

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF MICHIGAN

**NOTICE REGARDING AMENDMENTS TO BANKRUPTCY RULES,
BANKRUPTCY FORMS, AND CM/ECF EVENTS
EFFECTIVE DECEMBER 1, 2018**

A. Changes to Federal Rules of Bankruptcy Procedure

Amendments to the following Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”) are effective December 1, 2018: 3002.1, 5005, 7004, 7062, 8002, 8006, 8007, 8010, 8011, 8013, 8015, 8016, 8017, 8018.1, 8021, 8022, and 9025.

For a complete set of materials regarding the Rules, ctrl +click to follow the link below.

http://www.uscourts.gov/sites/default/files/2018-04-26-congressional_package_final_posted_to_the_website_0.pdf

B. Clerk’s Office Information related to the changes to the Federal Rules of Bankruptcy Procedures

Below you will find information regarding clerk’s office procedural changes, a new CM/ECF event code, and modified Official and Director’s forms resulting from the amendments to the Federal Rules of Bankruptcy Procedures. The information below is not a comprehensive list of rule changes. This information is **only** meant as a guide to clerk’s office changes.

Rule	Description	Clerk’s Office Procedure	CM/ECF Event Code
3002.1	Rule 3002.1 addresses noticing requirements for home mortgage creditors in Chapter 13 cases. Subsection(b)(2) “A party in interest who objects to the payment change may file a motion to determine whether the change is required to maintain payments in accordance with §1322(b)(5) of the Code. If no motion is filed by the day before the new amount is due, the change goes into effect, unless the court orders otherwise.”	If a Motion to Determine Validity of Payment Change is filed, the court will set the matter for hearing without waiting for a response to be filed. By requiring a motion, amended Rule 3002.1(b)(2) changes the practice in the Eastern District of Michigan which currently allows for an objection to a notice of payment change to be filed under LBR 3001-2(b). That local rule will be amended to require that a motion now be filed consistent with amended Rule 3002.1(b)(2). If an Objection to the Notice of Mortgage Payment Change is filed, the clerk’s office will strike the objection. No hearing will be set unless a motion is filed.	New Event: Motion to Determine Validity of Payment Change This event will link to the Notice of Mortgage Payment Change. This Motion will spread from the court docket to the claims register.

Official Forms	Clerk's Office Procedure
<p>Notice of Appeal and Statement of Election Form: 417A Associated Rule: 8002</p> <p>Amendment: This form is amended to include a notice to inmate filers that this form can be used to provide the declaration under Rule 8002 (c) (1) regarding mailing of a notice of appeal.</p>	<p>If the incorrect official form is filed, the clerk's office will enter an Order Directing the Filing of Official Form.</p>
<p>Certificate of Compliance with Type-Volume Limit, Typeface Requirements, and Type-Style Requirements Form: 417C Associated Rule: 8015</p> <p>Amendment: This form is amended to reflect changes in the length limits of briefs and other documents in all of part VIII of the Bankruptcy Rules. This certificate of compliance must be appended to certain documents if the length is calculated by maximum number of words or lines of text rather than pages.</p>	<p>No clerk's office action.</p>
Director's Forms	Clerk's Office Procedure
<p>United States Bankruptcy Court Required Lists, Schedules, Statements, and Fees (Voluntary Chapter 13) Form: 2000</p> <p>Amendment: This form is amended to revise the language following the checkbox labeled "Chapter 13 Plan" to note that either Official Form 113 or a local form plan must be filed with the petition or within 14 days.</p>	<p>No clerk's office action.</p>
<p>Declaration of Inmate Filing Form: 4170 (NEW) Associated Rule: 8002</p> <p>New Form: This is a new form to comply with changes to Rule 8002 regarding inmate filings.</p>	<p>No clerk's office action.</p>

If you need assistance, please contact the court's help desk at (313) 234-0065.

Date: December 3, 2018

Katherine B. Gullo
Clerk of Court