

MINUTES

**United States Bankruptcy Court
for the District of Maine
Local Rules Committee Meeting
July 17, 2023 – 2:00 p.m.**

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

Members Absent: Mr. Dudley.

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

1. **Approval of Minutes of Prior Meeting.** The minutes from the July 6, 2023 meeting are approved.
2. **Chair Announcements.** No report.
3. **Clerk's Office Announcements/Updates:** No report.
4. **Review of Local Rules for Consistency/Cross-References/Updating.**
 - **Follow-up from Previous Meetings:**
 - Ms. Doil, Ms. Sleeper, and Ms. Sambatakos are continuing to review the preliminary hearing language matter. This will carry forward to the next meeting's agenda.
 - **General Discussion of the Local Rules:**
 - **Local Rule 9001-1.** Some new terms were added to define "Local Form" and "ECF." "Unrepresented Party" will be added with a definition yet to be developed.
 - The opening sentence to be changed to "In these rules, the following terms shall have the following meanings, unless inconsistent with the context:"
 - The question of whether the committee needs to define "application" within the motions section was raised. Judge Cary will work with Mr. Sleeper to find an appropriate place within the Local Rules to deal with that issue.
 - **Local Rule 9006-1(b).** "For that enlargement" to be added to the end of the last sentence.
 - **Local Rule 9010-1(b).** Proposed change of the language to read as follows: "Unless otherwise permitted by the court, the filing of any paper shall constitute

a general appearance by the attorney who signs it in the main case or adversary proceeding in which the paper is filed.”

- **Local Rule 9010-1(d)(1).** In the second sentence, add “clients” to list that currently includes pending cases, contested matters, or adversary proceedings. Change the “or” preceding “adversary” to an “and”.
 - **Local Rule 9010-1(d)(3).** Modify the first line to read as follows: “An attorney may withdraw from a case or proceeding without leave of court, if the following conditions are met:”
 - **Local Rule 9013-1(a).** To be updated to read as follows: “Motions and Applications. A request for an order shall be made by a motion or an application, unless otherwise provided for in the Federal Rules of Bankruptcy Procedure or the Local Rules.”
 - **Local Rule 9013-1(b).** The requirement of consultation has been removed.
- **Procedure for Finalizing Review of Remaining Proposed Changes to Local Rules:**
 - Ms. Fisher offered to work with Judge Cary to create a chart that will highlight the substantive changes for the Committee that were made between Committee prior review and Clerk’s Office/Chambers review. Once the chart is completed, Judge Cary will circulate to the Committee.
 - Judge Cary went over the proposed changes from the Judges regarding Motions to Expedite Hearing and Motions for Emergency Hearing. The new process would incorporate the request for expedited/emergency hearing into the underlying motion, as well as eliminate self-calendaring for these matters. Practitioners would file their motion, then contact the Clerk’s Office for the hearing date and time. The Notice of Hearing would be filed after the hearing date and time have been obtained. During these preliminary discussions, the committee raised some questions that require further discussion.
5. **New Business/Matters/Issues.** None
6. **Scheduling Next Meeting.** Judge Cary will circulate dates for the next meeting.