

## MINUTES

### **United States Bankruptcy Court for the District of Maine Local Rules Committee Meeting November 18, 2020 – 10:00 a.m.**

**Present:** Mr. Hull (Chair), Chief Judge Cary, Mr. Wholly, Ms. Economy, Mr. Sleeper, Mr. Morrell, Mr. Dudley, Mr. Crosman and Mr. Molleur.

**Observers:** Ms. Dye.

**Absent:** Ms. Doil, Mr. Anderson.

1. **Approval of Minutes of Prior Meeting.** Minutes from the September 22, 2020 meeting were approved and will be posted to the website.
2. **Chair Announcements.** There are four upcoming CLE events presented by the Bankruptcy Section of the Maine State Bar Association and several members from the Committee will participate in presentations. Mr. Hull reported that he attended the District of Maine plenary administrative meeting in September to provide an update on the Committee's work over the past year.
3. **Clerk's Office Announcements/Updates.** Chief Judge Cary reported that Monica Bigley will be starting on November 23, 2020 as the new Clerk of the Bankruptcy Court. Chief Judge Cary gave a brief overview of Ms. Bigley's experience.
4. **Pretrial Process and Forms** – The Committee continued to explore the proposed revisions to the pretrial process, including revised forms. The intent of the revisions is to standardize the process, reduce costs and adhere to the language of the Federal Rules of Bankruptcy Procedure. Mr. Hull will update the comments/questions previously provided by the Committee. This item will remain on the agenda.
5. **Compliance with Administrative Order Regarding Electronic Signatures** – The Committee reviewed the various signature procedures used in the following courts: Connecticut, Delaware, Georgia, Minnesota, Nebraska, New Hampshire, New York, Eastern/Southern and Texas, Southern. In addition, Mr. Morrell described the signature process approved by the UST Program and agreed to circulate the UST Program's rule for consideration by the Committee in advance of the next meeting. This item will remain on agenda.
6. **Rule 3002.1 – Notice Relating to Claims Secured by Security Interest in Debtor's Principal Residence – Subcommittee Formation** – Mr. Sleeper reported that this subcommittee examined whether secured creditors receiving payments from Mr. Dudley through conduit plans could avoid the requirement of filing monthly payment change for HELOCs (*e.g.*, filing notices of payment changes quarterly or annually). All agreed to having the subcommittee propose language for a new local rule and circulate a draft of the proposed rule prior to next meeting. This item will remain on the agenda.

7. **December Federal Rule Changers** – Mr. Hull reported on local rule changes necessary to accommodate the changes to the following Federal Rules:
  - Appellate Rules 35 and 40.
  - Bankruptcy Rules 2002, 2004, 8012, 8013, 8015, and 8021.
  - Civil Rule 30.
  - Evidence Rule 404.
8. **Review of Local Rules for Consistency/Cross-References/Updating.** Chief Judge Cary reported that great progress has been made. Ms. Doil and Mr. Molleur will be receiving the red-lined version soon. The subcommittee will then have a series of meetings to discuss.
9. **New Business/Matters/Issues** – No new business topics were brought up.
10. **Scheduling Next Meeting.** – January 12, 2021 at 10:00 a.m.