



2022 CANDIDATE QUESTIONNAIRE

NAME:

Amy Mertz Brown, Esq., LPEC
Chief Compliance Officer
Gurstel Law Firm, P.C.

Mandatory questions:

- 1. Has your firm been a NCBA Firm Member in good standing for two (2) consecutive years?**

Yes.

- 2. Have you attended an NCBA Event (Conference or Executive Experience) in the past two years?**

Yes, I attended three conferences in the past two years, Nashville (Spring 2022), San Antonio (Fall 2021), and Orlando (Spring 2021).

Optional questions:

- 3. What is the name of the law firm member for which you work?**

Gurstel Law Firm, P.C.

- 4. In what city and state do you practice?**

I am physically located in Rockville, Maryland. I work remotely and support the entire Firm which operates in nine states, including California, where I have been licensed since 1993.

- 5. How long have you been a creditors' rights attorney?**

I joined Gurstel in August 2020 so I have been a member of the creditors rights industry for two years. I have spent my entire 30+ year career working in financial services, including in the consumer financial services area.

- 6. What is your current job title and duties?**

Chief Compliance Officer. I advise the CEO and senior leadership team of the Firm on enterprise risk assessment and management and lead the compliance team at Gurstel. The compliance team is responsible for consumer complaint management, consumer letter template management and controls, vendor management and audit, internal compliance audit, defensive litigation, licensing (business, debt collection, and bar licensing), compliance training, implementation of changes in law, and compliance guidance. I hold a Leadership Professional in Ethics and Compliance (LPEC) Certification from the Ethics and Compliance Initiative (ECI).

- 7. What are your two main practice areas (e.g. bankruptcy, credit card, compliance, etc.)?**

I am primarily responsible for Gurstel's regulatory compliance and operational compliance. Gurstel's clients are a mix of original creditor and debt buyer companies, and in our Retail practice we collect primarily credit card debt. We also collect personal loans, student loans, and medical debt. We also have a robust Commercial practice.

- 8. Have you served as a Committee or Task Force Chair or Co-Chair in the past three (3) years? Of which Committees or Task Forces?**

I have been an active participant in the CCO Forum hosted by NCBA for members, including serving as a facilitator several times, and have informally consulted with NCBA executive leadership on a variety of matters. I have not served on a formal NCBA committee or task force.

- 9. Provide a list of professional articles or presentations that you have done. Please list the date and whether the presentation was for the NCBA.**

I am a national public speaker on a variety of topics, including compliance program and risk management, regulatory compliance, and creditor's rights, for groups such as NCBA, Receivables Management Association International (RMAI), and the Great Women in Compliance Podcast. Here is a list of recent events:

- *Chat with a Former Regulator*, TransUnion Third-Party Collections Summit (2022)
- *CCO Webinar Series: Letters*, RMAI (2022)
- *Topping the Charts: Recent Decisions on All the Top Playlists for Collection Professionals*, NCBA 2022 Spring Conference, Nashville (2022)
- *Chief Compliance Officer Forum*, RMAI 2022 Conference (2022)
- *Penny Wise or Pound Foolish: the Economics of Litigation*, RMAI Conference (2022)
- *Vendor Panel* (facilitator), Crossroads of Compliance and Performance, The Forwarders List (2021)
- *How to Conduct a Risk Assessment*, AccountsRecovery.net (2021)
- *Building a World Class Compliance Program*, BarkerGilmore (2021)
- *Consumer Complaints*, NCBA 2021 Spring Conference, Orlando (2021)
- *CFPB 2.0 under Rohit Chopra*, Credit Eco to Go Podcast (2021)
- *Promoting Public Trust*, Great Women in Compliance Podcast (2019)

10. Are you involved in state advocacy through an SCBA or NCBA chapter?

Yes. I have been an active participant in efforts by the California Creditors Bar Association (CalCBA) to create public comments on proposed rulemaking by the California Department of Financial Protection and Innovation (DFPI), concerning debt collection licensing regulations, and regulations concerning consumer complaint management.

11. Have you served on a Board of Directors (or similar governing body) previously? Please describe.

Yes. I have served for the past several years in an elected, unpaid position as Vice President of the Board of Directors of a condominium association in Bethesda Maryland, which has property under management valued at \$44 million, investments valued at \$1.6 million, and an annual operating budget of \$1.8 million. In that capacity, I serve on the Board's investment committee making decisions concerning the association's investments; review and approve the association's operating budgets and major expenditures; supervise agents responsible for day-to-day management of the association's property and budget; and form alliances with other directors in order to influence the overall operation and direction of the association. I have demonstrated my ability to effectively oversee operations management in a board role.

12. Describe some of your leadership roles or describe what qualities you possess that make you a strong leader.

I have served in a number of senior leadership roles over the past several years, including as Chief Compliance Officer at the U.S. Securities and Exchange Commission (SEC), leading a team of compliance attorneys and professionals to oversee government ethics compliance for all SEC employees and manage several large dollar value IT projects. Prior to that, I developed and implemented the enterprise ethics and compliance program at the Consumer Financial Protection Bureau (CFPB). I joined CFPB in its start-up phase and over the course of eight years helped establish and build CFPB's in-house legal department. Prior to the CFPB, I served in legal department management positions at the U.S. Department of the Treasury, and the U.S. Small Business Administration (SBA).

I lead with compassion and empathy, and people feel my warmth and authenticity. I also have a knack for seeing the big picture, synthesizing a lot of information, and seeing a proactive way forward in any difficult situation. I usually am the most calm and level-headed person in any challenging moment.

13. Why do you want to serve on the Board of Directors for NCBA?

I would like to share my knowledge and experience with fellow industry participants for the benefit of each member firm as well as of the association itself. I bring a unique perspective to Gurstel and to NCBA, from my previous experience at the CFPB, the primary federal regulator of our industry, as well as other federal regulators. I can help position this industry well in the eyes of our regulators. I also have a strong desire to serve and work for the advancement of any group of which I am a part, such as the NCBA.

14. How will you help NCBA advance its mission statement?

My goals for NCBA include (1) elevating the reputation of NCBA member firms for compliant practices and excellence in the practice of law, and (2) encouraging industry participants in the creditors rights industry to approach regulatory oversight with an open and cooperative mind set.

I love lawyers and being a lawyer, and I have a strong desire to uplift the practice of law in our special corner of the profession. My goals and my perspective are in line with NCBA's mission to support, promote, and protect the practice of creditors rights law while ensuring fair treatment for all. I will do this through working to make NCBA a

strong and well-respected voice in the legal industry by networking with other legal trade associations and serving as spokesperson for our industry at every opportunity,

15. What motivates you to do excellent work?

My strong work ethic was established early, from my hard-working parents who came from European immigrant families who landed in Indiana and Pennsylvania. My father was a small town doctor, and my mother was a leader in state government. Both taught me that personal fulfillment comes from hard work, doing one's best, and striving for excellence in all that one does in life, and that success is measured by how one treats others and serves the community, not from monetary achievement. These values form the core of my belief system and approach to my profession as a lawyer. I am motivated by service to a greater good, by working with others to accomplish common goals and objectives together, and by leaving things better than I found them. And I really believe that we can have fun while doing all of these things.

16. What is your ideal level of interaction with the other board members?

I look forward to working effectively with fellow board members for the long-term sustainability of the Association. I think best results for NCBA come from excellent working relationships and collaboration among board members, which takes time. I would expect and welcome regular informal communications with my fellow board members – which could include several times per week, and then perhaps several times a day immediately before a board meeting, as needed – to discuss and collaborate on key matters in preparation for formal decision-making at board meetings.

17. What is the biggest challenge facing our industry? What do you recommend we do to overcome that challenge?

The ever-increasing compliance cost borne by our industry, from regulatory oversight and increasing client audits, is one of the biggest challenges we face. We may see increasing numbers of firm consolidations and sales, as the compliance costs begin to outrun the pace of revenue growth. We need to challenge the vendors servicing our industry to provide products and services that better help us meet our compliance management needs with greater ease and efficiency.

18. What do you recommend doing to increase participation in NCBA by younger and/or newer attorneys, or new members of NCBA?

Speaking from my perspective as a newer member of the industry, I think the best thing we can do for newer attorneys and/or members of the NCBA, is to help ease their path into the group. Folks newly entering the industry realize quickly that many people working in the industry often have been here for years and worked together before. The industry is small. When you are new, it can feel like when you arrive at a new school and everyone else already knows each other and you are the new kid. People need mentors and a pathway into the group. My specific recommendations are:

- Encourage member firms to establish strong mentorship and training programs within their firm for new attorneys, and to encourage new attorneys to engage with peers at other member firms.
- Provide substantive CLE to newer attorneys at member firms, on best practices in our legal practice area.
- Assign an attorney or leader of a more experienced member firm to be a “buddy” to the senior leaders of new NCBA member firms. The buddy’s primary objective would be to help the new member meet people at NCBA conferences so they are more inclined to get actively involved in NCBA activities.