

Circle of Love Notes

1/10/19

Judge Trish Brown started the meeting off with an announcement about the ongoing government shutdown. She declared all court staff and personal are essential and that the Bankruptcy Court will remain open and processing cases. She indicated that civil cases with the US Attorney's Office and the Internal Revenue Service will be stayed at the Oregon District Court. As of the date of this meeting, the Bankruptcy Court had funds to pay expenses through January 18, 2019.

Judge Tom Renn announced that he wants the United States Trustee's Office to file a motion in each individual case if they believe there should be a stay during the pendency of the government shutdown. He will not sign blanket orders for the UST but his Court will accommodate the best they can.

Charlene Hiss made a few announcements for the clerk's office:

- 1) They fixed and reissued the chapter 13 Plan for the district as it was having some problems with checkboxes.
- 2) The Bankruptcy Court's federal holiday page has been updated to assist in scheduling hearings.
- 3) Filing statistics show that Bankruptcy filings are generally down 4% year over year (September to September). Chapter 7 filings have seen a marked decrease but chapter 13 filings are up slightly.

Jordan Hantman made a few announcements for the Chapter 13 Trustee's office in Portland:

- 1) The Chapter 13 Trustee is willing to work with any Debtors currently effected by the government shutdown and the forced furlough without pay. Please contact their office directly to discuss this situation.
- 2) The Chapter 13 Trustee has been holding open Meetings of Creditors for 120 days to assist Debtors with the filing of tax returns. They wanted to remind all practitioners to please request that option at the hearing, as the trustee cannot necessarily reopen a meeting that they already closed.
- 3) The Chapter 13 Trustee has worked out a procedure with the clerks to have text docket entries for closure of the Meeting of Creditors before entry of the Confirmation Order.
- 4) The Chapter 13 Trustee wants to remind practitioners filing the new Chapter 13 Plan of some potential issues when filling in the Tax Refund dates at paragraph 3(c) on the Plan. Specifically, they pointed to issues between January and April where the Debtor may have received their refund prior to filing of the case. If the Debtor's counsel puts the current tax year in when the debtor already received the refund, potential problems can occur. The trustee suggested that you keep those years blank and fill them in by interlineation through the OCP.

Laura Donaldson requested that people please write articles for the Newsletter! Contact her, Margo Seitz, or Britta Warren, and they will get you setup to publish.

Rich Parker wanted everyone to know that a big settlement was reached with American Intercontinental University and if any practitioners are litigating related student loan cases, they may be in for a treat.

Finally Judge Renn put out a call for a Medford attorney who might be willing to assist clients with Pro Se representation. Please contact him directly if you are interested.

Thanks to Mary Ann Young, Charlene Hiss and the Judges (especially Judge Brown for her homemade brownies!) for providing vittles at the meeting.

The next meeting will occur on March 14th.