

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA

**REMINDER OF CHANGES TO YOUR OFFICE  
PRACTICES RESULTING FROM  
AMENDMENTS TO LOCAL RULES  
AND CHANGE IN ORDER DISTRIBUTION**

Amendments to the Local Rules become effective October 1, 2012. Those amendments may significantly impact the office practices of many bankruptcy attorneys because the Court is shifting responsibility for distribution of many notices, as well as distribution of Chapter 13 plans and amended plans.

The master set of local rules on the Court's website will be updated October 1<sup>st</sup>. To view the changes before then, go to the Local Rules and General Orders section of the Court's website and view General Order 12-003. The final version of the changes is attached to that general order.

On October 1<sup>st</sup>, the Court is also shifting responsibility for distribution of most orders to the prevailing party. Orders will indicate the party who should make distribution and file a certificate of service. (Understand that in many instances no further distribution may be required, since the attorneys in the matter will have received notice of the order electronically.)

You will want to become familiar with the requirements that the movant distribute notice of certain motions. Those motions include motions for turnover; motions to deem mortgages current; motions to sell; and motions to compromise/settle. After October 1<sup>st</sup>, if these pleadings are docketed without proper indications as to the filing of the notice, a Notice of Deficient Filing will be issued and the motion will not be processed until the deficiency is corrected. Sample forms, some of which combine the motion with the notice, will be available on the Court's website on September 26th.

In addition, the debtors' bar will be required to distribute Chapter 13 plans **after the original and the first and second amended plans**, as well as to distribute any motion to modify a plan brought by the debtor. To implement this requirement, CM/ECF is being programmed to count plans. Counting begins with the first plan as to which a notice is actually generated. Therefore, filing a corrected plan immediately after a plan may not 'count' for the calculation as to number of plans filed and the shift in responsibility for distribution from the trustee to the debtor.

The Court will continue to generate notices on plans and amended plans. Those notices will appear on the docket and docket text will name the distributing party. When the debtor is designated to distribute, counsel should be sure to send both the amended plan and the notice, and to file a certificate of service as instructed by the local rule.

As to motions to modify plans, two sample forms will be available on the Website: one form combines the motion with the notice; the other form is a notice only - for use when distribution of the entire motion to all creditors would be expensive or time-consuming.

The Procedures Manual is being updated to reflect all these changes and will be a good resource for you and your staff. Should you have questions about a specific procedure, contact any case manager.

September 24, 2012

/s/ Kevin P. Dempsey  
Clerk