



Caren D. Enloe

PARTNER

cenloe@smithdebnamlaw.com

919.250.2125

AREAS OF PRACTICE

- Commercial Creditor Bankruptcy
- Consumer Financial Services Litigation & Compliance
- Equipment Leasing & Finance
- Business Litigation
- Creditors' Rights & Collections
- Appellate Law

GET IN TOUCH

cenloe@smithdebnamlaw.com

📞 919.250.2125

📍 Raleigh

The Landmark Center
4601 Six Forks Road
Suite 400
Raleigh, NC 27609

🐦 [@confinservlaw](#)

MY PROFILE

Caren Enloe leads Smith Debnam's [Consumer Financial Services Litigation and Compliance](#) group. Her practice is additionally concentrated in bankruptcy and commercial litigation with an emphasis on creditors' rights. She practiced with [Smith Debnam](#) from 1992 until 2011 and rejoined the firm in 2015 following a three and a half year stint with an Am Law 200 law firm based in Atlanta.

Caren defends consumer financial service providers and members of the collection industry in state and federal court and in regulatory matters involving a variety of consumer protection laws. Caren also advises fintech companies, law firms, and collection agencies regarding an array of consumer finance issues, including the Fair Credit Reporting Act, Fair and Accurate Credit Transactions Act, Truth in Lending Act, Consumer Leasing Act, Gramm Leach Bliley Act, Equal Credit Opportunity Act, Electronic Funds Transfer Act, Telephone Consumer Protection Act and Fair Debt Collection Practices Act. Caren has appeared as counsel in North Carolina's state and federal trial courts and the North Carolina Court of Appeals, North Carolina Supreme Court, South Carolina Court of Appeals, and Fourth Circuit. Caren additionally assists her collection agency clients with regulatory matters involving the North Carolina Department of Insurance.

Caren uses her more than thirty years of litigation experience in her compliance practice to help industry members assess and mitigate risk. Her compliance experience includes letter audits, assessing fintech products for compliance with federal and state consumer finance laws and regulations, assisting industry members with submitting comments regarding federal rulemaking, and developing compliance management systems, policies and procedures to mitigate the risk of violations of federal and state consumer finance laws and regulations. Most recently, Caren has been involved with consulting industry members regarding the CFPB's Final Debt Collection Rulemaking, Regulation F.

Caren represents a number of clients who finance and lease agricultural and heavy equipment both in state court and in bankruptcy court. She represents secured creditors and lease creditors in protecting their rights in cases and adversary proceedings under Chapters 7, 11, 12, and 13. She also has extensive experience defending the collection and credit industries in adversary proceedings involving consumer protection violations and sanctions motions.

Caren is an active and well-known industry thought leader. She currently serves as Chair of the Debt Collection and Bankruptcy Subcommittee for the American Bar Association's Consumer Finance Law Committee, Co-chair of the National Creditor Bar Association's Bankruptcy Section, and as a member of the Conference on Consumer Finance Law's Governing Committee. In 2018, Caren was named one of the "20 Most Powerful Women in Collections" by *Collection Advisor*, a national trade publication. Caren is listed in North Carolina Super Lawyers, an independent rating service of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement.

Caren oversees a blog titled: [Consumer Financial Services Litigation and Compliance](#) dedicated to consumer financial services and has been published in a number of publications including the Journal of Taxation and Regulation of Financial Institutions, California State Bar Business Law News, Banking and Financial Services Policy Report and Carolina Banker.

MY CREDENTIALS

Admissions

- State Bar of North Carolina, 1990
- U.S. District Courts for the Eastern, Middle and Western District of North Carolina
- U.S. Court of Appeals for the Fourth Circuit
- US Supreme Court

Education

- J.D., *cum laude*, Campbell University School of Law, 1990
- B.A. and B.M., Appalachian State University, 1986

Professional Affiliations

- American Bar Association (Member, Business Law & Litigation Sections; Chair Debt Collection Practices and Bankruptcy Subcommittee)
- Conference on Consumer Law (Member, Governing Committee)
- National Creditors Bar Association (Co-chair Bankruptcy Committee; member, Defense Bar)
- ACA International (Member Attorney's Program, North Carolina Chair, 2007-present; Member, Women in Collections Resource Council)
- North Carolina Bankers Association (Member, Bank Counsel Committee)
- North Carolina Bar Association (former member of the Executive Council for the Young Lawyers Division and current Member of the Bankruptcy & Litigation Sections)
- North Carolina Creditor's Bar Association (former Secretary and former Co-Chair of Educational Committee)
- Wake County Bar Association (Member)

Awards & Recognition

- Listed among the 20 Most Powerful Women in Collections (2018)
- Listed among North Carolina Super Lawyers (2016-2021)
- Listed among North Carolina Legal Elite (2017, 2020)

Published Articles

- Managing Editor and Primary Contributor, Consumer Financial Services Litigation and Compliance, consumerfinancialserviceslaw.blogspot.com
- *Dude, Where's My Car? The Supreme Court Takes on the Battle Between Sections 362 and 542 of the Bankruptcy Code*, ___ Consumer Finance Law Quarterly Report ___ (Winter 2021)
- *Adjusting Procedures for Deceased Consumers*, Cornerstone Companion (Mar. 2021)
- *Avoiding the Traps of Debt Validation Notices*, Cornerstone Companion (Feb. 2021)
- *Dissecting the Final Debt Collection Rule: What You Need to Know* Cornerstone Companion (Jan. 2021)
- *The CFPB Cleans Up Loose Ends and Takes on Debt Validation in Part 2 of the Debt Collection Rule*, 40 Banking and Financial Services Policy Report No. 1 (Jan. 2021)
- *The Final Debt Collection Rule is Here – Sort Of*, 39 Banking and Financial Services Policy Report No. 12 (Dec. 2020)
- *The Final Debt Collection Rule is Here and Focuses on Communication Methods – Here's What You Need to Know* Cornerstone Companion (Dec. 2020)
- Coauthor, *The CFPB's Debt Collection Rule and Communications: What Bankers Need to Know* Carolina Banker (Fall 2020)
- Coauthor, *The CFPB's Debt Collection Rule: What Bankers Need to Know*, Carolina Banker (Summer 2020)
- Coauthor, *The Proposed Debt Collection Rule*, 75 The Business Lawyer 1983 (Spring 2020)
- Coauthor, *Changes May be Coming: The Supreme Court Looks at Nonjudicial Foreclosures*, Carolina Banker (Spring 2019)
- *How Would Kavanaugh Impact the Debt Collection Industry*, Minnesota Lawyer (Aug 2018), available at minnlawyer.com/partner-content/page/2
- *Trips & Traps: North Carolina's Debt Collection Act and the Compliance Tips to Keep Banks Out of Trouble*, Carolina Banker (Spring 2018)
- *When is Safe Harbor Language Not a Safe Harbor?* Cornerstone Companion (Jul. 2017)
- *What Mortgage Servicers Need to Know: CFPB Enters into Consent Orders with Citibank Subsidiaries over Mortgage Servicing Practices*, Carolina Banker (Spring 2017)
- *Who can Sue under the FDCPA? Sixth Circuit Expands Standing* (Journal of Taxation and Regulation of Financial Institutions, Vol. 29 No. 2)
- *A Primer to the CFPB Proposed Payday Rule: What You Need to Know* (California State Bar Business Law News, Issue 3 2016)
- *Consent Orders Focus on Deceptive Advertising Practices: What You Need to Know* (Banking and Financial Services Policy Report, Vol. 37, No. 3)
- *What Mortgage Servicers Need to Know: CFPB Enters into Consent Orders with Citibank Subsidiaries over Mortgage Servicing Practices* (Carolina Banker, Spring 2017)

Most Recent Speaking Engagements

- *Bona Fide Error Defense and How It's Applied in the Debt Collection Rule* (AccountRecovery.net, Mar. 23, 2021)

- Panelist, *Debt Collection Symposium*, (Conference on Consumer Finance Law, Mar. 11, 2021)
- Keynote Speaker, *North Carolina Creditors Bar Association Winter Symposium* (Feb. 18, 2021)
- Panelist, *Part II of the CFPB Final Rule* (National Creditors Bar Association, Jan. 14, 2021)
- Panelist, *A Primer on the Panelist, An Overview of Licensing Changes and Requirements for 2021* (AccountRecovery.net, Jan. 7, 2021)
- Panelist, *Operating without Debt Collection Licenses* (AccountRecovery.net, Dec. 15, 2020)
- Panelist, *Proposed Debt Collection Rules: What Banks Need to Know* (North Carolina Bankers Association, Oct. 27, 2020)
- Panelist, *Meaningful Attorney Involvement* (National Creditors Bar Association, Oct. 22, 2020)
- Panelist, *Trends in Debt Collection* (AFSA, Oct. 6, 2020)
- Moderator, *The Battle Between the Turnover and Automatic Stay Provisions of the Bankruptcy Code* (American Bar Association Fall Business Law Meeting, Sept. 21, 2020)
- Panelist, *Bankruptcy Hot Topics* (National Creditors Bar Association, Aug. 19, 2020)
- Panelist, *Take Your Time, Do it Right – Credit Reporting Issues* (ACA International, Jul. 16, 2020)
- Debt Collection Rule and its Potential First Party Impacts (NC Creditors Bar Association, Feb. 28, 2020)
- Panelist, *Debt Collection Trends* (AFSA, Jan. 22, 2020)
- Panelist, *The Proposed Debt Collection Rule* (Conference on Consumer Finance Law, November 8, 2019)
- Moderator, *The Proposed Debt Collection Rule* (North Carolina Creditors Bar Association, June 21, 2019)
- *The Proposed Debt Collection Rule* (American Bar Association, September 13, 2019)
- *Financial Institutions Operating in an Increasingly Fintech World* (North Carolina Bankers Association, May 30, 2019)
- Panelist, *Banking in the Face of a Natural Disaster* (American Bar Association, Mar. 29, 2019)
- Moderator, *Foreclosure and the FDCPA: The Obduskey Decision* (American Bar Association Spring Business Law Meeting, Mar. 20, 2019)
- Speaker, *Developments in Consumer Financial Services: A Look Back at 2018 and Forward to 2019* (North Carolina Creditors Bar Association, Feb. 22, 2019)

ARTICLES & INSIGHTS

March 24, 2021

[Picking Apart the Validation Notice Requirements Under the Debt Collection Rule](#)

March 22, 2021

[Adjusting Policies and Procedures for the Deceased Consumer](#)

November 20, 2020

[The Final Debt Collection Rule is Out – Here’s What You Need to Know](#)

March 17, 2020

[Sixth Circuit Side Steps the Bona Fide Error Defense](#)

February 5, 2020

[Bureau Sheds Light on its Abusive Acts or Practices Standard in New Statement of Policy](#)

September 3, 2019

[First Circuit Affirms Bankruptcy Court’s Judgment in Favor of Mortgage Company](#)

August 8, 2018

[CFPB Employs “Mystery Shopper” Strategy in Fair Lending Investigation](#)

April 13, 2018

[CLIENT ALERT: CFPB’s Successor in Interest Rules Take Effect April 19, 2018: What You Need to Know](#)

March 22, 2018

[Third Circuit Holds Settlement Offer on Time-Barred Debt States Plausible FDCPA Claim](#)

March 22, 2018

[Debt Collection Letter’s Inclusion of Court Costs Was Not Deceptive](#)

NEWS

January 19, 2021

[Twelve Smith Debnam Attorneys Recognized in 2021 ‘Super Lawyers’ and ‘Rising Stars’ Lists](#)

January 15, 2021

[Smith Debnam Podcast Creditors’ Corner LEGAL TALK Ranked Top 15 Consumer Law Podcasts to Follow in 2021](#)

November 1, 2019

[Smith Debnam Named in 2020 “Best Law Firms” by U.S. News & World Report and Best Lawyers®](#)

January 25, 2018

[Ten Smith Debnam Attorneys Listed in the 2018 Edition of North Carolina Super Lawyers](#)

CONTACT US

919.250.2000
mail@smithdebnamlaw.com

RALEIGH OFFICE

The Landmark Center
4601 Six Forks Road, Suite 400
Raleigh, NC 27609

Phone: 919.250.2000
Fax: 919.250.2100

CHARLESTON OFFICE

171 Church Street
Suite 120C
Charleston, SC 29401

Phone: 843.714.2530
Fax: 843.714.2541