



# HAMPDEN COUNTY BAR ASSOCIATION

April 13, 2016

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Cedar Rapids, IA 52401

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Central District of California  
Ronald Reagan Federal Building & Courthouse  
Suite 5040 / Courtroom 5A  
411 West Fourth Street  
Santa Ana, CA 92701-4593

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Judicial Programs Division  
Administrative Office of the U.S. Courts  
One Columbus Circle, N.E.  
Washington, DC 20544

Shaun Stuart, Esquire  
Judicial policy Division  
Administrative Office of the U.S. Courts  
Room 4-266  
One Columbus Circle, N.E.,  
Washington, DC 20544

Re: Springfield, Massachusetts Bankruptcy Judge Vacancy

Dear Esteemed Committee Members:

The Hampden County Bar Association recently learned that the Judicial Committee on the Administration of the Bankruptcy System designated an assessment team to determine whether to fill the position of retiring U.S. Bankruptcy Judge Henry J. Boroff, who primarily sits in Springfield, Massachusetts. We urge the Committee to fill this position before Judge Boroff retires in July 2016.

The statistics show that bankruptcy filings have declined in most places throughout the country, including Western Massachusetts. There is no clear identifiable cause for the decline in bankruptcy filings in Western Massachusetts. However, it is clear is that the decline is only temporary. The inevitable opening of a casino in downtown Springfield, a downturn in the local economy or increased interest rates will have

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collateral consequences on the economy, the financial well-being of individuals and area businesses, and will ultimately increase the number of bankruptcy filings in Western Massachusetts. Western Massachusetts should not be penalized for this temporary decline.

The failure to promptly fill Judge Boroff's position in Springfield will have a direct and detrimental impact on access to justice for the citizens in Western Massachusetts including debtors (especially pro se debtors), creditors, bankruptcy lawyers, and other participants in bankruptcy proceedings. For example, if a bankruptcy judge is not appointed in Springfield, it is likely that the local clerk's office would eventually be closed and bankruptcy hearings will be conducted in Worcester, which is approximately one to three hours away for the citizens who reside in Hampden, Hampshire, Franklin and Berkshire counties. Further, the absence of a bankruptcy judge in Springfield would strain the court system and the parties. The reality is that even if a bankruptcy judge from Worcester or Boston were assigned to Springfield once or twice a week, it will take longer to have cases scheduled due to a reduced docket and calendar; creditors will have to wait longer to obtain the desired relief, and decisions would take longer for the court to order. In sum, the failure of the Committee to fill the position in Springfield would turn back the hands of time to more than 20 years ago when there was no Bankruptcy Court located in Springfield.

The Hampden, Hampshire, Franklin, and Berkshire County Bar Associations collectively believe that it is unfair that, once again, Western Massachusetts is being targeted for reduced services to its citizens. The bar associations believe that leaving this vacancy unfilled will create access to justice issues and cause a detrimental impact on the local economy.

We implore you to fill the Bankruptcy Court's Western Division judicial position immediately with a permanent judge seated in Springfield.



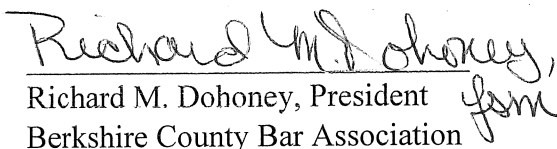
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Jeffrey S. Morneau, President  
Hampden County Bar Association




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Leslie Powers, President  
Franklin County Bar Association



Richard M. Dohoney, President  
Berkshire County Bar Association



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Marissa Elkins, President  
Hampshire County Bar Association

cc: Honorable Jeffrey R. Howard, Chief Judge, United States Court of Appeals  
Honorable Patti B. Saris, Chief Judge, District of Massachusetts  
Honorable Melvin S. Hoffman, Chief Judge, Bankruptcy Court for the District of Massachusetts  
Honorable Frank J. Bailey, Bankruptcy Court for the District of Massachusetts  
Honorable Henry J. Boroff, Bankruptcy Court for the District of Massachusetts  
Honorable Joan N. Feeney, Bankruptcy Court for the District of Massachusetts  
Honorable Christopher J. Panos, Bankruptcy Court for the District of Massachusetts  
Ms. Susan J. Goldberg, Circuit Executive  
Mr. James Lynch, Clerk, United States Bankruptcy Court for the District of Massachusetts