

## AGENDA

### Bankruptcy Local Rules Committee Meeting February 3, 2015 10 A.M.

1. Approval of Minutes of Prior Meeting(s). [Roger]
2. Chair Announcements. [Roger]
3. Clerk's Office update. CM/ECF, et al. [Alec]
4. New Rule Regarding Retaining Wet Signatures –  
[Steve Morrell and Steve Cope to report]

**Issue:** This item grew out of Steve Morrell's concerns about the applicability of the "wet signature" retention requirement to recent streamlined procedures for reviewing Trustee File Reports and Trustee Distribution Reports. The streamlined process raises questions as to the maintenance of wet signatures, as required by Standing Order. Will the Trustees be responsible for keeping wet signatures on file? Messrs. Morrell and Cope will analyze the current Administrative Procedures (described below) and make a recommendation as to whether the requirement of retaining wet signatures should be converted from a standing order to a Local Rule and whether changes should be made to the language of the Administrator Procedures.

Should the requirements for joint motions be modified, perhaps by the creation of a new button in the CM/ECF system to permit a non-filing movant to collect to confirm that the motion was in fact jointly filed?

The requirement that wet signatures be maintained is described in subparagraph II.D of the Administrative Procedures for Filing, Signing Maintaining, and Verifying Pleadings and Other Documents in the Electronic Case Filing (ECF) System, which was adopted pursuant to the Standing Order Regarding Administrative Procedures for Electronically Filed Cases, dated August 12, 2002.

5. Discovery Issues in Contested Matters: FRBP 9014 and Local Rule 9014-1  
[Andrea, Mike and Randy to report]

**Issue:** Are all discovery processes and methods available to litigants in adversary proceedings also available to parties in contested matters in light of Rules 7026 and 9014 of the Fed. R. Bankr. P., Local Bankruptcy Rules 9014-1(a)(1) and (3) and 9029-3, and District Court Rule 26? For example, are parties in contested matters entitled to discovery before the first hearing in a contested matter?

For Discussion: Under the current rules, does ambiguity exist as to whether parties in a contested matter are entitled to discovery before the first hearing? If not, does the rule comport with the procedure for adversary proceedings? Should it? If ambiguity exists, how should the Local Rules be amended to resolve the ambiguity?

6. Global Review of Local Bankruptcy Rules. [Randy]

7. Global Review of District Court Local Rules. [Andrea]

Note: This item will remain on the agenda as a reminder to return to it after the “global review” of the Local Bankruptcy Rules has been completed.

8. Chapter 12 Rules; Consistency with Chapter 13 Rules. [Peter]

Issue: Should Local Rules be adopted to make Chapter 12 practice similar or identical in appropriate respects to Chapter 13 practice? If so, what changes should be made?

Issue: Should the local rule regarding motions to allow and disallow claims (“MAD”) be amended or eliminated?

9. Other Matters

a. Issues for Future Agendas

10. Next Meeting: Schedule next meeting.