

MINUTES

United States Bankruptcy Court for the District of Maine Local Rules Committee Meeting June 26, 2023 – 10:00 a.m.

Members Present: Mr. Anderson, Mr. Crosman, Ms. Doil, Ms. Economy, Ms. Fisher, Mr. Hull, Mr. Molleur, Mr. Morrell, Ms. Sambatakos, Mr. Sleeper, Mr. Wholly

Members Absent: Mr. Dudley

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

1. **Approval of Minutes of Prior Meeting.** The minutes from the May 10, 2023 meeting will be updated to reflect that the June 26, 2023 meeting will be hybrid. Updated minutes to be recirculated for approval.
2. **Chair Announcements.** Nothing to report.
3. **Clerk's Office Announcements/Updates:**
 - Ms. Bigley thanked everyone who attended the two Power Hour Sessions earlier this month. She reported that a session will be planned for the fall for support staff only.
 - The Court continues to receive positive feedback for the video streaming of Judge Fagone's hearings to the Portland courtroom. Beginning in July, streaming will be made available for Judge Cary's hearings to the Bangor courtroom. Please contact the Clerk's Office to confirm availability of streaming to the Bangor courtroom on a given hearing day.
 - The *CM/ECF* system was upgraded successfully over the weekend. Thank you all for your patience while the system was shut down. Thank you to the Clerk's office and her supporting staff who worked over the weekend to ensure a smooth upgrade.
4. **Review of Local Rules for Consistency/Cross-References/Updating.**
 - **General Discussion of the Local Rules:**
 - The Committee will complete a final "cover to cover" review followed by a vote on the proposed changes. The proposed changes will then be circulated for a public comment period of at least thirty days.
 - Ms. Bigley, Ms. Lewis, and Ms. Keith have worked diligently at reformatting the Local Rules to follow the updated guidelines for review and revisions as laid out in the February 18, 2022 memorandum.

- **Local Rule 1001-1.** Removed the breadcrumb of where to find definitions. In the first sentence, the specific cite to the Code will be removed. In the second sentence, language to be modified to “Each such rule referred to here is denominated as ‘Local Rule ____’ and cited as ‘D. Me. LBR ____ - ____.’”
- **Local Rule 1002-1(b).** Corrected typo with “14 days.”
- **Local Rule 1003-1.** “Must” will be changed to “shall.” “Entity” to be changed to “debtor”. In the last sentence, “that person” will be changed to “the person”.
- **Local Rule 1009-1(a).** Replaced passive language with more active language.
- **Local Rule 1009-1(b).** “Pro se” was updated to “unrepresented party” or “unrepresented debtor”. Updated to “applicable version of Official Form B309.”
- **Local Rule 1019-1(b).** Ms. Sambatakos to send suggested language to Judge Cary.
- **Local Rule 2002-1(a)(2)(A).** Section rearranged for clarity. Correct a typo with “interest.”
- **Local Rule 2002-1(a)(2)(B).** This was the relocation of a section from Local Rule 6004 to remain consistent with Federal Rules of Bankruptcy Procedure.
- **Local Rule 2002-1(a)(3)(A).** Section rearranged for clarity.
- **Local Rule 2002-1(a)(3)(B).** This provision was moved from Local Rule 9019-1. Judge Cary will add a reference to 9019.
- **Local Rule 2002-1(a)(4).** The draft contains a proposal from Judge Fagone since the Federal Rules of Bankruptcy Procedure do not address who should be served notice in a chapter 13 dismissal or conversion. The Committee approved the proposal.
- **Local Rule 2002-1(a)(6).** This section has been broken out into “(A)” for chapters 7, 12, and 13 and “(B)” for chapter 11, due to the more detailed process for chapter 11 cases. This will be updated to move previous fee awards from the notice to the application for chapter 11 cases. Corresponding updates will be needed to Local Rule 2016 to reflect this change.
- **Local Rule 2002-1(b)(3).** Updated to include chapter 12 cases.
- **Local Rule 2002-1(r).** Editing regarding comma placement is needed.
- **Local Rule 2004-1(a)(3).** “Themselves” to be changed to “the examinee”.
- **Local Rule 2014-1(a)(1).** Last sentence to be updated to read “shall comport with Local Form 1 or 1A.”
- **Local Rule 2014-1(b)(2).** Title to be changed to “Chapter 11 Professionals.” Ms. Fisher will draft proposed updated language for this section.
- **Local Rule 2016-1(a)(2)(B).** This section to be updated to reflect today’s changes to 2002-1(a)(6).
- **Local Rule 2016-1(a)(2)(E).** Mr. Sleeper will draft proposed language regarding previously submitted biographies.
- **Local Rule 2016-1(a)(4)(A).** Language to be updated to read “In any case in which a Trustee is retained as counsel.”
- **Local Rule 2016-1(a)(4)(C).** Language to be updated to read “separately itemize services provided under each chapter.”
- **Local Rule 2016-1(c).** Remove the words “retainer” and “its.”
- **Local Rule 3002-1(c).** Committee voted to remove this section entirely.
- **Local Rule 3007-1.** Ms. Doil and Mr. Sleeper will create a proposal as to where to put the general information regarding preliminary hearing.

- **Local Rule 3007-1(a).** First sentence to be updated to read “An objection to a claim in a chapter 13 case under §502(b)...”
- **Local Rule 3007-1(b).** Comma needed before “or (2)”.
- **Local Rule 3015-1(a).** Removed Application for Redaction of Personal Identifiers.
- **Local Rule 3015-1(c).** Update language to read “consider confirmation or modification” and “object to confirmation or modification.”
- **Local Rule 3015-1(d).** Add “trustee” before “payments”. Update language in second sentence to include “shall be modified accordingly from the time the plan modification is filed.”

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

6. **Scheduling Next Meeting.**

- a. July 6, 2023 at 10:00 a.m. (hybrid meeting) – Continue final review