

## **MINUTES**

### **United States Bankruptcy Court for the District of Maine Local Rules Committee Meeting April 25, 2024 at 10:00 a.m.**

**Members Present:** Sam Anderson, Kevin Crosman, Shawn Doil, Andrew Dudley, Kellie Fisher, Jennifer Hayden, Nate Hull, Steve Morrell, and Jim Wholly.

**Members Absent:** None

**Other Participants:** Monica Bigley

1. **Approval of Minutes of Prior Meeting.** The minutes from the February 29, 2024 meeting were approved.
2. **Chair Announcements.** Nate Hull extended his thanks and appreciation to all committee members for continuing to serve. He indicated that if anyone can think of someone who may be a good addition to the committee, please let him know.

Meetings will be scheduled once every two months. Judge Cary will not be sitting in on meetings. The committee will return to the format of forming subcommittees to take deeper dives into potential rule revisions, then bringing their findings back to the committee.

A master redline version of the Local Rules will be maintained by the Clerk's Office with the Committee's proposed changes. In the fall 2024, the proposed revisions will be posted for comment. The exception to this would be when emergency modifications of the Local Rules are necessary.

### **3. Discussion**

- a. Local Rule 2002-1(a)(4): Discussion on adding "filed a proof of claim or" after "all creditors that have" in the third sentence.
  - Considered and Committee will take no action. No proposed change.
- b. Local Rule 4002-1: Consideration to add "and serve all holders of domestic support obligations" after "The debtor must file."
  - Considered and Committee will take no action. No proposed change.
- c. Local Rule 9010-1(b): Proposed to change "permitted" to "prohibited."

- Jen Hayden and Steve Morrell will form a subcommittee to examine this rule and report to the group.
- d. Local Rule 9013-1(d): Should we recommend a deadline to file reply briefs?
  - Committee voted in favor of proposing a reply brief deadline of 5:00 p.m. two calendar days before hearing. Nate Hull will work with Monica Bigley to insert the proposed language into Local Rule 9013-1(b)(2) in the master redline.
- e. Local Rule 9013-3: Addition of pro hac vice motions to the “Relief Requested Without a Hearing” list.
  - Committee voted in favor of adding pro hac vice motions to the 9013-3 list. Nate Hull will work with Monica Bigley to insert proposed language into Local Rule 9013-3.
- f. Local Rule 9013-3: Review of comment regarding the “omission” of consented to Motions for Relief from Stay from the “Relief Requested without a Hearing” list.
  - Considered and Committee will take no action. No proposed change.
- g. Local Rule 9013-3: Discussion on eliminating subsection (c) due to conflicting language in Local Rule 9013-2.
  - Considered and Committee will take no action. No proposed change.
- h. Elimination of the lone standing order.
  - Committee will not take any action absent request from Judges.

#### **4. Open Matters to Be Considered and Discussed:**

- a. Local Rule 9013-1(c): Evaluation of the current requirement to admit or deny each allegation included in a motion.
  - The Judges have not had an opportunity to connect on this issue. This matter will stay on the agenda for further feedback from the Judges.
- b. Rule 4001-1(b)(1) and Local Form 6.
  - Kellie Fisher and Steve Morrell will form a subcommittee to

review Local Form 6 with an eye toward whether (i) it may be streamlined; and (ii) whether use of the form may be eliminated in chapter 7 cases.

c. Initial Hearing Process and Procedure

- Committee will solicit input from practitioners regarding questions, requests for clarity, or other concerns regarding initial hearings. Kellie Fisher, Shawn Doil, Jen Hayden, and Nate Hull will prepare draft questions and sent to the Committee for review. Once approved, questions will be sent to practitioners. Committee will discuss feedback at the next meeting and use that feedback to inform proposed rule revisions and brown bag luncheon topics.

d. Sanctions Motions and the Local Rules

- Considered and Committee will take no action. No change.

5. **Scheduling Next Meeting.** June 27, 2024 at 10:00 a.m. via Teams.