

November 18, 2008 www.orb.uscourts.gov

WEBSITE MAKEOVER HAS ARRIVED. It is still a work in progress, however. If you have questions or comments, please click on [Contact Us](#) at the bottom of the home page, which allows you to send an email message.

Recent Opinions

In re Ryan, Case No. 07-63072-aer7, Dist. Ct. No. 08-6250-HO

October 31, 2008

11 USC §329, LR 83.11(a), ORPC 1.16, attorney withdrawal

The bankruptcy court ruled that a law firm retained to defend against the US Trustee's motion to dismiss a chapter 7 case could either withdraw and return the retainer it received, or be paid for its services and continue to represent the debtor; it could not both withdraw and be paid for services rendered to the date of withdrawal. The firm sought to withdraw after the debtor decided she could not afford to pay for its services. The debtor thereafter voluntarily dismissed her case. The law firm appealed the bankruptcy court's ruling on waiver of fees. The US District Court held that the bankruptcy court had discretion to condition withdrawal on waiver of fees, but remanded the case so the firm could present legal argument and evidence on the reasonableness of fees it sought.

There are two ways to find opinions on the redesigned website. For recent opinions listed by name and date, most recent to oldest, see the last line of text on the home page, "Check the [Opinions](#) for current decisions and rulings." If you click on this [Opinions](#), a list of recent opinions will be displayed.

There is another place on the home page to click [Opinions](#): the last item in the column headed "**Information for Attorneys.**" Clicking here takes you to a place where you can search, by keyword, opinions from the past several years. Warning: this part of the site is still being developed – the search system at this point is primitive.

NEW ITEMS:

Local Bankruptcy Forms

Several LBFs have been updated for use by **December 1, 2008**. Click on "11/17/08 - Local Form (LBF) Updates" under **Court News & Announcements** on the home page. You can then view all forms, recently updated forms, or all forms in a category such as General, Creditor, Debtor, Adversary/Contested, etc.

Updated forms required by December 1, 2008: B10, 391, 521.05, 720.50, 721.3, 753.40, 760.5, 1191.3, and 1355.05.

ECF Online Manuals

The Certificate of Service of Involuntary Summons was updated 11/13/08. It can be found in both the "Case Opening" and "Miscellaneous" categories of the ECF Manual. For access to all ECF information, click on **ECF** at the top of the home page.

ECF Administrative Procedures

This chart was last updated on October 7, 2008.

PREVIOUSLY PUBLISHED ITEMS:

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

ECF Tips and Tricks

This portion of the website was updated on August 11, 2008, and the update unfortunately overlooked by your reporter until now.

ECF Online Manuals

Two items under "Answers, Responses/Objections" show current updates: Answer to Complaint (12/15/08) and Involuntary Answer (10/28/08).

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 are as follows: Portland and Eugene: November 19 and December 18, 2008; January 14 and February 12, 2009.

Court Fees List

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

FEATURES OF THE NEW SITE:

Organization

The site is now organized into the following categories: Information for Attorneys, Information for Debtors, Information for Creditors, and Court News and Announcements. The last heading is where recent changes are posted.

But there's more. Directly above the large-type headings just described are several clickable smaller headings: Filing, Rules & Forms, Calendars, ECF, Judges, and Courthouses. And at the bottom of the home page, are "Other Important Resources": FAQ, Helpful Links, Judicial Misconduct and Opinions, this last described above. Finally, words at the bottom of the home page provide access to other information, including whether there are any current job openings. Here is where you will find the Contact Us option.

Calendars

Under Information for Attorneys, there is access to several calendars: dates for chapter 7 and 13 Relief from Stay hearings through the end of the year in Portland and Eugene; §341(a) meetings; and Judges' Calendars. For §341(a) meetings, you can locate your own by entering the name of the lawyer, trustee, or case name or number, or you can simply fill in a date range and click on "Generate Calendar." For Judges' Calendars, search for a specific case or search by date, date range, judge, hearing type or attorney. Selecting only a date range and an office (Portland or Eugene) will generate a full list for the selected date(s) and office.

Information for Debtors and Creditors

The site contains helpful information for debtors and frequent bankruptcy creditors. The Information for Debtors heading on the main page takes the potential or actual debtor to appropriate frequently asked questions (and answers). Under Information for Creditors, the creditor can find answers to creditor-appropriate FAQ, as well as ECF and PACER help.

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>.