



## Thomas J. Buiteweg

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### Michigan

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ACCFSL | American College of  
Consumer Financial Services Lawyers



## PRACTICE AREAS



Automotive and Personal  
Property Finance and Leasing



Debt Collection Practices



FinTech

## Professional Experience

Tom Buiteweg helps financial institutions, sales finance companies, motor vehicle dealers and manufacturers to establish and maintain motor vehicle and personal property financing and leasing programs. He assists FinTech and other companies establish and maintain electronic financial services programs. Through his work on Uniform Law Commission ("ULC", also known as the "National Conference of Commissioners on Uniform State Laws") projects and other professional activities, he is also active in several rapidly evolving areas of the law affecting the delivery of financial services, including the regulation of virtual currency businesses, highly automated vehicles, and smart contracts.

Tom is also an Adjunct Professor at the University of Michigan Law School where he teaches a course in sales and secured financing that focuses on dealer and consumer motor vehicle sales and financing.

Tom speaks and writes frequently on financial services and vehicle-related topics, including electronic financial services, collections and repossessions, highly automated vehicles, the Uniform Commercial Code, vehicle and personal property leasing.

Tom is actively involved in many professional organizations. He has been a vice-chair of both the Consumer Financial Service and Uniform Commercial Code Committees of the Business Law Section of the American Bar Association. He currently serves as Chair of the Michigan Commission on Uniform State Laws and as the Treasurer and an Executive Committee Member of the ULC.

Tom also chairs the ULC's Committee on Technology. His past ULC work involved a wide variety of projects, including automated vehicles, the regulation of virtual currency businesses, the 2022 and 2010 revisions to the Uniform Commercial Code, home foreclosure procedures, manufactured housing financing, and motor vehicle titling.

Tom is also an active member of the American Law Institute ("ALI") and served as an adviser to ALI's Restatement of Law of Consumer Contracts project. Tom is a member of both the American College of Consumer Financial Services Lawyers and the American College of Commercial Finance Lawyers. He is one of only a few lawyers to be a member of both these organizations. Tom is also a member of the Governing Committee of the Conference on Consumer Finance Law.

Tom was the General Counsel of Ally's Insurance Operations from 2011 to 2012. Ally's insurance operations focused on automotive-related insurance and non-insurance products. During this time, Tom also provided legal support to Ally's North American Automotive Operations.

Tom was previously a partner from July 2008 to 2011 with Hudson Cook before returning to the firm in 2013.

Tom provided legal support to GMAC Financial Services from 1993 to 2008 regarding vehicle financing and leasing operations and electronic commerce. From 2005 to 2008, he managed the staff's consumer automotive finance group and served as General Counsel of GMAC's wholly-owned subsidiary that serviced vehicle sales finance and lease accounts in the United States.

Before attending law school, Tom was with Coopers & Lybrand from 1988 to 1990 working on financial statement audits and accounting due diligence activities. He was licensed as a Certified Public Accountant by the State of Michigan in 1990 (license is currently inactive). Tom was a post-graduate intern for the Governmental Accounting Standards Board from 1987 to 1988.

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## Professional Activities

- Adjunct Professor, University of Michigan Law School, 2009 to present, course in sales and secured financing focused on dealer and consumer motor vehicle sales and financing
- Chair, Michigan Commission on Uniform State Laws, 2016 to present
- Member, ULC, 2004 to present
- Treasurer and Executive Committee Member, ULC, 2015 to present
- Chair, ULC Committee on Technology Law, 2015 to present
- Member, ULC Uniform Commercial Code and Emerging Technologies Committee, 2019 to present

- Chair, ULC Highly Automated Vehicles Drafting Committee, 2017 to 2019
- Vice-chair, Consumer Financial Service Committee, Business Law Section, American Bar Association, 2015 to 2018
- Vice-chair, Uniform Commercial Code Committee, Business Law Section, American Bar Association, 2009 to 2012
- Member, ULC Executive Committee, 2011 to 2013
- Member, Amendments to Uniform Commercial Code Articles 1, 3, 8 and 9 Drafting Committee (relating to the proposed enactment of federal electronic mortgage note registry), 2016 to 2018
- Member, ULC Regulation of Virtual Currencies Drafting Committee, 2015 to 2017
- Member, ULC Uniform Home Foreclosure Procedures Act Drafting Committee, 2012 to 2015
- Member, American Law Institute ("ALI"), 2009 to present
- Adviser, ALI's Restatement of the Law of Consumer Contracts, 2013 to present
- Fellow, American College of Commercial Finance Lawyers, 2013 to present
- Member, American College of Consumer Financial Services Lawyers, 2010 to present
- Member, Governing Committee of the Conference on Consumer Finance Law, 2005 to present
- Fellow, American Bar Foundation, 2015 to present
- Member, ULC Uniform Manufactured Housing Act Committee, 2011 to 2012
- Member, ULC Joint Review Committee on Uniform Commercial Code Article 9, 2008 to 2010
- Chair, Personal Property Subcommittee of the Consumer Financial Service Committee, Business Law Section, American Bar Association, 2005 to 2008
- Member, Consumer Issues Task Force of the ULC UCC Article 9 Drafting Committee, 1994-1998
- Member, X9C1 Electronic Contracting Working Group for ANSI X9.103-2004 Standard for Motor Vehicle Retail Sale and Lease Electronic Contracting 2003-2004
- Member, Consumer Financial Services Committee, Business Law Section, American Bar Association, 1995 to Present
- Member, Uniform Commercial Code Committee, Business Law Section, American Bar Association, American Bar Association, 1995 to Present



## Speaking Engagements

- "What's New in Auto Financing?," CCFL Annual Consumer Financial Services Conference, May 2022
- "A Fresh Look at UCC Article 9 Repossession Notice Requirements Through a Litigation Lens," NAF Annual Non-Prime Auto Financing Conference, August 2021
- "The CFPB's New Debt Collection Rule: What Does It Mean for Creditors?," 2021 Virtual Financial Services Conference, May 2021
- "A Fresh Look at UCC Article 9 Repossession Requirements through a Litigation Lens," 2021 Virtual Financial Services Conference, May 2021
- "FAQs on Electronic Transactions in Auto Finance," Hudson Cook webinar, April 2020
- "Evaluating Legal Risks of Voluntary Protection Products," LPHH Summit 2019, November 2019
- "Comparing Reg M Lease & Non-Reg M Subscription-Type Lease," LPHH Summit 2019, November 2019
- "Handling Confiscations Seizures & Forfeitures," CCFL Annual Consumer Financial Services Conference, November 2019
- "Issues for New Lease Models," ACVL, September 2019
- "State and Federal Update on Debt Collection Regulation," Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2019
- "Who Gets the Ticket? Who or What is the Legal Driver, and How Should Law Be Enforced Against Them?," University of Michigan Journal of Law & Mobility 2019 Conference, March 2019
- "Auto Finance and Dealer Developments," 2018 Fall CLE Conference, Conference on Consumer Finance Law
- "What's New is Old: Emerging Leasing Models Fit into the Existing Regulatory Framework," 2018 Annual Meeting, Association of Consumer Vehicle Lessors
- "Legal Issues Related Lease Purchase Options," 2018 Annual Meeting, Association of Consumer Vehicle Lessors
- "Choice of Law Issues in Online Vehicle Sales and Leases," 2018 Annual Meeting, Association of Consumer Vehicle Lessors
- "Recent Innovations in Auto Fintech," 2018 Spring CLE Conference, Conference on Consumer Finance Law
- "Collection and Recovery Q&As," Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2017
- "The CFPB and Repossessions," 2017 Annual Consumer Financial Services Conference, Conference

## on Consumer Finance Law

- "Highly Automated Vehicles panel," Automotive Trade Association Executives Meeting, National Automobile Dealers Association
- "Is a Paperless Consumer Auto Lease Possible?", 2016 Annual Meeting, Association of Consumer Vehicle Lessors
- "The Paperless Auto Finance Transaction," 2016 Consumer Financial Services Committee Meeting, Business Law Section, American Bar Association
- "Merchant Cash Advance and Small Business Lending: Legal Issues with Collection of Alternative Business Finance Contracts," Consumer Financial Services Conference Hudson Cook/CounselorLibrary, April 2016
- "CFPB Regulation of Non-Bank Auto Finance: Larger Participant Rule and Examination Manual," 2015 Annual Consumer Financial Services Conference, Conference on Consumer Finance Law
- "Hot Topics & the Regulatory Landscape: Risk with Different Business Models, Uniform Commercial Code Issues and Regulatory Update," Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2015
- "CFPB Exams and Enforcement: Lessons Learned," Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2015
- "Auto Finance: Larger Participant Rule and Examination Manual," 2015 Annual Meeting, Association of Consumer Vehicle Lessors
- "Fair Lending in Automotive Finance," 2014 Non-Prime Auto Financing Conference, National Automotive Finance Association
- "Practical Compliance for Auto Finance Professionals," 2014 Housing and Auto Finance Workshop, Hudson Cook/CounselorLibrary
- "Tricks and Traps of Auto Finance," 2013 Housing and Auto Finance Workshop, Hudson Cook/CounselorLibrary
- "CFPB Examination Preparation," 2013 Housing and Auto Finance Workshop, Hudson Cook/CounselorLibrary
- "UCC Article 9 Developments," 2010 Housing and Auto Finance Workshop, Hudson Cook/CounselorLibrary
- "Legal Ethics for the In-House Lawyer," 2010 Housing and Auto Finance Workshop, Hudson Cook/CounselorLibrary



## Publications

"For Dealers, Many COVID-19 Questions, but Not Many Answers," Hudson Cook *Insights*, April 2020, co-authored with Patricia E.M. Covington

"Developments in Personal Property Finance: GAP Waivers -- Is A Trend Toward Clarity Beginning?" *The Business Lawyer*, Vol. No. 64 Issue No. 2, February 2009

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## Education

University of Michigan Law School, J.D., *magna cum laude*, 1993

University of Notre Dame, B.B.A., *summa cum laude*, 1987

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## Admissions

Michigan, 1993