

CINCINNATI BANKRUPTCY JUDICIAL LIAISON COMMITTEE

MEETING MINUTES – MEETING DATED SEPTEMBER 13, 2013

Present:

Judge Buchanan

Judge Hopkins

Judge Perlman

Marge Burks

Ed Boll

Stephen Crowe

Cindy Doyle

Eileen Field

Cara Hurak

Monica Kindt

Tim Miller

Ray Pikna

Lynnetta Rollinson

Nick Zingarelli

Chairperson : Casey Cantrell-Swartz

Chairperson Casey Cantrell-Swartz called the meeting to order at approximately 11am.

Housekeeping matters:

- Follow up on Columbus Town Hall Meeting: Ed Boll did not attend the Columbus CBA Town Hall meeting. Marge Burks will reach out to the Columbus Chapter 13 Trustees to see how it went.
- Considering having a Judicial Liaison Panel either at the December CBA seminar or at the Bankruptcy Committee Meeting. Marge Burks suggested perhaps doing one session with Judges and one without. Casey Cantrell-Swartz will follow up with Susan Argo, Bankruptcy Committee Chair.
- By-Laws update – Ed Boll circulated the almost final draft of the By-Laws. A committee composed of Ed Boll, Ray Pikna, and Marge Burks will finalize.
- Ed Boll suggested the Judicial Liaison meetings be semi-annually.

Substantive Matters:

- 1) Discussion of bankruptcy case load. Lots of attorneys do not have work. Many law firms have let attorneys go.

- 2) Clerk's Office: Judge Hopkins reported that the clerk's office is reducing noticing and more noticing will be done by counsel. Lynnetta said the clerk's office is looking into how Orders are served to reduce service of the Orders. Biggest problem is attorneys putting on the Orders that they should be served on "all creditors" when sometimes just "default list" will do. J. Buchanan indicated that there is a committee working on form documents. Marge will see about including this information at the December seminar. Also, Judge Hopkins reported that there may be some consolidation of functions and duties with the Bankruptcy Court and the District Court.
- 3) Chapter 13: Marge reported that the chapter 13 case filings are down. She still is dealing with mortgage claim issues. Trustee's office is doing more of the noticing since the clerk's office has been reducing. There is a National Plan out for comment. Comment deadline is sometime in February 2014. Ed Boll circulated a copy of the proposed National Plan and an article he wrote about the proposed plan and amendments to the FRBP. The Chapter 13 Trustees in the SDOH are working on a form plan. They hopefully will present something to the Judges in November.
- 4) Chapter 11: Nothing to report
- 5) Local Rules Issues: Ray Pikna suggested changing the local rule regarding service of motions and documents on debtors that are represented by counsel.
- 6) Chapter 7 Issues: The issue of administering *pro se* cases was discussed. The *pro se* filings have increased dramatically. Some chapter 7 trustees are seeing 6-7 *pro se* cases per docket. Cases are filed with or without BPPs. Chapter 7 Trustees have a hard time administering these cases because the *pro se* debtors don't bring the right documents. Discussion about how to raise awareness amongst *pro se* debtors of documents to bring. Bankruptcy Court website has information for *pro se* debtors. Lynnetta said the Clerk's office provides information to the *pro se* debtors when they file their case. Judge Hopkins explained the issues with Legal Aid and VLP – they do not have employees to screen bankruptcies. Judge Hopkins also mentioned setting up the "Bankruptcy By-Pass" similar to the program set up by the Legal Aid society in Cleveland. Ray Pikna suggested a local rule or document that *pro se* debtors have to sign acknowledging that they need to provide documents at the §341 or their case may be dismissed. Trustees are going to start filing more motions for turnover, adversary actions, and motions to dismiss on *pro se* cases.

Future meetings will be held semi-annually.

Next meeting is not scheduled.

The meeting adjourned at approximately 11:55am.

Monica Kindt - Secretary