

MINUTES
United States Bankruptcy Court for the District of Maine
Local Rules Committee Meeting
June 25, 2019

Present: Mr. Creswell (Chair), Mr. Leddy, Mr. Dudley, Mr. Molleur, Mr. Hull, Ms. Dye (on behalf of Judge Fagone), Mr. Crosman, Ms. Doil, Mr. Morrell, Mr. Sleeper, Mr. Wholly, Ms. Economy
Absent: Chief Judge Cary, Mr. Anderson

1. Approval of Minutes of Prior Meeting.

Minutes from the March 14, 2019 and April 30, 2019 meetings were circulated and approved with minor changes to each. Mr. Leddy will finalize them and have them posted to the website.

2. Chair Announcement.

- Mr. Creswell announced his retirement from the Committee as Chair and member. He will remain on through the September meeting. Mr. Creswell does not intend to chair the September meeting but will be there to pass the baton.

3. Clerk's Office Report.

Mr. Leddy reported the following:

- 1020-1 was sent out for comments and none were received. Judges approved it and it was sent to Judge Levy who approved it and it was posted on the website yesterday. Now officially deleted.
- 2016-2 – Retainer compensation rule. That also was put out for comment and none were received. The proposed change is currently under consideration.
- Currently rules 3007-1 and 3015-3 are on the website for public comment through July 10, 2019. No comments as of the meeting.
- Changes to Rule 9013-1(d)(1) to permit a motion to conditionally approve disclosure statements in a small business chapter 11 on negative notice will be posted to the website.

4. Local Rule 3015-1 – 11 U.S.C. § 1329 (Form of Order).

The Court published a form of order for the bar to use when they are moving to modify a chapter 13 plan under 1329. The adoption of this form of order was voted and local rule 3015-1 will be amended to reflect that this form is now the required form for chapter 13. This Committee determined that this is not a change in the rule, but instead merely a requirement to use the court approved form of order.

This item will be removed from the agenda.

5. Local 3002-1(e) – Newly added creditors and deadline to object to claims (Mr. Hull).

Mr. Hull brought up concerns regarding the timing on filing objects to newly added creditors filing proofs of claim. Issues were discussed for a short while and the Committee agreed that more time was required to fully review the concerns. Mr. Hull will draft proposed changes to the rule to address the concerns and circulate to the Committee for further review.

This item will remain on the agenda.

6. Local Rules 9013-1(d)(1) – Scheduling Hearings.

The adjustment to the Local Rule concerning scheduling hearings for conditional approval of a disclosure statement will be posted for public comment and will then follow the normal approval process.

This item will be removed from the agenda.

7. Federal Bankruptcy Rule Revisions Effective Dec. 1, 2019 – FRBP 5005.

This item was not fully vetted and will require further discussions from the Committee. Mr. Sleeper with review and come up with a draft of some proposed changes.

This item will remain on the agenda.

8. Review of Local Rules for Consistency/Cross-References/Updating,

Mr. Leddy asked that this item be tabled as he believes that Chief Judge Cary would like to take time to make the initial stab at reviewing and revising these rules. This may be discussed at the next meeting.

9. New Business/Matters/Issues.

The Committee discussed a modification to 9045-1(b)(2) which would permit parties to file a motion to continue without having to schedule it for hearing. The Committee was given until July 3, 2019 to further review the proposed rule change and respond to Mr. Creswell with concerns or comments. If no concerns or comments, Mr. Leddy will present the proposed changes to the Judges for review and on to the website for public comment after which it will follow the approval process.

10. Scheduling Next Meeting.

- September 24, 2019 at 10:00 a.m.