will receive a confirmation email where they can sign up with ZOOM and receive their hook up information. All attendees will receive their handouts via email.

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RISK CONSIDERATIONS IN RESPONDING TO SMALL BUSINESS CUSTOMERS IN THE TIME OF COVID-19
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