

**DEBTOR/CREDITOR RIGHTS COMMITTEE
REPORT PREPARED FOR THE DECEMBER 3, 2011 COUNCIL MEETING**

1. 2011-2012 Budget Request and Anticipated Use of Funds

\$3,000.00 to be used for meeting and seminar expenses of food and document reproduction costs, and for Committee conference calls.

2. Use of Budgeted Funds During 2010-2011

For meeting and seminar expenses of food and document reproduction costs, and for Committee conference calls.

3. Next Scheduled Meeting of the Committee

Next scheduled meeting of the Committee: January 11, 2012 at 6:00 p.m.
at:

Honigman Miller Schwartz and Cohn LLP
39400 Woodward Avenue
Bloomfield Hills, MI 48304-5151
248-566-8300

4. Council Approval

N/A

5. Membership

The Committee's membership remains active and growing because the Committee (a) is active on issues in which members are interested, such as rules on receiverships and modifying state law on exemptions; (b) holds regular meetings; (c) holds educational events of direct relevance to members; and (d) provides case law alerts. We receive e-mails from lawyers interested in the Committee and immediately reach out to them to let them know what we are doing and invite them to meetings.

6. Accomplishments Toward Committee Objectives

See No. 5 above.

7. Meetings and Programs

On September 20, 2011, the Committee, jointly with the Bankruptcy Committee of Federal Bar Association for the Eastern District of Michigan, presented a panel discussion on the recent Superior Court opinion on

bankruptcy court authority, *Stern v. Marshall*. The panelists were the Honorable Thomas J. Tucker, Professor John A. E. Pottow, Judith Greenstone Miller and Michael S. Leib. Seventy members reserved to attend and the materials and panel discussion were valuable and well received.

8. Publications

Committee and Council member Thomas Morris, who has been spearheading the Committee's effort to amend Michigan's exemptions, wrote *The Michigan Exemption Initiative*, 31 Mich. B. J. 14 (Summer 2011).

9. Methods of Monitoring Legislative/Judicial/Administrative Developments and Recommended Action

The Committee's co-chairs are active in several bar groups and monitor new law to be able to discuss the same in meetings and by case law alerts on the Committee's list serv. The case law alerts are popular; members are now contributing alerts as well. The Committee's case law alert on *United States v. Barcyk*, 2011 WL 3624947 (6th Cir. Aug. 17, 2011) (taxing authority with lien on entireties property securing a claim against just one spouse can foreclose) is being republished to the Real Property Section.

Co-chair Judy Calton was asked to work with a committee drafting a rule on receiverships the Michigan Supreme Court is interested in adopting.

10. Miscellaneous

N/A

Judy B. Calton
Judith Greenstone Miller