

MINUTES OF MEETING OF
STANDING LOCAL BANKRUPTCY RULES REVISION COMMITTEE
DISTRICT OF COLORADO, BANKRUPTCY COURT
February 8, 2022

A regular meeting of the Standing Local Bankruptcy Rules Revision Committee was called to order at 12:01 on Tuesday, February 8, 2022, by Chair Ted Hartl.

Attendance: The following Members, Ex-Officio Members and Judicial Advisors attended by phone or a Zoom conference call:

Members

Ted Hartl, Chair
Bonnie Bell Bond, Whip
Steven Mulligan
Michael Suchoparek, Secretary
Thomas Vincent
Tara Salinas
Jennifer Cruseturner
Deanna Westfall

Ex-Officio Members

Kenneth Gardner
Adam Goodman
Margaret Muff
Paul Moss
Laura Guice
Doug Kiel
Stephen Nicholls
Zoe Alrecht

Judicial Advisors

Judge Thomas McNamara
Judge Joseph Rosania

Items

1. Vote on approval of minutes from last meeting held on October 19, 2021.
 - a. Steve Mulligan: Motion to Approve. Tara Salinas seconds. No Opposition. Approved.
2. Report of Committee Chair.
 - a. Ted Hartl:

- i. Joli Lofstead asked to step down and is now off the roster.
- ii. Ted Hartl will report back on new Chapter 7 Trustee to fill the vacancy.

3. Report of Judicial Advisors.

a. Ken Gardner:

- i. Last year was lowest year ever with case filing statistics.
- ii. Sub Chapter 5 cases are being filed in this district.
- iii. Nationally we are a pre-recession debt levels.

b. Judge Rosania:

- i. Colorado has a very low unemployment rate.
- ii. ABI Conference – Civil / Criminal contempt materials were very interesting.

c. Judge McNamara:

- i. Court may reopen more in the coming months to in-person hearings.

4. Pending and New Committee Matters:

a. Local Rule revisions effective 12/1/2021; feedback or practice issues?

i. Doug Kiel:

- 1. Maybe revisit long form fee application vs presumptive fee rules.

b. Hybrid work update, remote / video appearances.

- i. Ted Hartl: Prefers in person depositions.
- ii. Judge Rosania: Pros of virtual hearings is that costs are kept down.
- iii. Judge McNamara: His chambers are currently flexible for what the parties want to do at this time.

c. National Rules out on Comment Period

- i. No substantive changes other just restyling and changes to Rule 3002.1, 8011, and 9038.
- ii. These rules are likely to go into effect in 2023.

iii. No idea if the Cares Act will be extended.

iv. Adam Goodman:

1. He wrote a comment to the draft rule 3002.1 as it does not work well and is a lot of work in non-conduit jurisdictions.

5. Scheduling Next Meeting.

- a. July 12th at Noon. TBD on virtual or in-person.

6. Adjourn: 12:38PM