

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

NOTICE: SIGNIFICANT CHANGES EFFECTIVE DECEMBER 1, 2017

Changes to the Federal Rules of Bankruptcy Procedure and to the Court's local rules effective December 1, 2017, are too extensive to cover in detail here. This notice focuses primarily on the changes to CM/ECF functionality.

The changes to the Federal Rules of Bankruptcy Procedure can be viewed at this link: http://www.uscourts.gov/sites/default/files/2017-04-27-congressional_package_rev_4-25_final_final_with_signed_letters_and_orders_0.pdf

The changes to the local rules, and the Court's adoption of a new local Chapter 13 plan form, are explained in General Orders [17-0001](#) and [17-0002](#) respectively.

Change to Bar Date for Filing Proofs of Claim.

Edits to Fed.R.Bankr.P. 3002 tie the claims bar date to the case filing date rather than the meeting of creditors date. For most creditors, the bar date will be 70 days after the filing date. Numerous exceptions apply so close review of the rule changes is recommended. First meeting notices will contain the correct bar date information. (Note: the bar date for most chapter 7 cases will continue to be set after the trustee files a report of possible assets, and thus will not be tied to the case filing date.)

Chapter 13 plans and amended plans. Remember that on and after December 1st all plans, even for cases filed before December 1st, must use the new local plan form. During the process of filing the original or an amended plan, additional data will be gathered. The filer will be asked if the plan or amended plan proposes modification of an undersecured claim, or assumes or rejects any executory contracts/leases.

The screen that will be encountered when filing a plan or amended plan is attached to this notice. References on the screen are to the paragraphs of the plan form. When completing paragraph 11 of the plan regarding executory contracts and leases, the "None" box should be checked only if the "No" box is checked on Schedule G, question 1. If any contract or lease is listed on Schedule G, then either or both of the boxes in the plan event should be checked to indicate assumption or rejection. (If a lease or contract is not listed as assumed in the plan, then it is rejected.)

The Court has provided filing software vendors information about these changes. For those filers using such software the data may be gathered automatically during filing, with no separate action required. Filers not using such software will need to check the correct boxes during the filing process.

Filing supplemental documentation to a mortgage lender's proof of claim. New

subparagraph (c)(7) to Fed.R.Bankr.P. 3002 gives a claimant with a security interest in the debtor's principal residence an additional 50 days after the claim deadline to file certain required attachments to the proof of claim. A new CM/ECF event called "Attachment to Proof of Claim Pursuant to Fed.R.Bankr.P. 3002(c)(7)(b)" will be available for use beginning December 1st. That event will create a 'doc' entry on the docket and is connected to the original proof of claim.

New Event: Declaring Lien Satisfied. Effective December 1st, a new event called "Declare Secured Claim Satisfied and Lien Released, Motion to" will be available on the Motions menu. This event should be used to ask the Court for the relief contemplated by Fed.R.Bankr.P. 5009(d).

Any questions about these or other changes resulting from the December 1st rule amendments can be emailed to Local_Rules_Comments@insb.uscourts.gov .

November 17, 2017

/s/ Kevin P. Dempsey
Clerk

FILING SCREENS FOR PLAN AND AMENDED PLAN – CHAPTER 13

Plan includes: (check all applicable boxes)

- Request to determine the amount of a secured claim [Paragraph 8(b)]
- Executory contracts or unexpired leases to be assumed [Paragraph 11 and Schedule G]
- Executory contracts or unexpired leases to be rejected [Paragraph 11 and Schedule G]

Check boxes for items **ADDED** by the amended plan and **NOT** included in the original plan or subsequent amended plans:

- Request to determine the amount of a secured claim [Paragraph 8(b)]
- Executory contracts or unexpired leases to be assumed [Paragraph 11 and Schedule G]
- Executory contracts or unexpired leases to be rejected [Paragraph 11 and Schedule G]