

MINUTES OF MEETING OF
STANDING LOCAL BANKRUPTCY RULES REVISION COMMITTEE
DISTRICT OF COLORADO, BANKRUPTCY COURT

A regular meeting of the Standing Local Bankruptcy Rules Revision Committee was called to order at 12:00 PM on Tuesday, February 11, 2025, by Chair Ted Hartl.

Attendance: The following Members, Ex-Officio Members and Judicial Advisors attended by phone or a Webex conference call:

Members

Ted Hartl, Chair
Michael Suchoparek, Vice-Chair
Tara Salinas, Secretary
Thomas Arany
Adam Goodman
Bonnie Bell Bond, Whip
Steven Mulligan
Morgan Stanley
Jared Walters

Judicial Advisors

Judge Tyson
Judge Romero

Ex-Officio Members

Zoe Albrecht
Ken Gardner
Laura Guice
Margaret Muff
Steve Nichols
Trish Turner

1. Vote on approval of minutes from last meeting held on October 8, 2024.
 - (a) Michael Suchoparek moved to approve, Bonnie Bell Bond seconded, and it was approved.
2. Report of Committee Chair.
3. Report of Judicial Advisors, Judge Tyson.

Judge Tyson indicated that some progress had been made on the issue of incorrect notice addresses on proofs of claim. Working with Margaret Muff and the Clerk's Office, there was hope that technology could be used to resolve the issue. The current idea is to add both addresses to the matrix, which would result in overservice rather than underservice. This issue will continue to be addressed going forward.

4. Pending and Potential New Committee Matters:
 - (a) Proposed revisions to L.B.R. 9011-4 re: digital signatures. Tara Salinas reported that there has been a draft rule distributed by Samuel Boughner of the US Trustee's office to the subcommittee (Michael Suchoparek, Tom Arany, and Tara Salinas). The parties met last week to discuss some adjustments and changes and

will continue to work on the draft. The goal would be to have a final version for consideration of the committee's next meeting.

Margaret Muff asked whether the rule will only apply to attorneys or if there is some provision for pro se filers also to use digital signatures. At this point, the rule is really intended to apply only to attorneys. Samuel Boughner indicated the rule could include a statement that makes this a clearer point. Judge Tyson asked that this be included.

- (b) Pro-Se Filing Numbers and Weighted Case Numbers: Judge Tyson explained that there has been an increase in the weighted case numbers over the past year, although not as much as hoped. The numbers have increased from 2023 (around 600 per judge) to 2024 (around 835 per judge). In order to replace Judge Brown, we would need to see 1,000 per judge for a sustained period. All the judges have made significant efforts to adjust the algorithm used to make this determination, involving timekeeping over a two-month period. It should take about a year to get the adjusted algorithm.

Laura Guice reported that we usually see pro se filings in about 10% of cases. At the end of 2024, the number was 10.7%, and in January 2025, it increased to 12.7%.

- (c) Tara Salinas suggested adjusting the no-look fee, which was last raised in May 2021. Judge Tyson asked that a survey of other jurisdictions' current no-look fees be included, and Judge Romero asked for a survey of the current district to determine the appropriate fee. Tom Arany noted that the Freddie/Fannie Guidelines have significantly increased fees for creditors' attorneys in Chapter 13 cases, often providing fees that are equal to $\frac{1}{2}$ the current no-look fee for objecting to a plan and filing a proof of claim. Ted Hartl indicated that there is a lot of fee pressure on larger firms, albeit not in the Chapter 13 arena, due to higher rates in other jurisdictions as well. Tara Salinas promised to start polling other jurisdictions nationwide as well as locally.
5. Deadlines for New Local Rules: Tom Arany inquired about the timeline for proposing new local rules in time for the District Court to review and approve them. Judge Tyson confirmed that we are shooting to submit them to the District Court by mid-June to ensure sufficient time to get approval and notice prior to implementation in December. Judge Tyson also suggested that we can start out with new items as GPOs, testing them locally before including them in the rules.
 6. Scheduling Next Meeting: The next meeting is scheduled for Tuesday, May 6, 2025, at 12:00 pm via Zoom.
 7. Adjourn. The meeting was adjourned at 12:26 pm.