

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, May 6, 2025, by Chair Ted Hartl.

Attendance: The following Members, Ex-Officio Members, and Judicial Advisors attended by Zoom:

Members

Ted Hartl, Chair
Michael Suchoparek, Vice-Chair
Tara Salinas, Secretary
Thomas Arany
Bonnie Bell Bond, Whip
Steven Mulligan
Jared Walters
Doug Kiel

Judicial Advisors
Judge Tyson

Ex-Officio Members
Ken Gardner
Margaret Muff
Trish Turner

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

Judge Romero is in a trial with a witness in Panama, and Zoom connection was slow. He will likely not be able to join.

The Court has phased out the EDS system for pro se filers; it is almost completely shut down except for a few who have requested it remain open. Creating some CM/ECF guardrails will allow pro se filers to use that system. The difficulty is that cases are often filed without completion, resulting in dismissal and subsequent refiling. This will also help the Clerk's office ensure that there is not so much work to fix and reformat the documents that come in. Putting together a GPO to test how this will work before adding it to the local rules.

Ken noted that the workload at the counter is increasing due to the EDS system being turned off. We are trying to give more direction and funnel to the legal assistance clinic. ESR will turn on for Chapter 7 cases only. We will then determine when to roll it out for Chapter 13 cases, given the less than 1% success rate for those pro se Chapter 13 cases. The CM/ECF access will not be for new petitions or adversary complaints. That will

likely be late summer or early fall. We will be one of the first districts in the country to allow this. Ted inquired about whether the pro se parties will get any discount on the PACER fees. No fee reduction for pro se filers. Judge Tyson noted that we will likely allow these to go forward for six months before considering new rules.

4. Pending and Potential New Committee Matters:

(a) No-Look Fee Changes:

Ted and Tara discussed recent changes in no-look fees nationwide and reviewed data on Colorado's standing compared to other states regarding median income, inflation, and more. Judge Tyson asked for data to support the request for an increase. Would like to see information about the amount of time spent in Chapter 13 cases, details about inflation, and fees across the country. Need to get a better understanding of all the factors we are seeing. Tom Arany noted that there have also been changes in fees for end-of-case costs after *Kinney* (July 2021) that can't be billed to the client or applied for. Michael Suchoparek asked for two weeks to assemble a proposal for the Court. Judge Tyson said there will be judges' meetings this week and in two weeks. It would be helpful to be able to give the memo a few days ahead of time.

(b) Multi-Factor Authentication for CM/ECF:

Ted inquired about whether we need to do anything on the rules side to implement. Ken agrees that a local rule will not be needed. From now until August, it is voluntary; after that, it will become mandatory. The current CM/ECF system is not very secure, the software is written on old software. Trying to push CMM into operation and sunset the CM/ECF system. FPDs had their system infiltrated several months ago. MFA is a stopgap until there is a more secure system in place. Judge Tyson indicated that we would see increased cybersecurity priorities due to recent attacks on the US courts. We will see more rolling out.

5. Scheduling Next Meeting: The next meeting is scheduled for Tuesday, September 23, 2025, at 12:00 pm via Zoom.

6. Adjourn. The meeting was adjourned at 12:28 pm.