

COMMERCIAL LAW & BANKRUPTCY SECTION MEETING

21 September, 2022

MINUTES

Members Present:

Patrick Geile

Tecla Druffel

Matt Christensen

Brian Tucker

Reed Cotten

JB Evans

Jeff Andrews

Non-Board Members Present: Judge Pappas, Judge Meier, Judge Hillen, Teresa Baker

1. Welcome: Patrick Geile- The Meeting was called to Order, and it was determined that a quorum was present.
2. Minutes: The Minutes for the August 17, 2022 meeting were presented for approval. Jeff moved to approve the minutes as presented, JB seconded. There being no objection, the minutes were approved.
3. 2023 Seminar – Brian

Brian updated the Board on progress of Winter Bankruptcy Seminar scheduled for February 2, 2023, through February 4, 2023. The location will be Idaho Falls. The Hilton Garden Inn is the selected venue to accommodate attendees with conference space reserved at the new convention center.

Judges Panel: Brief discussion regarding attendance at the seminar and participation in the Judges Panel. Judge Pappas, Judge Meier and Judge Hillen all confirmed attendance as well as their participation in the Panel. Still considering and/or checking availability of several candidate Judges outside of the district including Judge Holt and Judge Hursh. Potential topics for discussion included the “Good Faith” requirement in bankruptcy commencement through performance.

Judge Pappas referenced a 3rd Circuit Appeals case analyzing the requirement along with creative use of chapter 11 reorganization to secure discharge of mass tort claims.

Brian: Provided an updated outline of the topics that will be presented along with speakers, and all is progressing well. Discussion was thereafter had on remaining potential seminar topics:

- a. Paralegal break out session: Have representative from the U.S. Trustee present on tips for practice or otherwise secure a qualified paralegal from a higher volume bankruptcy practice give tips. Tecla offered Natalie Holman, the Chair of the Lewis Clark State Paralegal Program offering insights on preparation of students for real life application.
- b. Ethics Credit- Julie Stomper Chair of Well Being Committee was floated as a speaker.
- c. Legislative Update- Kelly Anton was discussed along with the concept of doing an agricultural report.
- d. Crypto currency- Topically what is it tying in ethics credit in some manner.
- e. Chapter 12 Panel as an appeal to the practitioners.

After discussion, it was determined that everything is progressing and broadly the matter will remain on agenda for future discussion.

4. Financials: Teresa Reported that all was in order and the issue will remain on the agenda.

5. Discussion With Judges:

Patrick advised the Judges of Section activity as follows:

- a. The Section has sponsored and will continue to present CLE Brown bag programing as the replacement for the newsletter.
- b. The Section is sponsoring the next volume of the advocate.
- c. Sponsoring the Annual Bankruptcy Seminar.

Thereafter Patrick opened the floor to the Judges for commentary.

Judge Meier: After preliminary discussion suggested that the Section consider establishing a mentoring program to expand the number of practitioners.

Judge Hillen: Discussed the continuation of zoom and telephonic hearings briefly and discussed as a seminar topic-due to the advanced aging of the bankruptcy bar-transitioning practices from those seeking retirement to the new practitioner.

Judge Pappas: Discussed the collegiality of the Section and encouraged Seminar attendance and Section membership efforts.

6. New Business: None

There being no further business, Patrick suggested that the meeting be adjourned and upon motion made by Brian and seconded by Matt, followed by unanimous approval, the Meeting was adjourned.