

October 21, 2008 www.orb.uscourts.gov

Recent Opinions

Full text of opinions is available on the Bankruptcy Court's website; click on Opinions on left-side index, then search by date.

In re Lindquist, Case No. 03-35895-rld7

October 15, 2008

11 USC §§ 522(b) and 522(f)(1); ORS 18.428; homestead exemption; equitable interest; lien avoidance

The court held that both spouses could claim a homestead exemption in the residence, a mobile home, although only wife was on the title. Both spouses had lived there since 1988, and the husband made the payments on the property. The homestead exemption extends to equitable interests as well as legal title interests, and husband had an equitable interest.

NEW ITEM:

ECF Training

Lawyers get 4 CLE credits for ECF training. Sessions run from 8:30 am to 12:30 pm.

The currently scheduled training dates (posted on the website) are as follows: **Eugene:**

October 23; **Portland and Eugene:** November 19, December 18, January 14, 2009, and February 12, 2009.

PREVIOUSLY PUBLISHED ITEMS:

The following is a summary of items added in the past several weeks.

Court Fees List

A new court fees list was posted on the website on October 10, showing fee changes effective October 1.

LBF #125

Administrative Procedures for Electronically Filing Case Documents: Section V has been changed to make ECF Participants responsible for entry and accuracy of data in a filed document, and for prompt correction of any error in a filed document, including notification of interested persons.

Notice of Fraudulent Scheme

On August 14 the Administrative Office of the United States Courts sent out notice of a fraudulent scheme. It involves telephone calls to individuals telling them they must pay money or be arrested. Click on the Notice at top of main page for details.

Debtor-Creditor Section Website

An archive of these court updates is maintained on the Debtor-Creditor Section website at <http://www.osb-dc.org/orb.htm>.