

Minutes of Lawyers Advisory Committee Meeting

Meeting Date: December 6, 2017

Meeting Location: Forsgate Country Club, Monroe Township, NJ

Members in Attendance: Hon. Kathryn C. Ferguson, Chief Judge US Bankruptcy Court, Jeanne A. Naughton, Clerk US Bankruptcy Court, Catherine Youngman, LAC Chair, David G. Beslow, LAC Vice Chair, Isabel Balboa, Standing Chapter 13 Trustee (Camden), Carrie Boyle, Shoshana Schiff, Kim Lynch, Benjamin Stanziale, Andrew Finberg, Rick Dressel, Ross Switkes, Mark Hall, Robert Schneider, Karina Lucid, Anne Cantwell, Brian Hoffmeister.

Call to Order: Meeting called to order at 6:30 p.m.

Quorum: Chair Catherine Youngman reported the existence of a quorum to conduct business.

- I. **Welcome and Administrative Update** - Chair Catherine Youngman honored the recently departed William Mackin, former Chair of the Lawyers Advisory Committee, paying tribute to his service to the LAC, his commitment to the bar and his legacy as a friend and member of the community. The Chair then advised that the Minutes from the June 21, 2017 minutes had been reviewed, approved, and posted to the Bankruptcy Court's website.
- II. **Commercial Bankruptcy/Chapter 11 Subcommittee Report** – Morris Bauer, Chair (absent), submitted a written report discussing various issues being worked on by the subcommittee, specifically the Chapter 11 combined plan and disclosure statement.
- III. **Consumer Bankruptcy Subcommittee Report** – Andrew Finberg, Chair, reported on three (3) issues being worked on by the subcommittee. First, whether or not secured lenders and/or servicers should be required to submit and file signed final loan modification papers when they are actively participating in the loss mitigation program. Second, whether HELOC lenders should be required to send payment change notices directly to borrowers and counsel every six months. Third, the Chapter 13 proposed fee guidelines currently being reviewed by the Board of Judges.
- IV. **Local Rules Subcommittee** – Chair, Kim Lynch reported that the Subcommittee was primarily working on a potential rule to accompany the recently approved order reinstating case.
- V. **Local Forms Subcommittee** – Shoshana Schiff, Chair, reported on the completion of the standard form loan modification order. A motion to approve the form of order was proposed and seconded, and the Lawyers Advisory Committee moved to send the proposed form of order to the Board of Judges. The subcommittee chair also reported

on suggested changes to the Local Form 16a, dealing with a potential revision of the post-petition payment history attached to motions for relief from the automatic stay.

- VI. **Newsletter Subcommittee** – Carrie Boyle, Chair, discussed the most recent publication of the Absolute Priority as well as her subcommittee’s work in preparing for the next issue.
- VII. **Board of Judges Update** – Honorable Christine M. Gravelle, USBJ (absent). Chief Judge Kathryn Ferguson, USBJ presented in place of Judge Gravelle, and discussed further the addition of recent forms to the Bankruptcy Court’s website. The Chief Judge requested that the LAC obtain feedback from the bar regarding the implementation of the new forms.
- VIII. **Clerk’s Report** – Jeanne Naughton, Clerk, United States Bankruptcy Court District of New Jersey, reported on several potential local rules being examined, including Rule 1007-2 (extension of time to file missing documents), 3007-2 (omnibus claims), 4002-1 (certification in support of discharge), 6004-5 (payment of professionals), and 9013-4 (orders to be submitted).
- IX. **Liaison Reports**
 - A. **United States District Court Lawyers Advisory Committee** – Shoshana Schiff reported that the District Court Lawyers Advisory Committee meeting was scheduled for January 24, 2018. She will provide a more detailed update on the District Court LAC meeting at our next meeting date.
 - B. **United States Trustee Report** – Martha Hildebrandt (absent) – Rob Schneider appeared on behalf of the United States Trustee’s Office and advised that there was nothing to report.
 - C. **Internal Revenue Service** – Eamonn O’Hagan (absent) – Nothing to report.
 - D. **New Jersey Attorney General** – Ramanjit Chawla (absent) – Nothing to report.
 - E. **New Jersey State Bar Association** – Michael Brown (absent) – Mark Hall reported on behalf of Mr. Brown, and advised of the upcoming dinner honoring Gerald Gline.
 - F. **Federal Bankruptcy Bar Association** – Mark Hall – Mark reported on the upcoming Bench Bar Conference.
- X. **Old Business** – None
- XI. **New Business** – None
- XII. **Next Meeting Date** - Next Meeting date was scheduled for March 7, 2018 at 6:00pm tentatively scheduled for Forsgate Country Club, Monroe Township, NJ
- XIII. **Motion to Adjourn** – The motion was made, seconded, and the meeting was concluded at 7:37pm.