

MARYLAND STATE BAR ASSOCIATION
CONSUMER BANKRUPTCY SECTION
COUNCIL MEETING
MINUTES
LOCATION: MSBA HEADQUARTERS
SEPTEMBER 8, 2008

ATTENDEES:

Christopher Fascetta	Mary Park McLean	Michael Cantrell	Larry Robinson
Jeff Nesson	Nancy Grigsby	Dan Press	Alan Belsky
Gerard Vetter	Alex Gordon	Michael Wolff	Scott Robinson
Brett Weiss	Sari Kurland	Terri Lowery	Harris Ammerman

MINUTES:

I. CALL TO ORDER

The meeting was called to order at approximately 6:05 pm by Christopher Fascetta, Section Council President. It was noted that Kim Marshall's mother died today and that the Section will send a sympathy card.

II. MINUTES

The Minutes from the March 13, 2008 Executive Council Meeting were discussed. A motion for approval was made by Brett Weiss and seconded by Christopher Fascetta. The motion passed.

The Minutes from the April 30, 2008 Executive Council Open Meeting were discussed. The referenced to June 2006 in paragraph II(A) is to be changed to June, 2008. With said edit, a motion for approval was made by Brett Weiss and seconded by Christopher Fascetta. The motion passed.

III. COMMITTEE ASSIGNMENTS

Christopher Fascetta identified Committees for the Section as follows: Brown bag, Legislative, Judicial Liaison, Nominating, Social (ie holiday party), Fund Raising, MICPEL, MSBA annual meeting (Ocean City), Peer Review and CLE Best Practices.

After the identification, members volunteered to serve (or had expressed their wish to serve to a fellow Section member who was present at this meeting) on the committees as follows:

Brown Bag -- Mary Park McLean, Steve Metz, Dan Press
Legislative -- Sari Kurland, Alex Gordon
Nominating -- Richard Rogers
Social (Holiday party) -- Sari Kurland
Fund Raising -- Christopher Fascetta, Tony Aquia
MSBA annual meeting (Ocean City) -- Alex Gordon (chair), Bud Tayman
CLE Best Practices -- Brett Weiss, Dan Press

Christopher Fascetta will email to council members a list of the committees.

IV. New Business

A. Meeting with Judges

There was general discussion regarding the meeting with the judges and members of the Section at which attorney fees, Appendix F, and related matters were discussed. Michael Wolff and others in attendance at said meeting indicated that the judges are receptive to further discussion and possible amendments to the process of how debtor attorney's attorney fees are being paid through the Chapter 13 case.

Christopher Fascetta requested Brett Weiss, Gerard Vetter, Dan Press, Harris Ammerman, Michael Wolff and Mary Park McLean to develop a redline version of possible amendments to Appendix F (and the associated Local Rule) which would incorporate their understanding of the Section's position on the necessary revisions. The redline version is to be provided to Christopher Fascetta by September 15, 2008. Christopher Fascetta will then circulate the redline version to members of the Council for review and comments, with said comments being due one week thereafter. Once all of the Council members' comments are received and any edits are made to the redline version, the redline version will then be circulated for comments to as many members of the bankruptcy bar as possible, through the use of email, flyers, 341 meetings, etc. Thereafter, a proposed amendment to Appendix F and the related local rule will be provided to the bench.

B. Nuts & Bolts Seminar

Nancy Grigsby and Gerard Vetter discussed the upcoming seminars on basic bankruptcy matters which are scheduled to take place in the jury assembly rooms on October 3, 2008 in Greenbelt and October 10, 2008 in Baltimore. Issues to be addressed include Commencing the Case, Counseling the Debtor, Means Testing, Property of the Estate, Exemptions, Claims and Plan Modifications.

There was general discussion regarding the agenda, style of presentation and suggestions for the panelists. It was noted that all of the judges, Mark Neal, Jeannie Crouse and Mark Sammons have committed to the project.

Gerard Vetter and Nancy Grigsby requested feedback concerning the agenda, style of presentation and panelists. The feedback is to be provided within the next week.

C. Fees -- ongoing issue and response to the bench

See Section IV (A) above.

D. Meeting Schedule

Christopher Fascetta circulated a list of upcoming meeting dates (all to start at 6:00 pm and end at 8:00 pm) as follows:

9/8/08 -- Bar headquarters
10/16/08 -- That's Amore, Columbia (Council only)
11/4/08 -- Bar Headquarters and open to general membership (It was observed that this is Election Day, so Christopher Fascetta will attempt to move the date to 11/5/08, if possible)
December, 2008 -- To be determined
1/6/09 -- Bar headquarters and open to general membership
2/5/09 -- Kings Contrivance (Council only)
3/10/09 -- Bar headquarters and open to general membership
4/9/09 -- A Rockville location to be determined. (Council only) (It was observed that this is the beginning of Passover, so Christopher Fascetta will attempt to move the date 4/7/09, if possible)
5/12/09 -- Bar headquarters and open to general membership
June, 2009 -- Ocean City

E. Other

There was general discussion regarding having attorneys available to discuss cases with pro se debtors at 341 meetings and other mechanisms to help educate pro se people. The discussion was tabled for further review at a subsequent meeting.

F. Adjournment

A motion to adjourn the meeting was made by Mary Park Mclean, and seconded by Jeff Nesson. The meeting was adjourned at 8:09 pm.

Respectfully submitted,

/s/ Michael T. Cantrell

Secretary