

VBA BANKRUPTCY LAW SECTION
BENCH-BAR BROWN BAG LUNCH MEETING
with Hon. Colleen A. Brown, U.S. Bankruptcy Judge
United States Bankruptcy Court, By Telephone
Friday, June 19, 2020 ~ 12:00 to 1:00 PM

Dial-in number: (888) 398-2342. Access code: 846 68 72#
If you dial into the meeting, please use your “mute” function, unless speaking.

AGENDA

1. MODE OF HEARINGS: DATE TO RESUME IN-PERSON HEARINGS JUDGE BROWN
 - How are Zoom hearings going for the bar and clients?
 - Are they more or less effective than telephonic hearings?
 - Would the bar like to do BB meetings by Zoom?
 - *Seeking input* re date and procedure for resuming in-person hearings

2. PRACTICE TIPS FOR PARTICIPATING IN A ZOOM HEARING JODY KENNEDY & JUDGE BROWN
 - (1) The courtroom deputy will email the Zoom meeting link & Zoom meeting telephone number to all attys who have appeared in the case, and will email this info no later than the day before the hearing.
 - (2) Attys should share this Zoom info *only with* their client (if appearing) and other attys.
 - (3) It's important for attys to contact the courtroom deputy the day before the hearing if they intend to appear, and to specify at which hearing, whether by Zoom video or Zoom telephone, and if the atty intends to appear by telephone only, the atty needs to provide her with the telephone number from which they (and their client, if any) will be calling
 - otherwise they may not be brought into the hearing (*we will be vigilant about security*)!
 - (4) It is crucial that attys participating in Zoom hearings
 - (a) have their phones / Zoom connection on *audio mute* when not talking, and
 - (b) do not use speaker phones.
 - (5) When an atty or party calls into the Zoom hearing, they will find themselves in “a Zoom waiting room,” and they will remain there until the Court is ready to address the matter in which they want to appear, and the courtroom deputy lets them in to the actual Zoom hearing.

3. UST EXTENSION OF TELEPHONIC & VIDEO 341 MEETINGS LISA PENPRAZE
 - as of 6/12/20, the requirement that §341 mtgs in Region 2 be conducted by telephone or video appearance is extended to apply to all cases filed through 10/10/20
 - this is subj to the UST or T in any case determining an in person mtg is necessary

4. STUDENT LOAN MANAGEMENT PROGRAM JUDGE BROWN, MELISSA RANALDO & HEATHER COOPER
 - the DoE has worked with ch 13 trustees and Ds' attys to formulate a SLM program they approve
 - with input from the DoE working group, and the availability of portals, the VTB SL TF & Ct are exploring if and how to incorporate the possibility of SL management into bk cases in VTB
 - *seeking input on this*
 - would not be a mandatory program (all relief available is available outside of bk'cy w/o using SLM)
 - to extent Ds wish to seek, choose, and implement a different SL repmt plan, they may do so w/ this
 - envision this option being available in all chapters

5. CLERK'S OFFICE UPDATE

THERESA DAVIDSON

- Next Gen goes live **Monday 7/13**
- *Each atty MUST*
 - (a) *upgrade their PACER account ASAP or will be unable to file in CM/ECF starting on 7/13/20, and*
 - (b) *link their PACER to the CM/ECF NextGen system on or after the Go Live date of 7/13/20.*
- **IMPORTANT NOTE:** *The CM/ECF system will be unavailable from the close of business on Friday, July 10th until the commencement of the business day on Monday, July 13th.*

6. 5-MINUTE BANKRUPTCY TAX TIP

MELISSA RANALDO

- How to file tax retns outstanding on the petition date and necessary for ch 13 plan conf:
 - During the pandemic (and for the foreseeable future), the IRS Bk'cy Specialists for Vt (Kathleen Blais and Sandra Rummel) will be accepting outstanding, signed tax returns (w/all attachments) from Ds' attys or the T by fax and email, i.e., they will not require blue-ink signed returns by 1st class or overnight mail.

7. POSSIBLE FARM BANKRUPTCY / TAX SEMINAR

JAN SENSENICH

- in planning stages; maybe a webinar on this topic over the summer
 - may be a joint program of VBA and VLS
 - anyone with interest or Qs should speak to Jan

8. NEW BUSINESS?

THE GROUP

- Suggested topics for today or future meetings?
- Questions? Comments?

9. NEXT MEETING: **September 1, 2020 in Burlington** (or by phone *or maybe by Zoom?*)

These Bench-Bar lunch meetings are coordinated by the Bankruptcy Court.

One CLE credit is provided for attendance at each meeting.

Contact Maria Dionne @ 802-657-6432 or maria_dionne@vtb.uscourts.gov with any questions