

## **MINUTES**

### **United States Bankruptcy Court for the District of Maine Local Rules Committee Meeting September 28, 2022 – 11:00 a.m.**

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

**Members Absent:** Mr. Sleeper.

**Other Participants:** Judge Cary, Ms. Ford.

**Other Participants Absent:** Ms. Bigley.

1. **Approval of Minutes of Prior Meeting.** The minutes from the August 25, 2022 meeting were approved.
2. **Chair Announcements.** Mr. Hull recently attended the District's Administrative Meeting and provided an update on the Committee's work. The Local Rules Committee for the District Court is going through a similar rules revision and editing process and has requested that some folks from this Committee review their Local Rule 16 with regard to bankruptcy appeals.
3. **Clerk's Office Announcements/Updates.** Judge Cary relayed on behalf of Ms. Bigley that there were no announcements.
4. **Review of Local Rules for Consistency/Cross-References/Updating.**
  - **Follow-up of updates from previous meeting:**
    - **Local Rule 2002-1(a)(2) & (3)** – Mr. Sleeper previously circulated additional proposed changes. Changes are noncontroversial and Judge Cary will incorporate these changes into red-line and clean versions.
    - **Local Rule 2015-1** – After discussion with Ms. Sambatakos and Judge Cary, Mr. Morrell reports that the addition of a Local Rule 2015-2 should be inserted to accommodate the current interim rule.
    - **Local Rule 2016-1(a)** – Mr. Hull advises that this has been moved to 2014-4. After further discussion surrounding the term "inability," Mr. Hull will circulate proposed language to the Committee.
  - **Local Rule 4001-1(a)** – Primarily stylistic changes and removal of duplicative language.

- **Local Rule 4001-1(b)(1)** – Indentation has been added. Judge Cary will confirm that Local Form 6 is the accurate form. Current (b)(2) will become (b)(3) and a new (b)(2) will be created from 9014-1(b)(2). Reference to “market” will be removed. Committee member brought forward concerns from a member of the Bar who suggested the required Local Form is duplicative of the motion contents. Ms. Fisher will work on a proposed solution and bring it back to the Committee.
- **Local Rule 4001(c)(2)** – The reference to 2002-1(g) needs to be updated. Judge Cary will confirm the updated rule.
- **Local Rule 4001-1(d)** – Minor changes. Subsections of (1) and (2) will be combined. Judge Cary will make this change and circulate.
- **Local Rule 4001-1(e)** – Removed; this issue will be addressed during the review of the 9000s Rules.
- **Local Rule 4001-1(f)** – Removed; this issue will be addressed during the review of the 9000s Rules..
- **Local Rule 4001-1(g)** – This will be left alone.
- **Local Rule 4001-2(a), (b), (c), and (d)** – All changes are minor, mostly stylistic.
- **Local Rule 4001-2(e)** – Eliminate as a duplication of 9000s.
- **Local Rule 4001-2(f)** – Removed.
- **Local Rule 4001-2(g)**- Removed; this issue will be addressed during the review of the 9000s Rules..
- **Local Rule 4001-2(h)** – Removed.
- **Local Rule 4001-2(i)** – Removed.
- **Local Rule 4001-3 (a), (b), (c), and (d)** – One grammatical changed, otherwise approved.
- **Local Rule 4001-3(e)** – Removed due to redundancy.
- **Local Rule 4001-3(f)** – Removed; this is sufficiently addressed in the Federal Rules of Bankruptcy Procedure.
- **Local Rule 4001-3(g)** – Removed; this is addressed in the new introductory paragraph of 4001-3.
- **Local Rule 4001-4** – Removed.

- **Local Rule 4003-1** – No changes.
  - **Local Rule 4008-1(a)** – Removed; this is sufficiently addressed in the Federal Rules of Bankruptcy Procedure.
  - **Local Rule 4008-1(b)** – Rule after “filed in compliance...” to be updated to reflect the correct rule.
5. **Addition of Motions for D. Me. LBR 9013-1(d)(1).** This agenda item will act as a placeholder for the Committee to make any recommendations on adjustments to D. Me. LBR 9013-1(d)(1) once the review of the proposed “comprehensive” changes to the local rules has taken place. Mr. Hull will be keeping a running list of ideas and/or suggestions that are received and/or suggested. This item will remain on the agenda for future discussion.
  6. **New Business/Matters/Issues.** Mr. Hull asked for volunteers to review USDC’s Local Rule 16 with him in the next few days. Mr. Wholly and Judge Cary agreed to assist him with this review.
  7. **Scheduling Next Meeting.**
    - October 27, 2022 at 10:00 a.m. – 5000s, 6000s and 7000s
    - December 1, 2022 at 10:00 a.m. – 9000s