

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

Paul R. Warren
Clerk of Court

Lisa Beaser
Chief Deputy Clerk

**NOTICE OF ENACTMENT OF NEW RULE AND NEW OFFICIAL BANKRUPTCY FORMS
EFFECTIVE DECEMBER 1, 2011, RELATED TO MORTGAGE MODIFICATIONS**

Notice No. 11-03

A. ENACTMENT OF NEW RULE

Bankruptcy Rule 3002.1, effective December 1, 2011, implements § 1322(b)(5) of the Bankruptcy Code, which permits a chapter 13 debtor to cure a default and maintain payments of a home mortgage. Two new Official Bankruptcy Forms and several new CM/ECF events have been developed to implement this new rule.

B. NEW OFFICIAL BANKRUPTCY FORMS

Form B10 (Supplement 1) would be used by the holder of a home mortgage claim to provide the notice required by new Rule 3002.1(b) of any escrow account payment adjustment, interest payment change, and any other mortgage payment change while a chapter 13 case is pending.

Form B10 (Supplement 2) would be used in chapter 13 cases to provide notice of the date incurred and amount of any postpetition fees, expenses, and charges.

C. NEW CM/ECF EVENTS

Three new events related to new Rule 3002.1 and the new Official Forms will be available to creditors in CM/ECF:

Bankruptcy > Claim Actions > Notice of Mortgage Payment Change

Bankruptcy > Claim Actions > Notice of Postpetition Mortgage Fees, Expenses, and Charges

Bankruptcy > Claim Actions > Response to Notice of Final Cure Payment

In addition, the following events related to Rule 3002.1 will be available to attorney filers:


Bankruptcy Events > Motions/Applications > Determine Mortgage Fees and Expenses

Bankruptcy Events > Motions/Applications > Determine Final Cure Payment re: Rule 3002.1

Bankruptcy Events > Other > Notice of Final Cure Mortgage Payment

Additional information regarding these amendments may be found at www.uscourts.gov. This notice is for informational purposes only. You should refer to the Federal Rules of Bankruptcy Procedure, Official Forms, and official comments for complete information and guidance.

Dated: November 16, 2011


PAUL R. WARREN
Clerk of Court