

## THE BANKRUPTCY COURT LIAISON COMMITTEE APRIL 2011 NEWSLETTER

### Statement regarding the Committee and Newsletter

The Bankruptcy Court Liaison Committee was formed to promote communications about court procedures, etiquette, filings and other issues; to assist the Court and attorneys in creating a more efficient environment; and to represent a diverse group of bankruptcy attorneys from the Chicago area. Additionally, the Committee members develop, participate in and support educational programs concerning issues affecting the bench, attorneys, financial institutions and consumers, including providing support for the local CARE Program. The Committee also organizes and sponsors social events to allow greater interaction between the Court and the attorneys who appear before it. The Committee provides an opportunity to relay issues, concerns or ideas to the Committee – anonymously – through any of the Committee Members. The information will then be presented to the Bankruptcy Judges for their review and consideration.

This is the fourth Newsletter posted by the Committee. The Committee is circulating the Newsletter so that members of the Bar are aware of the types of topics that are discussed at the Committee meetings, and can offer their input regarding the same. If you have any suggestions, questions or concerns, please do not hesitate to contact one of the Committee Members. Contact information for the Committee Members can be found on the Court's website through the [Bankruptcy Court Liaison Committee](#) link. Please submit your comments or questions to the Committee Members, and not to Judges who are invitees of the Committee.

### Judge Bruce W. Black Selected to Serve as the next Chief Judge of the Court

As you probably know, effective July 1, 2011, Judge Bruce W. Black has been selected to serve as the next Chief Judge of the Court. Judge Black has served with the Court since August 13, 2001, and previously he served as a Circuit Judge with the Tenth Judicial Circuit of Illinois from 1985 until 2001. The Committee congratulates Judge Black on this wonderful achievement, and is confident that Judge Black will continue to do a great job as the Chief Judge.

### The Committee is Seeking New Members

The Liaison Committee is looking for practicing attorneys who are interested in serving on the Committee. There will be several positions with two-year terms open to attorneys for the Committee's next term, which commences in June,

2011. The Committee is composed of approximately eleven attorneys in private practice and includes representatives from the Office of the US Trustee and the Chapter 13 Trustees. The Chief Judge of the Bankruptcy Court and several of her colleagues are regular guests of the Committee at the monthly meetings.

*If you are interested*, please send a letter describing your professional background and expressing interest in serving on the Committee. You may also send any other information that may be helpful to the Committee in the selection process. If you have any questions about the Committee's functions, please contact one of the current members of the Committee. You can find the contact information for the Committee members under the link for the Committee on the Bankruptcy Court's website.

Please submit your information to either Scott Alsterda or Nathan Curtis **no later than Friday, May 13, 2011** per the contact information below:

R. Scott Alsterda  
Ungaretti & Harris LLP  
3500 Three First National Plaza  
Chicago, IL 60602  
Tel: 312-977-9203  
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Email: rsalsterda@uhlaw.com

Nathan E. Curtis  
Geraci Law, LLC  
55 East Monroe, Suite 3400  
Chicago, IL 60603  
Fax: 877-247-1960  
Email: nat@geracilaw.com

### *Summer Baseball Game Event*

The Committee is sponsoring another baseball game, Sox v. Cleveland Indians on Thursday, August 18, 2011 at the U.S. Cellular Field. Last year's event, Sox v. Minnesota Twins, was a great success and provided an opportunity for the Bankruptcy Community to come together and socialize in an informal setting. The cost of the tickets for this year's outing is \$61.00, which includes a pre-game event at the stadium patio with food and drinks. If you would like to purchase the tickets, please contact Nathan Rugg at nrugg@ag-ltd.com or 312-435-1050. Checks are to be made payable to Adelman & Gettleman, Ltd.

### *Reminder Regarding Disclosure of Agreements between Debtors and their Attorneys in All Cases and Compensation in Chapter 13 Cases*

The Committee wishes to remind members of the Bar that effective April 15, 2011, every agreement between a debtor and an attorney for the debtor must be in the form of a written document signed by the debtor and the attorney. Agreements subject to this rule include, but are not limited to, the Court-Approved Retention Agreement as posted on the court's website, other fee or expense agreements, wage assignments, and security agreements of all kinds. Each such agreement must be attached to the statement that must be filed under Fed. R. Bankr. P. 2016(b) in all bankruptcy cases. Any agreement entered into

after the filing of the statement under Rule 2016(b) must be filed as a supplement to that statement within 14 days of the date the agreement is entered into. All requests for awards of compensation to debtor's counsel in Chapter 13 cases must include a certification that the disclosures as described above have been made. Flat Fees, as defined in Rule 5082-2, will only be awarded if the debtor and the attorney have entered into the Court-Approved Retention Agreement. Flat Fees will not be awarded if the Court-Approved Retention Agreement has been altered in any way or if the debtor and the attorney have entered into any agreement other than the Court-Approved Retention Agreement.

*Revisions to the Court-approved Retention Agreement and Form 23, Attorney's Application for Compensation in Chapter 13 Cases*

Effective April 15, 2011, the Court-approved Retention Agreement and Form 23, Attorney's Application for Compensation in Chapter 13 Cases, have been revised. These forms may be used immediately, but must be used in all cases filed on or after April 22, 2011. These forms can be accessed from the Court's website under the Forms and Local Bankruptcy Forms links.

*Electronic Summons Modification Effective March 1, 2011*

As many of you know, effective March 1, 2011 the electronic Summons, created in CM/ECF when an Adversary complaint is filed, has been modified. The Summons now includes an additional line directly above the first paragraph to identify the defendant. The line reads To: Name of Defendant. If there are multiple defendants, a Summons will be created for each defendant. This change resulted from a suggestion to the Court by the Liaison Committee, and the Committee hopes that the change will ease the process of serving Summons for Bar members.