

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

**NOTICE OF REVISED PROCEDURE
FOR AGREED ENTRIES IN CHAPTER 13 CASES
AND INFORMATION ON WAGE ASSIGNMENT ORDERS**

At the request of the Chapter 13 trustees, and with the approval of the judges, effective March 1, 2007, agreed entries submitted post-confirmation must have the Chapter 13 trustee's signature, or the filer will receive a notice of deficient filing. (In Indianapolis and Terre Haute, this requirement does not apply to agreed entries that concern post-petition mortgage payments not passing through the Chapter 13 plan and which do not impact payments by the trustee.) The requirement was prompted by two concerns. First, BAPCPA requires tracking of post-confirmation modifications, and it is hoped that this procedure will ensure proper use of the motion to modify. Trustees have been asked not to sign agreed entries which are more properly joint motions to modify pursuant to 11 U.S.C. §1329. Second, trustees want information about agreements between the debtors and creditors before they are implemented so that they know of changes and can assure continued plan viability.

Some clarification on wage assignment orders is also appropriate. An 'amended' wage assignment order should only be submitted if that order is directed to the same entity. If the debtor has changed jobs, a new order directed to the employer should be provided. The Clerk will not terminate any wage assignment orders in open or completed Chapter 13 cases without a request from the debtor or the trustee. Trustees will seek termination of wage assignment orders at plan conclusion, but only as to orders which are 'active' - resulting in funds to the trustee. The Clerk will terminate wage assignment orders in cases that convert to Chapter 7 or are dismissed.

February 20, 2007

Kevin P. Dempsey
Clerk