Consumer Bankruptcy Circle Notes
April 1, 2026

1. Introductions/attendance
    - Naliko Markel
    - Kirsten Wilkinson
    - Adam Weiner
    - Andrea Breinholt
    - Dave Hercher
    - Carolyn Smale
    - Brian Wheeler
    - Hon. Peter McKittrick
    - Rich Parker
    - Catherine Jedlicka
    - Hon. Kathryn Evans
    - Kasside Curtis
        - Oregon Family Law Solutions, Starting to take BK cases in Eastern Oregon.
    - Brian Hemphill
    - Stephen Gindling
    - Grace Kaesermann
    - Hon. Teresa Pearson
    - Reece Petrik
    - Hon. David Hercher
    - Jon Kuni
    - Carla McLung
    - Carrie Sheppard
    - Chris Kane
    - Theodore Piteo

2. Clerk's office update
    a. Kirsten Wilkinson
        i. Welcome to the Court's new Eugene-based Bankruptcy Judge, Kathryn Evans.
            1. Judge Evans's Investiture will be held at 3:00 on April 14, 2026, in the Jury Assembly Room of the Wayne L. Morse Courthouse in Eugene, Oregon, with a reception to follow. Members of the Debtor Creditor Section are invited to attend in-person or virtually via Zoom.
            2. An email invitation was sent to the Debtor Creditor Section listserv.
            3. To RSVP, please email Evans_Invesiture@orb.uscourts.gov by April 6, 20226, or contact Clerk of Court, Kirsten Wilkinson.
        ii. The Court currently has several recruitments for clerk's office and chambers positions.

1. Judge Evans is hiring for term law clerk in Eugene, Oregon with a project start date in September 2026.
2. The Clerk's office is recruiting for a new Courtroom Deputy Clerk in the Portland office who will be assigned to Judge Pearson.
3. The Clerk's office is recruiting for a Case Administrator I and Case Administrator II in the Portland Office.
4. If you know anyone who may be interested in applying for these positions, please direct them to the employment page on the court's website for full details on all the openings. https://www.orb.uscourts.gov/employment

iii. Filings Update
1. Case filings have been fairly flat over 2025 since start of year, which is not unexpected. Total filings rose considerably in 2025.

iv. Forms Reminder
1. With the retirement of Judge Renn and swearing in of Judge Evans, please remember to use the most updated local forms which reflect the change in judge.

3. Judges' update

a. Judge McKittrick

i. Follow up form Saturday Session Discussion on Conduit Payments.
1. A discussion occurred at the most recent Saturday Session regarding whether the District of Oregon should require certain post-petition payments to be made directly to the Chapter 13 Trustees.
2. The Oregon Bankruptcy Judges have suggested to Executive Committee Chair Holly Hayman that a working group be formed to consider the adoption of a local to this effect.
a. The working group has not been formed, but it will consist of at least the two Chapter 13 trustee offices and one representative from the debtor bar and one representative from the creditor bar.
b. The goal of the group is to prepare a report to the Oregon Bankruptcy Judges by Aug 1, 2026, so that a rule could be implemented impended during the end of year rule updates.
c. If you have interest in working group, please reach out to Holly.

ii. Welcome Judge Evans.

b. Judge Evans

i. Don't be surprised if I set more Zoom hearings than the other Judges. I am new to this jurisdiction, and I am just trying to get to know the bar.

ii. While I am from a jurisdiction that was all in-person, I am adjusting to Oregon practices. However, if I set a hearing to be in-person, please show up. I will not set in-person hearings without a good reason.

c. DWH

i. No Updates

d. THP
    i. Rule 3002.1(g) Notices
        1. When a trustee sends out a 3002.1(g) notice to mortgage lenders, the rule requires the lender to respond. If they don't respond, then trustee or debtor can file a motion. But I find that no one is doing anything when the creditor is not responding to the notice.
        2. If no one is taking any action, I am setting these as in-person show cause hearings usually on Thursday afternoons.
        3. If the mortgage company does not respond, then I will likely find the debtor is current.
        4. Parties can avoid these show cause hearing by complying with the rule or submitting a proposed stipulated order.
        5. If a mortgage company responds to the notice, then that will be set on my regular calendar.
        6. Jon Kuni:
            a. There is a period for a debtor to file a motion requesting the court to find them current if the creditor does not respond. Debtor's counsel can seek fees for that motion. The Portland Chapter 13 Trustee will not be filing these motions. We cannot represent what the status of the post-petition payments are.
            b. If there are missed payments in commitment period, our position is that those should be cured before a discharge is granted.

4. UST update
    a. NA

5. Updates from other trustee offices
    a. EUG Trustee – Naliko MarkeL
        i. I agree with Jon on the 3002 notices. We are all for show cause hearings when there is no response.
        ii. I like that Judge Evans is having Zoom hearings. Given that our office covers a large area, we also like to see faces.
        iii. Regarding conduit payments, Wayne Godare wrote article on the pros and cons of becoming a conduit jurisdiction in 2017. (Vol. II of the Section Newsletter in 2017.) He was advocating for it. I was not a proponent for it at the time, but I have changed my opinion. This is based on the volume of relief from stay motions related to missed post-petition pre-confirmation payments. We are requiring some debtors to certify in declarations they are current.
        iv. Have not heard from Holly about the working group yet.
    b. PDX Chapter 13 Trustee Office:

        i. Jon Kuni: We haven’t required declarations from debtors similar to what Naliko described.
        ii. We also haven’t heard from Holly, regarding the working group yet.

6. IRS updates
    a. NA

7. ODR updates
    a. NA

8. ODOJ updates
    a. Carla McClung:
        i. No updates.

9. Next Generation of Bankruptcy Lawyers update
    a. Reece Petrik:
        i. No updates

10. Updates from anyone else?
    a. Reece Petrik:
        i. Updates from Planning Committee for Section Annual Conference. Dates will be Sept 25-26, 2026. Working on securing a contract with Riverhouse Lodge in Bend, Oregon. Once contract is finalized, a save the date will go out on listserv.
    b. Rich Parker:
        i. There is a new Assistant U.S. Attorney handling student loan cases. Cameron Perle.
    c. Judge Pearson:
        i. NWBI is coming up. April 16-17, 2026, in Bellevue, Washington.

11. Select next date/who’s bringing food
    a. Wednesday, June 10, 2026.

12. Anything for the good of the order?
    a. None

13. Adjourn