

MINUTES OF MEETING OF  
STANDING LOCAL BANKRUPTCY RULES REVISION COMMITTEE  
DISTRICT OF COLORADO, BANKRUPTCY COURT  
May 9, 2023

A regular meeting of the Standing Local Bankruptcy Rules Revision Committee was called to order at 12:01PM on Tuesday, May 9, 2023, by Acting Vice-Chair Michael Suchoparek

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

**Members**

Bonnie Bell Bond, Whip  
Steven Mulligan  
Michael Suchoparek, Secretary & Acting Vice-Chair  
Tara Salinas  
Deanna Westfall

**Ex-Officio Members**

Paul Moss  
Laura Guice  
Jared Walters  
Doug Kiel  
Adam Goodman  
TJ Vincent  
Stephen Nicholls

**Judicial Advisors**

Judge Romero  
Judge Tyson

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**Items**

1. Vote on approval of minutes from last meeting held on November 8, 2022.
2. Steve Mulligan: Typo - should read "preliminary hearing".
3. With that Change. Tara Salina Moves to Approve. Judge Romero Seconds. Approved.
4. Report of Committee Secretary and acting Vice-Chair (in lieu of Chair).
  - (a) Michael Suchoparek: On May 8, 2023 the District Court General issued orders rescinding previous COVID orders. Will this have any impact on the Bankruptcy Court?
  - (b) Judge Tyson: May impact future Zoom trials but not sure yet.

(c) Judge Romero: No changes were discussed with the Chief Judges meeting the previous week.

5. Report of Judicial Advisors.

(a) Nothing to Report

6. Pending and New Committee Matters:

(a) Jennifer Cruseturner departure (Vice-Chair), Michael Suchoparek to Vice-Chair, and solicitation for new Secretary;

(i) New Secretary Position.

1) Tara Salinas proposed her interest in Secretary Position.

2) No others proposed interest.

3) Michael Suchoparek nominated Tara Salinas. Judge Romero Seconds. Approved.

(ii) New Vice-Chair Position.

1) Michael Suchoparek proposed interest in Vice-Chair Position.

2) No other proposed interest.

3) Deanna Westfall nominated Michael Suchoparek. Judge Romero Seconds. Approved.

(b) Request for participation/membership from Thomas A. Arany, Watton Law Group, chapter 13 and chapter 7 practitioner;

(i) Tara Salinas: A consumer creditor from Colorado Springs would be good to have more geographical representation.

(ii) Doug Kiel: Thomas Arany would be a great addition to the Committee.

(iii) Judge Romero: We can expand the committee for more representation.

(iv) Deanna Westfall: She will reach out to consumer creditor attorneys for interest and representation on the committee.

(c) Committee updates/reports for Court's website:

<https://www.cob.uscourts.gov/court-info/local-rules-and-orders>

(i) Laura Guice: Clerks office maintains website and can update language.

(ii) Michael Suchoparek: Language should probably be updated as it is over 10 years old.

1) Michael Suchoparek will draft proposed language changes to circulate for next meeting.

2) Should we add language stating that if one wants the approved minutes of this committee to contact a committee member or after approval send the minutes to the clerk's office to hyperlink the date and approved minutes to the website?

3) Laura Guice: Should not be an issue to include the minutes on the Court website and will check with IT to ensure there are no issues.

4) Judge Tyson: Transparency would be a good thing if we can make minutes available on website.

(d) Zoom/Hybrid procedures – need for local rule;

(i) Judge Romero: Very difficult to get consistency across the judges on procedures.

(ii) Judge Tyson: May be possible to gather each chamber's scheduling orders to see if the consensus portions could be built into a local rule. At time of next meeting there will only be four judges with Judge Brown's retirement.

(e) Rule 4001 (from last meeting – Steve Mulligan update).

(i) Steve Mulligan: Current rule is void of any requirements to exchange witness lists prior to the preliminary hearing.

1) Proposed adding sentence with the requirement to exchange a list of witnesses into Rule 4001(c)(1).

2) Proposed striking the final sentence in Rule 4001(c)(1) that states written summaries are not required as it is in conflict with Local Form 9071.1.

(ii) Judge Romero: Assumed rule always had a requirement to exchange witnesses and agrees it should be a requirement in the rule.

(iii) Judge Tyson: Agrees should be in the rule.

(iv) Tara Salinas moves to Approve Changes. Deanna Westfall Seconds. Approved.

(v) Laura Guice: Should this be a GPO since there are not many changes this rules cycle to send to the District Court?

(vi) Judge Tyson: A GPO would probably make sense until we have more rules to include to the District Court.

(vii) Steve Mulligan: Will update the proposed rule and send to the committee chair.

7. Miscellaneous and Potential Committee Matters:

(a) Electronic Signatures:

(i) Tara Salinas: We should revisit proposing electronic signature rules since the practice has changed in the Debtor's bar since we do not meet with clients in the office as much as we used to in the past.

(ii) Paul Moss: The United State Trustee is still against electronic signatures the last time they discussed it and there is no movement in change of position at this time.

(iii) Michael Suchoparek: Agrees with Tara Salinas that we should take another look at where other districts are going with electronic signatures as wet signature requirements is an impediment to current practice.

(b) Paul Moss Departure

(i) Paul Moss: Informed this committee this will be his last meeting as he is moving out of state on a United State Trustee detail.

(ii) The United State Trustee will be replacing him with another person on the committee and will email the Chair.

(c) Committee List

(i) Michael Suchoparek: Check the contact information on the committee list and let Michael Suchoparek know of any changes or updates by May 12, 2023.

8. Scheduling Next Meeting.

(a) September 12, 2023 at Noon via Zoom.

9. Adjourn. 12:33PM