
**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

IN THE MATTER OF REMOTE PARTICIPATION
IN BANKRUPTCY COURT PROCEEDINGS

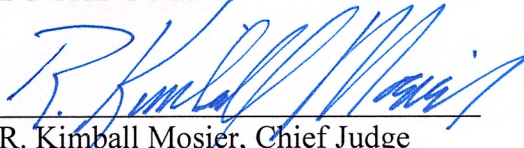
General Order No.: 18-001

The Court has been working with the Standing Chapter 13 Trustee and the United States Trustee to increase the availability of remote participation in bankruptcy proceedings. To that end, the parties have developed protocols for the Court's Remote Participation Program (the "Program"), which authorizes the implementation, assessment, and potential expansion of videoconference services for certain proceedings. In furtherance of the Program, the Court hereby ORDERS as follows:

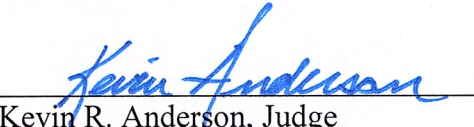
Notwithstanding Local Rule 2003-1(d), which only permits telephonic appearances at § 341 meetings of creditors and only under extenuating circumstances, the Court authorizes implementation of the Program to permit videoconference appearances as set forth in the attached Exhibit A, effective as of October 1, 2018.

Dated this 25th day of September, 2018.


BY THE COURT:



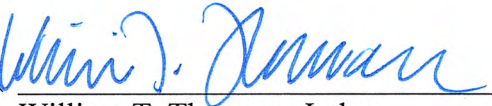
R. Kimball Mosjer, Chief Judge



Kevin R. Anderson, Judge



Joel T. Marker, Judge



William T. Thurman, Judge

[END OF ORDER]

Remote Participation in Bankruptcy Court Proceedings

The U.S. Bankruptcy Court for the District of Utah has been working with the Standing Chapter 13 Trustee and the U.S. Trustee to increase the availability of remote participation in bankruptcy proceedings. As an initial step in this process, remote participation in § 341 meetings of creditors in chapter 13 cases will be available at the discretion of the trustee in accordance with the following terms and conditions in cases filed or converted after the effective date (targeted for November 1, 2018) in 10 selected counties—Carbon, Daggett, Duchesne, Emery, Grand, Juab, Millard, Sanpete, Sevier, and Uintah. After an appropriate period of time, the program will be evaluated for modification, termination, continuation, and/or expansion to additional § 341 meetings in Chapter 13 and Chapter 7 cases and, ultimately, to Court hearings.

Notice. In all eligible cases, the Court will add language to the Meeting of Creditors block in Part 7 of Official Form 309I (Notice of Chapter 13 Bankruptcy Case) stating that “parties may contact the Trustee for possible appearance alternatives.” As soon as practicable after the filing or conversion of an eligible case, the Trustee will send a letter to debtors and their counsel in the form attached hereto as Exhibit 1 to notify the debtors of § 341 meeting appearance options and requirements. The letter will include a form, attached hereto as Exhibit 2, for debtors to request a videoconference appearance for their § 341 meeting.

Request. The debtors must submit to the Trustee a written request on the applicable form completed and signed by the debtors and their counsel (if applicable) so that it is received by the Trustee at least 10 days before the scheduled § 341 meeting. The Request will contain an acknowledgment of the limitations of videoconference technology and will constitute a waiver of any claims, objections, or defenses that may arise from conducting the § 341 meeting by videoconference—for example, based on the disclosure of any personally identifiable information or the failure of the videoconference connection. The Request must also include a Verification of Identification and Social Security Number signed by debtors’ counsel or a notary that will, along with copies of the documents supporting that Verification, be transmitted to the Trustee by secure means. The Trustee, at his or her discretion, will approve or disapprove any timely request at least 7 days before the § 341 meeting using a text entry on the docket to indicate his decision or such other means of notification as is practicable and effective. If the Trustee approves the Request, the Trustee may permit any other party in interest to appear by acceptable alternative means on written request received at least 2 days before the § 341 meeting.

Meeting. Debtors and their counsel are responsible for providing the equipment to establish an approved videoconference connection, in a location free from excessive noise or other disruptions that would impair the conduct of the meeting, and each must be present either at an approved videoconference location or the physical location of the § 341 meeting. As additional proof of identity, the Trustee may require debtors to display for the camera a photo ID and the documents verifying their Social Security number. The Trustee may also adjourn or continue the meeting to require physical appearances by debtors and counsel if he determines that remote participation is no longer appropriate in a particular case, or if technological difficulties or a disruptive environment prevent the meeting from being meaningfully conducted and recorded. In all other respects, the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules of Bankruptcy Procedure, and the Handbook for Standing Chapter 13 Trustees will continue to apply to the noticing and conduct of § 341 meetings.

LON A. JENKINS
STANDING CHAPTER 13 TRUSTEE
DISTRICT OF UTAH

405 South Main Street, Suite 600
Salt Lake City, Utah 84111
Telephone: 801-596-2884

September 17, 2018

Dear Chapter 13 Debtor:

By virtue of the county in which you reside as reported on your Chapter 13 bankruptcy petition, you are eligible to participate in the § 341 Meeting Video Participation Program (“Video Participation”). That means that you may be able to participate in your first meeting of creditors – also known as your § 341 Meeting – by using Skype or similar video format, thereby eliminating the need for you to personally appear in Salt Lake City at the time and place scheduled for your first meeting of creditors. **This is an option only, and you are still welcome to appear in Salt Lake City personally.** To take advantage of Video Participation you must do the following:

1. You and your attorney must fully complete the attached “Request to Appear at § 341 Meeting by Video Conference” (“Request Form”) and return it to the Trustee shown above, **so that it is received by the Trustee no later than ten (10) days before your scheduled first meeting of creditors.** The Request Form should be either mailed or emailed to the Trustee’s secure server at utahtrusteemail@ch13ut.org, and you must attach a copy of the documents indicated in the Request Form that your attorney used to verify your identification and social security number. If your Request Form is received later than ten (10) days before your scheduled first meeting of creditors it will be untimely and your request will not be approved by the Trustee. In that case, you must personally appear at the scheduled time and place for your first meeting of creditors, unless the Bankruptcy Court orders otherwise.
2. Even if your Request Form is received timely, the Trustee may in his discretion decline your request and require your personal appearance at your first meeting of creditors. You and your attorney will be notified whether your request is approved by the Trustee no later than seven (7) days prior to your scheduled first meeting of creditors.
3. If you elect Video Participation, you will be responsible for providing adequate hardware and software necessary to establish and maintain an approved connection for the first meeting of creditors. You must also provide any information requested by the Trustee necessary to establish and maintain the connection. Also, when your first meeting of creditors is conducted, you must be in a location which is free from excessive noise or disruption which would impede or interrupt your meeting of creditors or would prevent the creation of a record of the meeting. If any of these requirements are not satisfied, the Trustee or his representative may adjourn or continue the meeting to a mutually convenient time for parties in attendance.
4. You must bring to the first meeting of creditors the documents used by your attorney to verify your identification and social security number. You may be asked to display them for the camera.

Sincerely,

Office of Standing Chapter 13 Trustee, District of Utah

REQUEST TO APPEAR AT §341 MEETING BY VIDEO CONFERENCE

Case No: _____

Debtor(s): _____

The undersigned Debtor(s) request(s) that Debtor(s) be allowed to appear at the §341 Meeting, scheduled for _____, 20__, by video conference. Debtor(s) and their attorney understand the limitations of video conference technology and waive any claims or objections which may arise from conducting the §341 Meeting by video conference including, but not limited to, the disclosure of personally identifiable information. Debtor(s) and their attorney further understand that it is Debtor(s)' responsibility to ensure Debtor(s) will have adequate hardware and connectivity and that Debtor(s) will be in a location appropriate to conduct an adequate §341 Meeting free from excessive noise and disruption. In his discretion, the Trustee may decline to this request.

DATED this ___ day of _____, 20__.

Debtor(s)

Attorney for Debtor(s)

Debtor(s)' Email Address

Attorney for Debtor(s) Email Address

Trustee Skype ID: _____

Skype ID To Be Used By Debtor(s): _____

Device to Be Used By Debtor(s): _____

Location of Debtor(s) for §341 Meeting: _____

VERIFICATION OF IDENTIFICATION AND SOCIAL SECURITY NUMBER

I have verified the identity of the Debtor(s) by personally examining Debtor(s)' original photo identification:

| | |
|---------------------------|---------------------------|
| ____ Driver's License | State and D.L.# _____ |
| ____ State Issued ID Card | State and # _____ |
| ____ Passport | Country/#/Exp. Date _____ |
| ____ Military ID | Branch/ID# _____ |
| ____ Other | Describe/ID# _____ |

I have verified Debtor(s)' Social Security Number (or Individual Taxpayer Identification Number) by personally examining one of the following:

| | | |
|------------------------------|--------------------|-----------------------|
| ____ Social Security Card | ____ ITIN Card | ____ W-2 & Year |
| ____ Pay Advice (Month/Year) | ____ Medicare Card | ____ Other (describe) |

Attached are photocopies of the photo ID and Social Security number information which I personally examined to verify Debtor(s)' identity and Social Security number.

In accordance with 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED this ___ day of _____, 20__.

Attorney for Debtor(s)