

## MINUTES

**United States Bankruptcy Court  
for the District of Maine  
Local Rules Committee Meeting  
April 5, 2023 – 10:00 a.m.**

**Members Present:** Mr. Hull (Chair), Mr. Sleeper, Ms. Doil, Mr. Wholly, Mr. Crosman, Ms. Fisher, Mr. Anderson, Mr. Dudley, Mr. Morrell, Ms. Economy, and Mr. Molleur.

**Members Absent:** Ms. Sambatakos

**Other Participants:** Judge Cary, Ms. Bigley, Ms. Ford, and Mr. Brown.

1. **Approval of Minutes of Prior Meeting.** The minutes from the March 8, 2023 meeting were approved.
2. **Chair Announcements.** Nothing to report.
3. **Clerk's Office Announcements/Updates.** Nothing to report.
4. **Review of Local Rules for Consistency/Cross-References/Updating.**
  - **Follow-up of updates from previous meeting:**
    - **Local Rule 9014-1(a)(2):** Mr. Hull, Ms. Fisher, and Judge Cary discussed their analysis of this Rule and Federal Rule 9014(b). They propose to the committee that it be left up to the individual filer to ensure they are giving proper notice of their contested matter; they do not want to veer from the Federal Rules. The committee approved the removal of "by mail" from the existing language of the rule. Judge Cary will make this change and circulate to the committee.
    - **Local Rule 9010-1(a)(2):** This section will be removed. Instructions on how attorneys can monitor cases they are not appearing in via CM/ECF will be provided at the next Power Hour session, as well as within an Attorney Reference Guide on the court's website.
    - **Local Rule 9013-1:** Judge Cary and Judge Fagone are still discussing Expedited and Emergency Hearing motions.
      - **Local Rule 9013-1(k):** Ms. Bigley submitted a proposal for language which removes instruction for the Clerk's Office. The committee has approved the proposed language. Judge Cary will make the changes and circulate.
    - **Mr. Sleeper's Notes on 9000's**
      - **Local Rule 9010(a)(1):** Mr. Sleeper looked at the Local Rules for some other districts to see how they handle appearance by pro se parties. In some

other districts, they require specific filings or signatures for pro se filers. Our district has a very low pro se filing rate, so no significant changes will be made at this point that changed filing requirements for pro se filers. However, “Pro Se Appearance” will be removed from the title of this section.

- **Local Rule 9010(a)(3):** This section will be removed.
- **Other non-substantiative updates:** Mr. Sleeper will send these proposed updated to Judge Cary. He will implement them and circulate to the committee.

- **General Discussion of the Local Rules:**

- **Local Rule 9045-1:** Aside from the section specifically listed below, there are no changes to the proposed updates. This rule will be renumbered to 9050-1.
  - **Local Rule 9045-1(b)(iii):** Judge Cary will check with Judge Fagone about removing the three-continuance limit before the Local Rules are sent out to the public for comment.
- **Local Rule 9047-1:** This section is removed.
- **Local Rule 9072-1:** This section is removed.
- **Local Rule 9074-1:** This rule will be renumbered to 9051-1. No substantiative changes were made, only changes that made it easier to read. This rule will pertain only to telephonic participation in hearings. Most of the specifics relating to telephonic participation of hearings will be included in Appendix 4 (Administrative Procedure for Telephonic Participation).
- **Local Rule 9052-2:** This will be a one-line placeholder for video participation in hearings. Judge Cary will draft up the language and circulate to the committee. There was discussion of utilizing video participation in hearings more frequently. Judge Cary will check with Judge Fagone to see if he would like to use video more frequently; Ms. Bigley will check into the IT logistics of streaming from one courtroom to another for cattle-call days.
- **Standard Maine Expense Level List:** Judge Cary made some tweaks that were approved.
- **Review of Federal Rule changes:** In December 2024, stylistic changes will go into effect for the Federal Rules. Judge Cary and Ms. Bigley have started looking at those changes to ensure the Local Rules follow the same format.
- **Final review of Local Rules:** After the May 10, 2023 meeting, Judge Cary and Ms. Doil will plan to meet and review all of the Local Rules for consistent language throughout.

5. **New Business/Matters/Issues.** None

6. **Scheduling Next Meeting.**

- May 10, 2023 at 10:00 a.m. – 9000s review