

VBA Bankruptcy Committee
Bench-Bar Brown Bag Lunch Meeting
With
Colleen A. Brown, U.S. Bankruptcy Judge
Tuesday, August 14, 2007
12:30 pm – 2:00 pm

United States Bankruptcy Court, Rutland
Participation may be in person or via the telephone

The topics for this information discussion may include:

1. Motions under §362(c)(3) to extend or create a stay – Standing Order 05-05 (*attached*) requires the motion to be filed within 15 days of the case being filed and hearing to be set by courtroom deputy.
2. Relocation of VTB chambers and courtroom to 2d floor of USPO in Rutland will occur in October 26
3. Award of attorney's fees in RFS motions – will be granted only if
 1. the same, specific amount is specified in both the motion and order
 2. the RFS motion has an explanation of the basis and amount of the fee sought (*just asking for "reasonable attorneys fees" is not enough*), and
 3. the debtor has either stipulated to the fees sought or not objected to the RFS motion at all
 4. if a proposed RFS order is filed that has a blank line for amount of attorney's fees and no specific request and/or explanation in the motion, no attorney's fees will be awarded
4. Change in hearings calendar: as of October, we will have
 - 1 Burlington 7/ 11 calendar per month (on Tuesday)
 - 1 Rutland 7/ 11 calendar per month (on Tuesday) - that includes video conferencing access

 - 1 Burlington ch 12/13 calendar per month (on Thursday)
 - 1 Rutland ch 12/13 calendar per month (on Thursday)
5. Credit card transactions (Gary Gfeller)
6. CM/ECF tip of the day (Kathy Ford)
7. Video conferencing still available for court hearings and not yet getting much use
8. Bankruptcy Basics Program coming September 19 (*flyer attached*)
9. Topics for Bench Bar meetings invited!
10. Next Bench Bar Brown Bag Lunch Meeting will be **September 4, 2007 in Rutland**

These Bench-Bar Lunches are coordinated by the Bankruptcy Court Chambers and Clerk's Office.
Questions? Call Thomas J. Hart at 802-776-2002

No fee, no pre-registration required. Soft drinks and bottled water will be provided.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

In re:

**Motions for Continuance or Determination
of Automatic Stay under 11 U.S.C. §362(c)
in Cases Filed on or after October 17, 2005**

Standing Order # 05-05

IT IS HEREBY ORDERED, effective as to all cases filed on or after October 17, 2005, as follows:

1. A party in interest who seeks to continue the automatic stay pursuant to §362(c)(3) shall file a motion with the Court within 15 days of the filing of the petition demonstrating that the filing of the debtor's later case is in good faith as to the creditors to be stayed. The movant shall contact the Courtroom Deputy to schedule an evidentiary hearing with 10 days' notice. The motion and notice of hearing shall be served upon the debtor, the debtor's attorney, if any, the case trustee, the United States Trustee and all creditors. The movant, and any other interested party who either wishes to join or oppose the motion, shall file a Rule 9014 statement no later than 3 days before the hearing. If the movant fails to file the 9014 statement, the movant shall be limited to the evidence submitted with the motion.
2. A party in interest who seeks verification that a stay is not in effect under §362(c)(4) shall file a motion with the Court on notice to the debtor, the debtor's attorney, if any, the case trustee, the United States Trustee, and all creditors. Such motion may be noticed conventionally or under the Court's default notice procedure, see Vt. LBR 9013-4.
3. A party in interest who seeks to have the automatic stay take effect under §362(c)(4) shall file a motion with the Court within 15 days of the filing of the petition demonstrating that the filing of the debtor's later case is in good faith as to the creditors to be stayed. The movant shall contact the Courtroom Deputy to schedule an evidentiary hearing with 10 days' notice. The motion and notice of hearing shall be served upon the debtor, the debtor's attorney, if any, the case trustee, the United States Trustee and all creditors. The movant, and any other interested party who either wishes to join or oppose the motion, shall file a Rule 9014 statement no later than 3 days before the hearing. If the movant fails to file the 9014 statement, the movant shall be limited to the evidence submitted with the motion.

SO ORDERED.

October 20, 2005
Rutland, Vermont



Colleen A. Brown
United States Bankruptcy Judge

Bankruptcy Basics

September 19, 2007
Capitol Plaza, Montpelier

6.0 MCLE Credits

8:30 – 9:00 Registration
9:00 – 4:30 CLE Program
Lunch is On Your Own

A bankruptcy basics seminar not to be missed! Whether you are new to the practice of bankruptcy law, looking to be, or need a refresher course in light of the sweeping changes brought about by the 2005 bankruptcy reform, this course is for you. Obtain 6 hours of CLE credit learning about bankruptcy as a whole, client intake, meetings of creditors, documentary requirements, the Trustee's role, Chapter 13's, adversary proceedings and more. The afternoon session will take place in the federal courtroom as mock hearings are conducted on contested matters concerning Chapter 13 confirmations, relief from stay hearings and more in front of Bankruptcy Judge Colleen Brown. Ira Herman from Thomson & Knight in New York City will be the guest lecturer, with presentations by Heather Cooper, Jennifer Emens-Butler, Shireen Hart, Ray Obuchowski, Jan Sensenich, Todd Taylor and other experienced practitioners. The clerk's office will also be providing live electronic filing demonstrations.

In conjunction with the VBA and the Bankruptcy Court, this course will be a prerequisite to receiving a bankruptcy mentor through the VBA's mentor program. Those attending the seminar may also receive VBA CLE credit for future VBA programs if they become a bankruptcy mentor or commence bankruptcy pro bono filings.

VT Bar Association Continuing Legal Education Registration Form

Please complete all of the requested information, print this application, and fax with credit info or mail it with payment to: Vermont Bar Association, PO Box 100, Montpelier, VT 05601-0100. Fax: (802) 223-1573
PLEASE USE ONE REGISTRATION FORM PER PERSON.

First Name Middle Initial Last Name
 Firm/Organization
 Address
 City State ZIP Code
 Phone # (000-000-0000) Fax # (000-000-0000)
 E-Mail Address

I will be attending:

**Bankruptcy Basics
 September 19, 2007
 Capitol Plaza
 Montpelier**

Early Registration Discount (By 9/12)	Registrations Received After 9/12
VBA Members: \$145.00 Non VBA Members/Atty: \$215.00 Associate VBA Member: \$100.00 All Other: \$115.00	VBA Members: \$160.00 Non-VBA Members/Atty: \$225.00 Associate VBA Member: \$110.00 All Other: \$125.00
NO REFUNDS AFTER September 12, 2007	
EFFECTIVE JULY 26, 2004, TELESEMINARS WILL NO LONGER BE OFFERED FOR NEW HAMPSHIRE CLE CREDIT	

PAYMENT METHOD:

Check enclosed (made payable to Vermont Bar Association) Amount:
 Credit Card (VISA or MASTERCARD ONLY)

Credit Card # Exp. Date
 Cardholder