

Summer 2024

Bankruptcy Court Liaison Committee Newsletter

Foreword from the Co-Chairs

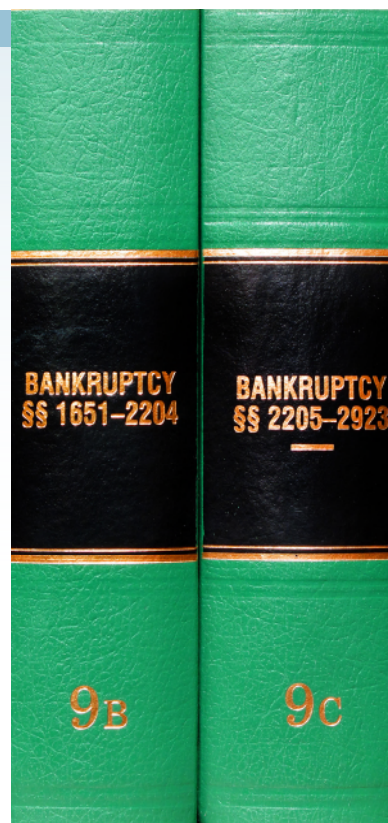
Desirae Bedford and Julia Jensen Smolka

Summer. A time for friends, family and relaxation. And clients. And briefs. And deadlines. We are lawyers. It's just what we do. But we hope you can have a little fun too.

In our quest to have a little fun, we have scheduled a White Sox game for our group. See inside for information. Also inside are photos from our last happy hour. Thank you for those who came out. If you weren't able to make it, hopefully we see you at the next one.

Our congratulations and thanks go out to Judge Goldgar who is retiring after a distinguished time on our bench. We wish him good health, relaxation and fun in his next chapter.

Julia Smolka
Desirae Bedford



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Co-Editors

Desirae Bedford
Recovery Law Group

Julia Jensen Smolka
Robbins DiMonte, Ltd.

White Sox Game!

Join the Bankruptcy Court Liaison Committee for a fun night at the park!

July 9, 2024 @ 7:10pm

To purchase tickets for \$46/each go to
<https://fevo-enterprise.com/event/BankruptcyLiaisonTwins>

If you have issues purchasing tickets, please contact Julia Smolka via Email at jsmolka@robbinsdimonte.com

Guaranteed Rate Field, 333 W. 35th St, Chicago, IL
Purchase tickets by July 9, 2024 at 5:10pm





Judge A. Benjamin Goldgar Announces His Retirement

Judge Goldgar will be retiring in August, 2024. Judge Goldgar was appointed to his first 14-year term on February 3, 2003. He was then reappointed to a second 14-year term, effective February 3, 2017. Judge Goldgar served as Chief Bankruptcy Judge in 2020-23, and helped guide our bankruptcy bar through the uncertain days of Covid.

Judge Goldgar attended Brown University and graduated magna cum laude, 1979. He attended Northwestern University School of Law and received his J.D., in 1982.

Prior to being appointed to the bench, he worked at Keck, Mahin & Cate, 1982-1995, and as Assistant Attorney General, 1995-2003, and Supervising Attorney, 1997-2003, Civil Appeals Division, Office of the Illinois Attorney General.

We wish him the best in his retirement.



JOIN THE BANKRUPTCY VOLUNTEER ATTORNEY PANEL

- REPRESENT INDIVIDUALS IN ADVERSARY PROCEEDING AND CONTESTED MATTERS IDENTIFIED BY A BANKRUPTCY JUDGE
- OPTION TO ACCEPT OR DECLINE A REQUEST FOR REPRESENTATION FOR ANY REASON
- *NOT RESPONSIBLE TO FILE BANKRUPTCY CASES, COMPLETE SCHEDULES OR ATTEND §341 MEETINGS*
- ATTORNEYS CAN GAIN THE REQUISITE PARTICIPATION IN OR OBSERVATION OF TRIALS (four qualifying units of credit) NECESSARY FOR TRIAL BAR MEMBERSHIP See Northern District Court LR 83.11
- ACCEPTING A VOLUNTEER APPOINTMENT CAN SATISFY THE RESPONSIBILITY OF TRIAL BAR MEMBERS TO BE AVAILABLE FOR ASSIGNMENT BY THE DISTRICT COURT TO REPRESENT AND ASSIST THOSE WHO CANNOT AFFORD COUNSEL
- PARTICIPATE IN A WORTHWHILE PROGRAM THAT IS A REAL OPPORTUNITY TO IMPROVE THE QUALITY OF JUSTICE IN OUR DISTRICT
- Follow the link or scan QR Code for further information. Complete and submit the questionnaire to the clerk's office to join the panel.



<https://www.ilnb.uscourts.gov/us-bankruptcy-court-volunteer-attorney-panel>

*2024 New Year Social
Franklin Tap*



*2024 New Year Social
Franklin Tap*



*2024 New Year Social
Franklin Tap*



Attorney Spotlight

Desirae Bedford, Attorney

Recovery Law Group



Q. How did you become interested and involved in bankruptcy?

After I passed the bar my first job was with a Bankruptcy firm. I fell in love with it. I felt that it aligned with my beliefs around economics and community. I obtained an economics minor in undergrad and have always theorized the best way to help individuals establish financial freedom. I always felt the best way to help a community was through individual economic freedom. Look at crime. Crime occurs most amongst the economically disadvantaged. When individuals suffer--the community at large suffers. I saw first hand in Wilmington, Ohio how fast a community can be turned around when individuals are suffering financially. After the departure of DHL in Wilmington, the town went from not having any murders or violent crimes in over 20+ years to experiencing its first murder in 2013 and a rise in violent crimes. At the time I worked for a non-profit to help reestablish the local economy to create employment, and attract business from the local college. Nonetheless, I saw the inner workings of the small pockets of individual economies flowing into the local economy and its effects on the community at large.

People fall on hard times for a number of reasons, and tend to bury themselves in debt trying to get out of debt until they are drowning. Many refuse to file bankruptcy because of the embarrassment associated, or do not know about it or how to use it. When I learned about bankruptcy I realized that it is a tool that can help people reestablish themselves.

This is not the answer to fix all of our economic issues, but it is a way to help individuals-- start over. I would like to expand on this and form some type of financial planning program. Prior to working for a bankruptcy firm, I worked for the state of Indiana through Maximus in East Chicago. I was charged with helping people find employment and establish a financial plan for themselves. What I saw was people who wanted and needed a little patience and guidance.

Q. What are your typical types of engagements?

I am a consumer bankruptcy attorney. I deal with individuals. Most of my client's fell on hard times due to a spouse passing, medical bills, loss of employment, divorces, or unexpected emergencies.

It is heartwarming to know that I am the individual who gets to help someone be comfortable with their choice to file bankruptcy and help them get through to the other side.

The most impactful case I did was about 4/5 years ago. A husband and wife filed bankruptcy. It was the first case that I had with buildings. The husband was in the hospital and was dying of cancer. Their income came from their businesses, one being rental properties. Unfortunately many of the tenants failed to pay their rent which caused the couple to be behind on their mortgage. The husband wanted to file quickly to stop a foreclosure. He knew that he was not going to live through the bankruptcy, but knew that the income from their business would be enough to support a plan after his death. This man was dying and knew it, but his concern

Attorney Spotlight Continued

Having to talk with the wife and help her through the bankruptcy after her husband's death reminded me of my purpose and that I am a resource to help her through a difficult time in her life. I would sit and listen to her cry about her husband and at times it would take a long time to get through our meetings because she would cry in the middle of our discussions. I would not end the call or make her feel bad for the feelings she was going through, but would sit on the phone with her as she went through her emotions until we got to a good place to continue our discussion. Sometimes we can detach ourselves from the emotional impact of our cases or case loads, but I choose to embrace the human side of law. We are not just dealing with case no. 23-44442, or a "Debtor", we are dealing with John Smith who is filing because he lost his job, and fell behind on his bills, and he just needs some hope.

Q. What are you most looking forward to this year, personally and professionally?

I am looking forward to expanding my knowledge. I work for Recovery Law Group. Having been employed at this firm I was required to get admitted to a lot of jurisdictions. I loved it because it meant expansion of knowledge, but I was surprised to learn how different the applications of the same statutes or laws can be applied in the same state or states practicing under the same circuit.

I wish I would have taken my time entering all of these jurisdictions. I had to teach myself quickly to be comfortable with the grey areas of the law. This year I will be attending more conferences and getting more involved in bankruptcy spaces. Hopefully, I can be a resource to new attorneys to the field to help them avoid the mistakes that I made early-on.

Q. Share any other information about yourself that you think our readers would enjoy.

I love dancing. I am probably an amazing car dancer.



Attorney Spotlight Continued

Jason Shimotake, President

The Shimitake Law Firm, LLC



Q. How did you become interested and involved in bankruptcy?

I interviewed with many small firms out of law school each focusing on different areas of law, such as family law or workers' compensation. One of them happened to be a consumer bankruptcy firm. I chose consumer bankruptcy because it felt like a real tool that could help people. Little did I realize the range and utility of bankruptcy. As I developed my own skills as an attorney, I also saw the value of financial stability. While my practice involves other types of law now, I still practice bankruptcy because I believe it is an effective tool for clients who are in financial distress.

Q. What are your typical types of engagements?

Of course, I work with individual consumers of all types. With that said, my work has increasingly involved a number of small business owners. While small business owners have been a focus of mine since starting the firm in other areas of my practice, I have to say that the pandemic has opened many of these clients up to bankruptcy options.

Q. What are you most looking forward to this year, personally and professionally?

Professionally, as co-chair of the Chicago Bar Association's consumer bankruptcy committee, I'm looking forward to our annual Judge's Roundtable in May. The candor and insight that the judges bring to the table is immensely valuable and always fulfilling, both professionally and personally. As every Chicagoan, I'm looking forward to the summer. And as every year, I look forward to the Chicago Volunteer Legal Service's Race Judicata in the fall. Nothing is more intense than a bunch of attorneys on a "fun run."

Q. Share any other information about yourself that you think our readers would enjoy.

I'm an avid reader and fan of both fiction and non-fiction. Open to any recommendations!



Attorney Spotlight Continued

Rachael A. Stokas, Senior Assistant Attorney General

Office of the Illinois Attorney General



Q. How did you become interested and involved in bankruptcy?

I would be surprised if a lot of people came out of law school and said: “I want to be a bankruptcy lawyer.” I know I sure didn’t, but I also didn’t think a small-town girl from rural Virginia would end up living and practicing in Chicago. I came to Chicago for love, but found a passion for practicing bankruptcy law. My initial interest in bankruptcy was just a need to find employment in Chicago. I went to law school at the University of Dayton, met my future husband, and made the life changing decision to move to Chicago with him. I found an initial clerking job in law school working for a Midwest based Debtors Attorney firm with ties to the Chicago area. The first task I ever had was imputing creditor information in bankruptcy petitions. The bankruptcy experience I had from this job, helped me secure another clerking job with another consumer firm when I moved to Chicago in 2001. By the time I passed the bar in 2002, I was familiar with the bankruptcy practice and decided to continue at a firm where I represented Consumer Debtors in Chapter 13 and Chapter 7 cases. Being completely new to the city, the people in the bankruptcy community became family to me. I developed so many friendships right off the bat, friendships I still have today. One of those friendships lead me to a new job a year later. In February 2003, I took a job at Codilis and Associates, P.C. and “switched sides”, to represent mortgage lenders in bankruptcy. I spent 20 years of my legal career representing mortgage lenders and car creditors in bankruptcy. My philosophy on bankruptcy and life are ones of forward movement. I have continued to educate myself in the changing bankruptcy law landscape. I have practiced bankruptcy law in multiple states and trained and managed many bankruptcy attorneys. When a job opportunity arose for me to practice bankruptcy and collection work for the Attorney General of Illinois, I made a difficult decision to leave my 20-year job and go for it. My legal vision when I entered law school was to hopefully serve the public and make an impact on the legal field. My new position with the Attorney General will hopefully give me an opportunity to use my passion for bankruptcy law to serve the community on a broader level.

Q. What are your typical types of engagements?

Currently the position I hold at the Illinois Attorney General’s office as Senior Associate Attorney in the Revenue Litigation Bureau. My division helps various state agencies navigate bankruptcy, foreclosure, and collection actions for the benefit of the people of Illinois. I also remain an active member of the American Bankruptcy Institute (ABI) and now am now member of National Association of Attorney Generals (NAGG.) I also organize and participate in my local chapter of Phi Alpha Delta Law Fraternity.

Q. What are your typical types of engagements?

My coverage practice allows me to dabble in many different areas of bankruptcy. Normally I am involved in the Chapter 13 call and handle 341 meetings for Debtors, but also appear on Chapter 7, Subchapter V, and adversary proceedings, and 2004 exams.

Q. What are you most looking forward to this year, personally and professionally?

Attorney Spotlight Continued

Q. What are you most looking forward to this year, personally and professionally?

I am extremely excited about the new career path I have chosen. So far, the work that I am doing is still in my comfort zone although I am learning new facets of the law both on a Federal and State level.

I am also a proud mom. My son will graduate 8th grade in May and head to high school. He will be receiving a leadership scholarship from the high school. My daughter, who is only a sophomore also in high school, is excelling at Cross Country and Track and has competed at the state level three time.

Q. Share any other information about yourself that you think our readers would enjoy.

I always enjoy trying new things. I am a foodie who loves all aspects of food and drinks. I once wrote a restaurant review on “Andrew’s Open Pit” in Park Ridge and “Check Please” featured it on its website. I also can sing and in college I did sing at weddings for extra money. However, I guess when I am not practicing law, I am taking pictures. My group selfies seem to be famous and people call me the “selfie queen.”



***This Attorney Spotlight reflects my personal experiences and perspectives and I am not speaking on behalf of or representing the Attorney General's Office. ***

Attorney Spotlight Continued

Dana O'Brien, Senior Partner, Illinois Bankruptcy

McCalla, Raymer, Leibert, Pierce, LLC



Q. How did you become interested and involved in bankruptcy?

My introduction to Bankruptcy came in law school in my Secured Transactions class. Little did I know that that little blurb of a lesson that I loved would come to be my entire career! Once out of school, I immediately fell into Debtor work, and got a job at Feld & Korrub (Ed Feld was my 1st BK teacher and Bill Moroney was my mentor). Loved the job, disliked the weekend work. Shortly thereafter, I was approached in court by a creditor attorney for Pierce & Associates, and I have been at the firm (although we have merged into McCalla Raymer Liebert Pierce, LLC in 2016) since 2000. I am coming up on my 24th anniversary. I love the work, love the comradery, and wouldn't have asked for another area of law to practice in.

Q. What are your typical types of engagements?

I represent mortgage servicers and investor clients in all Chapters of bankruptcy, title, and general real estate litigation, I appear in federal court for routine and contested hearings, reviewing incoming litigation and developing case strategy, drafting documents, conducting discovery and settlement negotiations.

Q. What are you most looking forward to this year, personally and professionally?

This year not only am I excited to be on the Liaison Committee (of course), but I'd like to hone in, and become a local expert joining some of the great legal minds here in Chicagoland on property tax and property tax litigation.

Q. Share any other information about yourself that you think our readers would enjoy.

I have 3 kids, 2 daughters and a son. My oldest daughter goes to University of Illinois Urbana Champaign, my son is a sophomore at Brother Rice High School, and daughter just about to graduate 8th grade and then on to Marist Highschool. I love old heavy rock, metal music, and adore my German Shepard dog that we got during the Covid crisis, Obie. If we had room, I'd have 10 dogs!



ISSUES, CONCERNS, OR COMPLAINTS

Practitioners wishing to share any with the Committee may do so anonymously on the Bankruptcy Court's website at:

<http://www.ilnb.uscourts.gov/bankruptcy-court-liaison-committee>

LINKEDIN

Stay in touch!

Follow the Liaison Committee on LinkedIn to receive all the latest news and announcements:

<http://www.linkedin.com/company/ilnb-bclc>

Bankruptcy Court Mortgage Modification Mediation Program

In February 2022, the United States Bankruptcy Court for the Northern District of Illinois implemented a Chapter 13 Mortgage Modification Mediation Program.

The Chapter 13 Mortgage Modification Mediation Program is designed to help qualified Chapter 13 debtors renegotiate their mortgages and keep their homes. The Program supplies an electronic portal that assists communication between debtors and lenders.

The Program is entirely voluntary: both debtor and lender must consent to participate. Debtors and lenders are also free to modify mortgage obligations without using the Program and the portal. The Program simply provides parties with a new vehicle for doing so.

Debtors' counsel who enter into the Court-Approved Retention Agreement and the new Addendum (Local Form 13-8.5) and who pursue a mortgage modification through the program will be presumptively entitled to additional flat fees as compensation.

The details of the Program are available on the Court's website: <https://www.ilnb.uscourts.gov/chapter-13-mortgage-modification-mediation-program>

Bankruptcy Court Volunteer Attorney Panel

The U.S. Bankruptcy Court for the Northern District of Illinois has formed a panel of volunteer attorneys to represent indigent parties on a pro bono basis in discrete adversary proceedings and contested matters.

The program is completely voluntary and limited strictly to representation in adversary proceedings and contested matters. No panel member is expected to file a bankruptcy case, complete schedules and similar forms, or attend a meeting of creditors.

The Bankruptcy Court encourages members of the bar to participate in this worthwhile program. Through the volunteer panel, attorneys have a real opportunity to improve the quality of justice in our district.

The details of the Program are available on the Court's website: <https://www.ilnb.uscourts.gov/us-bankruptcy-court-volunteer-attorney-panel>

Mission Statement

The Bankruptcy Court Liaison Committee for the Northern District of Illinois was formed to assist the Bankruptcy Court and its practitioners to create a more efficient and collegial environment throughout the entire Northern District of Illinois. To further that purpose, the Liaison Committee publishes a periodic newsletter, develops local practice questionnaires, and sponsors educational programs and social events to encourage interaction among judges and practitioners. Additionally, section 2.01 of the Committee's bylaws provides that practitioners may relay issues, concerns, or complaints about bankruptcy judges or the bankruptcy court to the Committee – anonymously – through the co-chairs or any other committee member. The information will then be anonymously presented to the appropriate bankruptcy judges for review and consideration under 28 U.S.C. § 154(b), which provides that the chief judge of the bankruptcy court “shall ensure that the business of the bankruptcy court is handled effectively and expeditiously.”

Practitioners wishing to share any issues, concerns, or complaints with the Committee may contact any of its Members anonymously via mail, email, phone, or on the Bankruptcy Court's website at: <http://www.ilnb.uscourts.gov/bankruptcy-court-liaison-committee>.

United States Bankruptcy Court For The Northern District of Illinois

Chief Judge A. Benjamin Goldgar

Judge Janet S. Baer

Judge Timothy A. Barnes

Judge Donald R. Cassling

Judge David D. Cleary

Judge Jacqueline P. Cox

Judge Thomas M. Lynch

Judge Deborah L. Thorne

Bankruptcy Court Liaison Committee

Honorable A. Benjamin Goldgar (Chief Judge)

Honorable Janet S. Baer

Jeffrey P. Allsteadt
Clerk of Court

Desirae Bedford (Co-Chair) Term 2021-2024
Recovery Law Group

Julia Jensen Smolka (Co-Chair) Term 2022-2024
Robbins DiMonte, Ltd.

Gretchen Silver (Permanent Member)
Office of the U.S. Trustee (Chicago)

Ckaudia Badillo Term 2023-2024
Badiillo Law Group

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Chapter 13 Trustee

Derek V. Lofland Term 2023-2025

Brigid Ndege Term 2021-2024
Brian, Cave, Leighton & Paisner, LLP

Dana O'Brien Term 2023-2025
McCalla Raymer Leibert Pierce, LLC

Lars A. Peterson Term 2023-2025
Factor Law, The Law Office of William J. Factor, Ltd.

Yanick Polycarpe Term 2023-2025
Marilyn O'Marshall, Chapter 13 Trustee

Honorable David D. Cleary

Honorable Thomas M. Lynch

Sharon Zurowski
Chief Deputy Clerk

Jean M. Dalicandro
Operations Manager

James A. Brady Term 2021-2024
Legal Aid Chicago

Jaime Dowell Term 2022-2024
City of Chicago

Michael D. Leifman Term 2022-2024
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Office of the U.S. Trustee (Madison)

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Dentons US, LLP

Kenneth M. Thomas Term 2022-2024
Fox, Swibel, Levin & Carroll, LLP

Neema T. Varghese Term 2022-2024
NV Consulting Services

Mary E. R. Walters Term 2022-2024
Glenn B. Stearns, Chapter 13 Trustee

Jennifer Niemeier
Office of the United States Trustee