

**US Bankruptcy Court for the Middle District of Pennsylvania**  
**Attorney Advisory Committee**  
**May 15, 2025, at 1:00PM**

**Attendance:** Judge Van Eck, Judge Conway, Seth Eisenberg, Troy Sellars, Jack Zaharopoulos, Jim Jones, Dawn Cutaia, Larry Young, Dave Harris, Lisa Doran, Joe Schalk, Robert Chernicoff, Chad Julius, Jill Coughlin, Sarah Rothermel, Sarah Crouch, Michael Evard-Vescio, Rick Thompson

Judge Conway: Judge Conway called the meeting to order.

**Old Business:**

**As the only old business, service of motions to extend/impose the automatic stay, was related to item number 4 of the new business, the old business report was discussed with new business items numbers 2 and 4.**

**New Business:**

**Item 1, Service of Expedited Hearing Scheduling Orders:**

Robert Chernicoff: Noted the high cost when serving expedited matters via overnight mail on all creditors as directed by Judge Conway and hoped that Judge Conway might reconsider his requirement to have the scheduling order served on all creditors

Judge Conway: Noted that he is willing to consider limited service via overnight mail if requested and appropriate. Suggested filing a Motion to Limit Scope or including language asking for limited service in the motion for expedited consideration

Jill Coughlin: Raised concerns regarding questionable service. Stated she gets served late many times or not at all. Further, she noted that she checks PACER often prior to Sheriff Sales, Day of Sales and right after sale so she can enter appearance promptly, but sometimes she still does not get notice.

Robert Chernicoff: Responded...Initial service probably goes to the creditor not counsel.

Judge Van Eck: Service is a tough topic. Reminded everyone that the clerk's office serves addresses they are given.

Judge Conway: Direct Attorney Coughlin to file an appropriate motion if she believes service is insufficient.

Judge Van Eck: We may need to add clarity to local rule re: Noticing. Service must be demonstrated prior to any Stay Extensions.

**Item 2, Changes to Local Rules effective May 1, 2025, and Item 4, Service of Motions to Extend Automatic Stay:**

Jim Jones reviewed the amendments to the local rules which went into effect on May 1, 2025.

It was noted that new Local Rule 4001-5 requires motions to extend the automatic stay be filed within seven days of the filing of the petition, or the motion must be filed as an expedited motion and served by the moving party.

Jill Coughlin noted she still has issues getting such motions timely in *pro se* cases. It was noted that this was not anything the Court could fix.

**Item 3, Discussion re: use of local Form 3015-(2)(b):**

Judge Van Eck: Judge Van Eck noted that LF 3015-2(b), which allows for limited service of amended plans which are amended for technical or funding corrections, has the potential to impact creditors and he would like to revisit the rule and form. He noted this form should be used on a limited exceptional basis and not a general practice.

Jim Jones: Original reasons for technical amendments were mainly for insignificant mathematical errors and typos.

Judge Conway: Form is sometimes used for non-technical amendments. Judge Conway concurred that we should revisit wording in LBF 3015-2(b), and that it appears there is room for improvement. If form is filed improperly, he sets for hearing.

**Item 5, Discussion re: Fee Applications for no-look filers when a case has been dismissed without a confirmed plan:**

It was noted that when a chapter 13 case is dismissed before a plan is confirmed, the Court frequently retains jurisdiction over the case to rule on application for administrative fees for, among other things, fees for Debtor's Counsel. This requires a fee application, and this creates an issue for the practitioners that rely on the Presumptively Reasonable Fee and who do not keep detailed time records.

Judge Conway: No-Look attorneys should still track their time. Judge Conway will not approve applications without time records.

Judge Van Eck: No-Look Fee structure is allowed, but sometimes we need to see time records. Best solution is to keep fee records.

Discussion re: Fee Records: All agreed that keeping Fee Records is a good practice.

Judge Conway: Suggested possible Rule clarification re: Time Records vs No-Look.

Jim Jones: Suggested possible Webinar training.

Seth Eisenberg: Suggested adding informational wording in comment section.

New item raised at meeting not on the agenda:

Jill Coughlin: Brought up additional topic of Electronic Signatures in Middle District vs Eastern. She said Eastern District Trustee's don't like electronic signatures.

Judge Conway: He could see possible abuse issues with electronic signatures.

Joe Schalk: DocuSign is a popular platform.

Dawn Cutaia: In MyCase system, Debtor can sign with stylus or their finger.

Meeting Adjourned.