

VBA Bankruptcy Section
Bench-Bar Brown Bag Lunch Meeting
with Colleen A. Brown, U.S. Bankruptcy Judge
Tuesday, September 16, 2008
12:30 pm – 2:00 pm

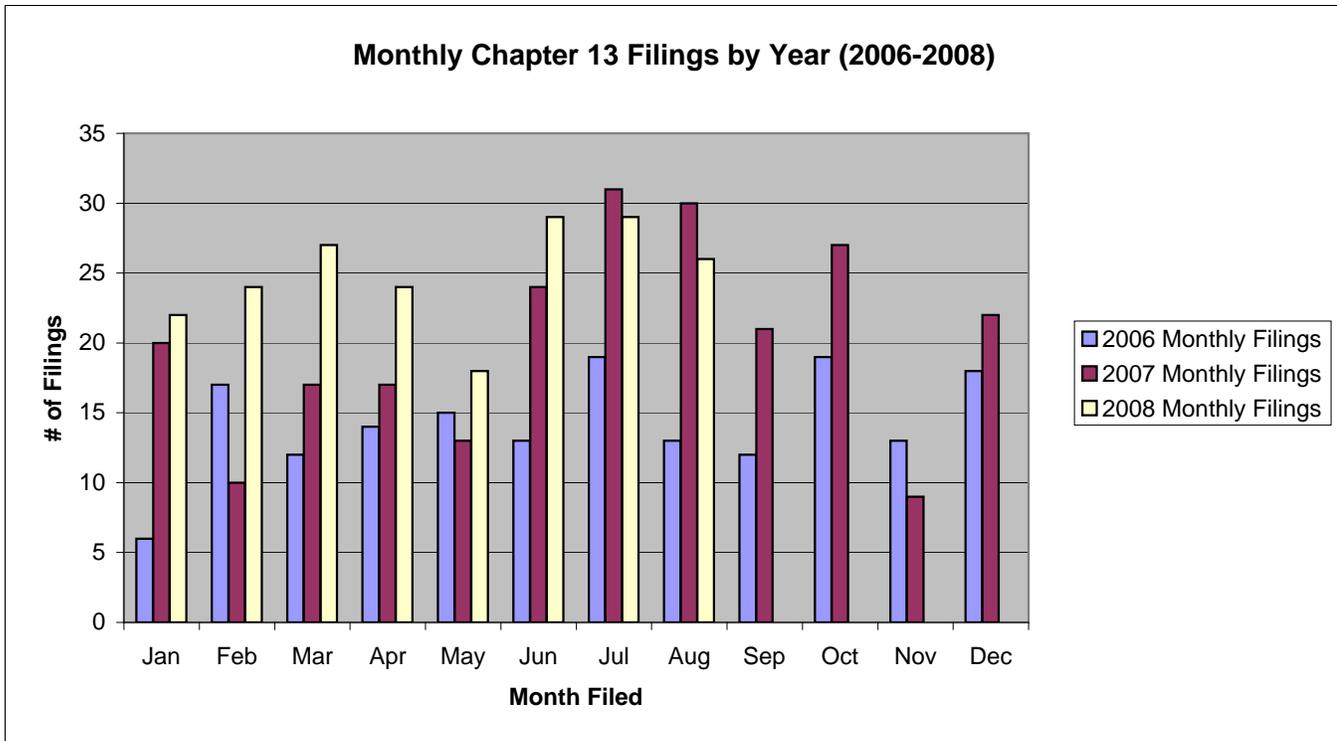
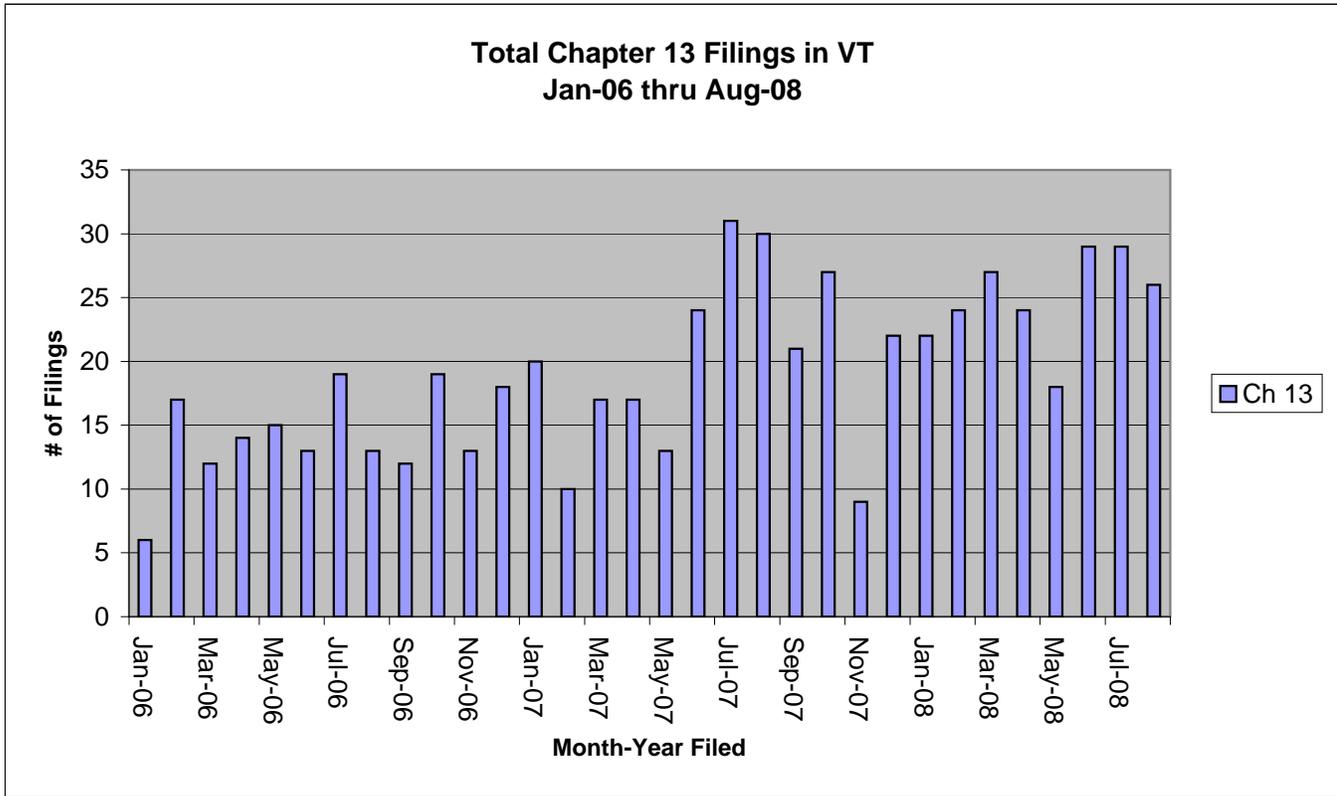
United States Bankruptcy Court, Rutland
Participation may be in person or via telephone

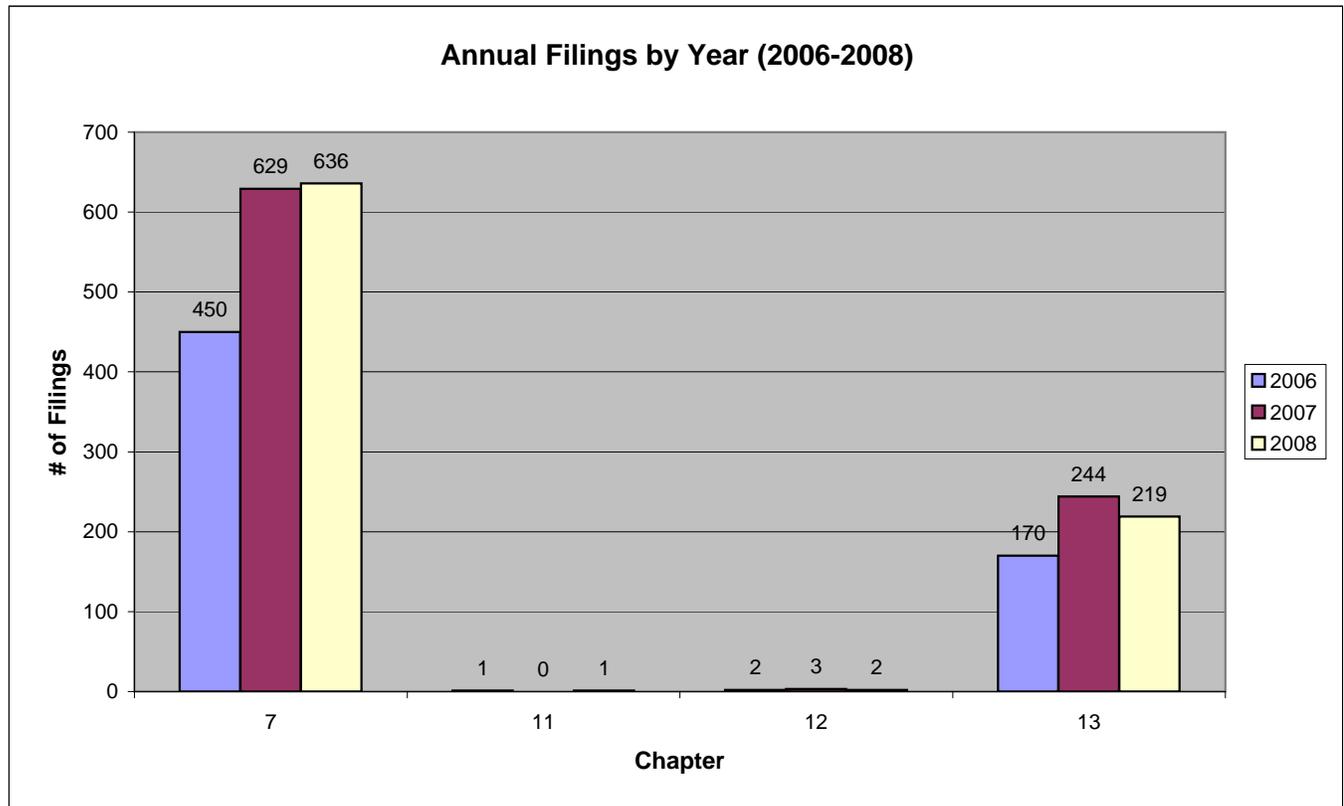
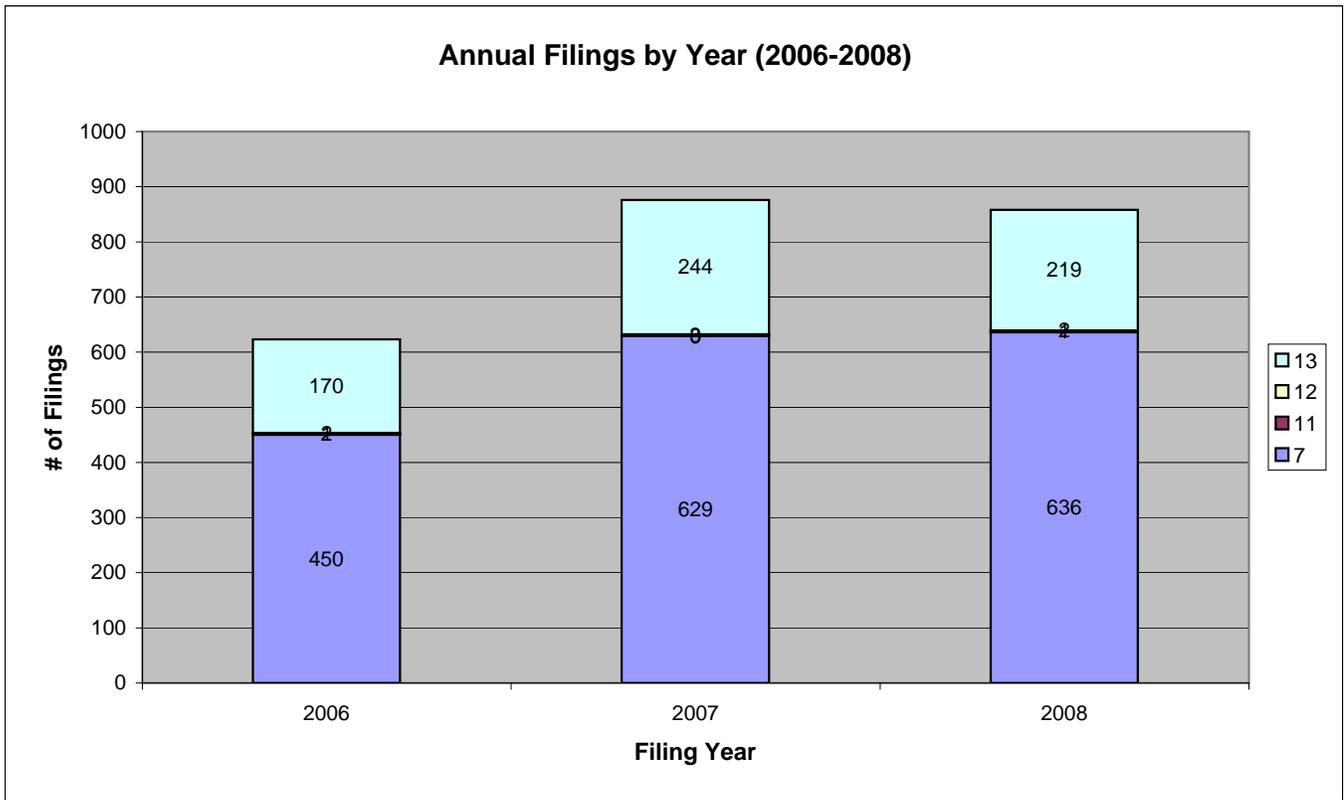
Topics proposed for this discussion include:

1. Reaffirmation Agreements
 - (a) attorneys should feel free to file an affidavit to supplement the cover sheet when there are other facts that affect the D's ability to pay that do not show up on the cover sheet.
 - (b) new rule 4008, effective date Dec 1, 2008;
 - will require reaffirmation agreements to be filed within 60 days after the 1st date set for the 341 meeting; and
 - require any order of disapproval to be entered before entry of discharge
 - (c) vacating discharges to file reaffirmations: reminder that to be effective, reaffirmation must be made (not filed) before entry of discharge.
2. Digital audio recording - Voice IQ System update on status.
3. Courtroom decorum – Attorneys need to stay in courtroom so they are there when cases are called.
4. Burlington meeting rooms (TJH)
5. Motions to Extend Time to file schedules and plans in ch 13 cases: 1st one will be granted if timely made; 2nd one for cause; 3rd one not likely to be granted - truly exigent, unforeseeable circumstances required.
6. Motions to Modify and Applications for Post-petition Attorney's Fees in Chapter 13 – Per Vt LBR 2016-2, a separate application for fees is required for post petition attorneys fees; however, the court will entertain an application for post petition attorneys fees in connection with a motion to modify **IF** the motion to modify explains the need, basis, and reasonableness of the fees sought. Once fees are approved (whether in the order approving modification, or in a separate order) an amended 2016(b) statement must be filed. The order approving fees must also specify that the amended 2016(b) statement must be filed before the attorney accepts the additional fee.
7. Upgrade to CM/ECF v. 3.2 and 3.3 (GMG)

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.





Average Number of Bankruptcy Filings from 2002-2004: 1803
 Projected Annual Filings for 2008: 1205