

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

**NOTICE OF PROCEDURE CHANGES:
AGREED CONSENT TO JUDGMENT, DISTRIBUTION OF
WAGE ASSIGNMENT ORDERS, END OF NOTICE OF IMPENDING
CLOSURE IN CHAPTER 13 CASES**

Several procedural changes are being implemented that may require modification of form pleadings or procedures in your office.

1. New Event “Agreed Consent to Judgment” – Demise of “Agreed Judgment”. The use of documents called Agreed Judgments to conclude adversary proceedings clouds the Court’s compliance with Fed.R.Bankr.P. 9021. The Court’s approval of the parties’ “Agreed Judgment” may not comply with the Rule’s requirement of a separate document for any judgment.

Therefore, the Agreed Judgment event is being retired. The more appropriate, and newly available event “Agreed Consent to Judgment” should be used. Any “Agreed Consent to Judgment” should not include order or judgment language (such as “it is ordered” or “it is adjudged”) or a place for the Judge’s signature. Parties should upload a separate “Judgment” for entry by the Court.

Given that some Agreed Judgment documents may still be in circulation, the Clerk’s office will not issue a Notice of Deficient Filing as to documents that are titled “Agreed Judgment” for 30 days from the date of this notice. Thereafter, the title of the PDF must match the Agreed Consent to Judgment event or an NDF will be issued. Updated information on the process of closing AP’s can be found at <http://www.insb.uscourts.gov/WebForms/newlaw/AdversaryDispositionGuidance.pdf>.

2. Distribution of Wage Assignment Orders (and Orders Terminating Wage Assignments). In an effort to reduce noticing costs, these orders will no longer be distributed by the Clerk to debtors who are represented by counsel. The entity directed to distribute the order (either the trustee or debtor’s counsel, depending on the division and the situation) should send a copy to the debtor.
3. End of “Notice of Impending Closure”. In Chapter 13 cases, the trustee files a notice of plan completion that reminds debtors of the pleadings they need to file to get a discharge. Since the Chapter 13 discharge process changed with BAPCPA, the Court has also issued a Notice of Impending Closure reminding

debtors of their obligations. Since that Notice of Impending Closure duplicates guidance given by the Trustee's notice of plan completion, the Court will no longer be issuing it.

January 23, 2013

/s/ Kevin P. Dempsey
Clerk