



Vanessa Guerrero

Counsel

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Practice Areas

Creditors' Rights/Bankruptcy

Overview

Vanessa Guerrero is a member of the Creditors' Rights/Bankruptcy practice group working remotely in Texas. She is an experienced bankruptcy litigator and appellate advocate, has successfully argued before the Fifth Circuit Court of Appeals, and was co-counsel in a matter before the United States Supreme Court. Most recently, she served as the Senior Staff Attorney and Comptroller for the Chapter 13 Trustee in the Western District of Texas - San Antonio Division. Prior to joining the trusteeship, Vanessa's core practice included protecting the interests of secured and unsecured lenders, financial institutions and credit unions, mortgage lenders and servicers, collection companies, small business, and landlords primarily in bankruptcy related disputes.

Vanessa received her B.A. in Political Science from the University of Texas - San Antonio and her Juris Doctorate from the University of Houston Law Center. Vanessa is licensed to practice law in Texas and is admitted to the United States District Court for the Western District of Texas, United States District Court for the Eastern District of Texas, Fifth Circuit Court of Appeals and the United States Supreme Court. Vanessa is a frequent speaker on bankruptcy issues including for the State Bar of Texas.

Leadership

Benchler and current Program Chair, Larry E. Kelly American Bankruptcy Inn of Court
Secretary, Western District of Texas Bankruptcy Bar Association, Inc.

Fellow, Texas Bar Foundation

Member, American Bankruptcy Institute

Member, American Bar Associations

Presentations & Publications

"What's the Appeal in Asking Another Court?," State Bar of Texas, 2025 (co-presented with Michael O'Connor and Kamran Anwar)

"Denying Texas Ad Valorem Tax Lenders Keys to the Candy Store: A Discussion on Post-petition Fees, Costs or Charges," NACTT Mortgage Seminar, 2024 (co-presented with David Peake)

"More Traps for the Unwary: The New Proof of Claim Form," Western District of Texas Bankruptcy Bench Bar Conference, 2016 (co-presented with Mary Viegelahn and Abbey Dreher)

"Fight Early or Else You May Not Get to Fight at All: An Overview of the Preclusive Effect of State Court Judgments in Non-Dischargeability Actions," State Bar of Texas Annual Meeting, 2015 (co-presented with Natalie Wilson)

"Appellate Practice and Procedure," National Association of Chapter 13 Trustees Annual Conference, 2015 (co-presented with Jill Olsen and Leo Spanos)

Notable Cases

In re Frost, 744 F. 3d 384 (5th Cir. 2014) - Successfully argued before the Fifth Circuit that proceeds from post-petition sale of a Texas homestead lose their exempt character if not reinvested within six months.

In re Heinze, 511 B.R. 69 (Bankr. W.D. Tex. 2014) - Sought and obtained decision that a debtor who completed all payments to the trustee, but nonetheless failed to make direct post-petition payments to mortgage lender is not entitled to discharge. Court granted debtor fourteen days to convert case to Chapter 7 or be dismissed.

In re Pautin, 521 B.R. 754 (Bankr. W.D. Tex. 2014) - Represented trustee on motion to modify plan to recapture undisclosed past earnings, which was denied in part on grounds modification not feasible, however, it was granted in part requiring debtor to turn over all future tax returns and tax refunds annually along with turnover of payroll advices from any source of income on a quarterly basis as a debtor in bankruptcy has an ongoing duty of candor regarding income.

In re Ortiz-Peredo, 587 B.R. 321 (W.D. Tex. 2018) - Successful on appeal upholding bankruptcy court's decision that post-petition pre-confirmation settlement proceeds constitute disposable income that must be paid to creditors even if claimed as exempt.

Bar Admissions

Texas

U.S. Court of Appeals, 5th Circuit

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Western District of Texas