

COMMERCIAL LAW & BANKRUPTCY SECTION MEETING

20 March 2019

MINUTES

Members present:

- Paul Ross
- Tecla Druffel
- Bob Faucher
- Jeff Andrews
- Patrick Geile

Non-board members present:

1. Welcome – Paul Ross
2. Minutes – Motion to approve minutes from February 2019. Jeff moved to approve minutes; Tecla seconded.
3. Finances – Board has not received financial updates from the Bar since the seminar. Tabled until next meeting.
4. 2019 Seminar - Paul Ross led discussion
 - a. Survey – survey results were sent to Board on February 11, 2019.
 - b. Speakers – Board was pleased with Tara Twomey and will likely invite her to speak again. The fifth amendment topic was discussed by the Board as a topic of general interest for the section to feature in an article in the Advocate. Patrick Geile enjoyed Randy Smith’s presentation on Appeals.
 - c. Location – Burley. Overall, Board was satisfied with Burley location, but there was some discussion about a desire for indoor hallways and an indoor pool.
5. Future Seminar Committee formation and membership – Paul made formal proposal to the Board to have a Seminar Committee formed. Bob will research the Bylaws and determine if there needs to be an amendment to the Bylaws and then will follow up with Board as to whether a motion is necessary.
6. 2020 Seminar

- a. Location- Bob is considering McCall. He's made introductory contact with the Shore Lodge. One concern is the limit on the number of hotel rooms allowed to be reserved for our event (64). Board discussed fact that in Burley we used about 100 hotel rooms. Price point of Shore Lodge rooms would be \$213 per night. Paul looked through paperwork and in 2013 (the last time we went to McCall), we had 113 attendees and conference area felt crowded. Recent renovations may help with this. Bob will continue to investigate options.
 - b. Non-appropriations grant request – Due date for application is approx. August of every year.
 - c. Topics – Bob has begun preliminary investigations for speakers and topics. Board discussed various topics such as *how to bring big cases to our district; top ten SCOTUS decisions; commercial law discussion such as foreclosures – judicial v. non-judicial; common objections to proofs of claim/claim litigation issues including attorney fees.*
 - d. Speakers – Board discussed this simultaneous to Topics discussion mentioned above.
 - e. Professionalism awards – Tabled topic until next month.
7. Advocate – Patrick Geile led discussion.
- a. Writers and Topics – Noah Hillen will write on preference powers; David Gardner on student loans and bankruptcy; Judge Pappas on mediation; JB Evans on history of section w/ Larry Prince; Rob Squire on UCC; Tim Tarvan on 5th amendment. Paul Ross on introduction to the section
 - b. Intersection of Advocate article and future seminar topics—Board discussed the pros and cons of piggy backing some of the topics in the Advocate with topics to be presented at future seminars. Board was supportive of some overlap and expansion of same or similar topics.
8. Listserv—Paul introduced the topic. Patrick answered Paul's questions about whether trustees and bankruptcy judges could be on the listserv (yes). Another question raised by Paul was whether the listserv is regularly purged to make sure to add new members and delete inactive members. Paul will reach out to those debtors who approached Paul about doing a debtors only sub-listserv and let them know that the Board will not pursue a debtors-only sub-listserv at this time.
9. Newsletters and Tips – Board will ask the section via the listserv whether members want to continue with Tips.

10. Formbook—tabled until next month. Tecla will follow up with Alex for an update.
11. Potential surplus funds – financials are not available at this time. Tabled until next month.
12. Motion to adjourn—Patrick moved. Jeff seconded. Adjourned at 4:58 pm MST.