

MINUTES

ATTORNEY ADVISORY GROUP

NOVEMBER 15, 2012 @10:30 AM

Present:

Honorable Dwight Williams, Chief Bankruptcy Judge
Honorable William Sawyer, Bankruptcy Judge
JC Guerrero, Clerk of Court
Doug Young, Chief Deputy Clerk
Teresa Jacobs, Bankruptcy Administrator
Sabrina McKinney, Staff Attorney Chapter 13 Trustee's Office
Rafael Gil, Member
Marsha Mason, Member
Gail Donaldson, Member
Nick Parnell, Member
Sandra Lewis, Member
Collier Espy, Chapter 7 Trustee (Appearing by phone)

Absent:

Paul Spina, Member
George Thomas, Member
Daniel Hamm, Chapter 7 Trustee

Opening

Judge Williams opened the meeting at 10:30 and welcomed everyone and thanked everyone for being there. Judge Williams paid special thanks to the four members of the Advisory Group whose terms are expiring this year: Gail Donaldson, Rafael Gil, Sandra Lewis, and George Thomas. He thanked them for the service on the Advisory Group.

Old Business

Minutes: JC Guerrero reminded everyone that the minutes from these meetings are posted on the Court's webpage.

Newsletter: JC Guerrero let everyone know the fourth edition of the Court's semiannual newsletter was set to come out before the end of November. He also told everyone it was not too late if someone had something they wanted to place in the newsletter.

Opelika courthouse renovation: JC Guerrero informed the group that GSA was planning to begin the courthouse renovation in Opelika in mid-December. The project will involve the entire courthouse with the main construction taking place in the first floor courtroom. The

courtroom on the first floor will be enlarged and completely renovated. The courthouse will be closed for six months for the renovation. In the meantime, Bankruptcy Court hearings and 341 hearings will be held across the street from the courthouse in the Opelika City Council hearing room. [Note--at the time of posting the minutes, the renovation start date was moved to January 2, 2013].

New Business

Post-341 e-mails: Teresa Jacobs mentioned the pilot project involving sending out post-341 e-mails had not had the effect they had hoped. It was decided to discontinue sending out those e-mails. A suggestion was made to look into a Trustee's docket. There will be more to follow on that proposal.

New form for Chapter 11 plan: Judge Sawyer mentioned the possibility of using a new local form for Chapter 11 plans. He passed out a similar form used in another district and asked the members to review it and give him feedback.

Courtroom upgrades: JC Guerrero reported that new carpet and new courtroom technology equipment had been purchased for Courtrooms 4C (Judge Williams) and 4D (Judge Sawyer). He explained the equipment would be installed in the next 60 days while the carpet will be installed before the end of the fiscal year. Courtroom 4E will receive the old equipment out of 4C and 4D and Courtroom 4E will receive video teleconference equipment.

Effects of retirements: JC Guerrero explained that due to national budget cuts, he offered buyouts and early retirements to some employees. Four employees took the buyout and retired at the end of September. The remaining folks are working hard to keep everything running smoothly. He explained the Court's primary focus remains customer service. He asked the members of the Advisory Group to please let him know immediately if they ever notice any diminution in service.

New fees: JC Guerrero informed the group that some fees changes and a new fee had been approved. The fee changes (e.g., an increase in the Chapter 11 fee) will be effective on November 21, 2012. The new fee will be for transferring a claim and it will be \$25.00. This fee will become effective May 1, 2013.

Returned mail: Doug Young reported that on October 15, 2012, the Bankruptcy Notice Center (BNC) began accepting, processing, and securely disposing of returned mail. For the bulk of returned mail, a barcode on each envelope will be scanned in order to identify the envelope contents and generate an e-mail notification. The actual envelope will not be returned to the debtor's attorney

Rule amendments: Doug Young also reported the latest Bankruptcy Rule amendments will become effective on December 1, 2012. A summary of the amendments can be found on the Court's webpage.

New event for motion to modify mortgage: Doug Young also mentioned that a new Motion to Modify Mortgage event was recently added to the ECF event menu. When applicable, please use this event in lieu of the generic motion event.

Attorney Advisory Group member terms: Judge Williams thanked everyone again for their service to the Court and again recognized the Advisory Group members whose terms are expiring. He stated that he tried to keep the Attorney Advisory Group membership balanced between debtor and creditor attorneys and also by location. JC Guerrero said he would advertise the Advisory openings in the newsletter and by e-mail. Lastly, Judge Williams mentioned we might also be doing a local rules “scrub” sometime soon.

Upcoming Events

Judge Williams announced that the attorney forums have been well received and would continue to be held once a year in the spring (2013 exact dates to be determined). Also, the Attorney Advisory Group will continue to meet once a year in the fall (2013 exact date to be determined).

Around the Room

Collier Espy mentioned the issue of fees for debtor attorneys in Chapter 13 cases and asked whether the presumptive fee should be raised. A short discussion was held but no final decision was made.

The meeting concluded at 12:00.