



# The Frequent Filer

Electronic Filing Newsletter  
For the U.S. Bankruptcy Court  
Northern District of Iowa

November 30, 2011

[www.ianb.uscourts.gov](http://www.ianb.uscourts.gov)



## Understanding Rule 3002.1



It's the most wonderful time of the year ...that's right, it's rule and form change season at the bankruptcy court! This edition of The Filer is devoted to providing you with the information you'll need to successfully comply with the Rule 3002.1 amendments and B10 form changes that take effect on December 1<sup>st</sup>, 2011. We'll also discuss the new password requirements in CM/ECF and what you can do to minimize lockouts, and give you a heads up on few things that will be happening in early 2012. Good luck, and as always, be careful out there!

payments on a home mortgage during the plan if post-petition payment obligations have changed, the new Rule 3002.1 requirements apply to claims that are (1) secured by a security interest in the debtor's principal residence; and (2) provided for under 1322(b)(5) of the Code in the Debtor's plan. This rule amendment also provides a way for the mortgage creditor to inform the debtor of changes in post-petition payment obligations without fearing violation of the automatic stay.

OK, but what does this mean for me?

**For those attorneys who represent mortgage creditors, it means that beginning December 1, 2011, you must file three new events as supplements to a mortgage claim in the event that post-petition mortgage obligations change. These three new events (with explanations) are:**

- 1) **Notice of Mortgage Payment Change** (Allows the claim holder to inform appropriate case participants when a change in payment amount occurs)
- 2) **Notice of Postpetition Mortgage Fees, Expenses, and Charges** (Includes claim holder's

## Spotlight On: Rule 3002.1



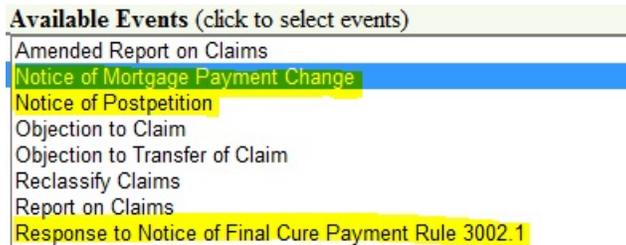
### Rule 3002.1 - Why is it changing?

**N**ew Rule 3002.1 requirements, which address certain claims in Chapter 13 cases, will go into effect on December 1<sup>st</sup>, 2011. Revised primarily to provide a process for a Chapter 13 debtor to cure a default and maintain

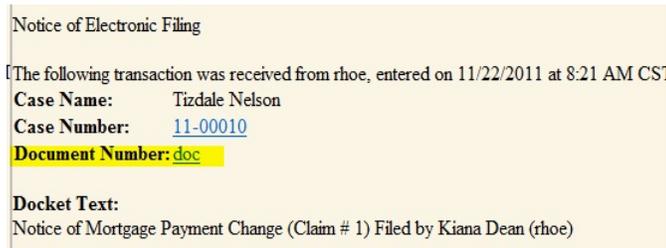
record of fees incurred that the holder asserts are recoverable against the debtor)

### 3) Response to Notice of Final Cure Payment (May be filed by the creditor *after* the trustee or debtor has filed a Notice of Final Cure Payment)

All three events are located under the “Claim Actions” Bankruptcy category, as shown here:

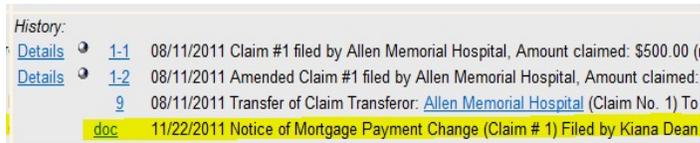


Once docketed, the Notice of Electronic Filing (NEF) screens for these claim supplements will look like this (no document number is assigned):



These three new claim events will not appear on the docket sheet, but rather as *supplements* to the claim to which they relate. All three events will

appear in the “History” section of the claims register, and none will have a document number; as with the NEF screen, the word “doc” will appear, like this:



## B10 Form Changes Effective December 1, 2011

In addition to the amendments to Rule 3002.1, we’d be remiss if we didn’t mention that there are some changes to the B10 Proof of Claim Form (come on, it wouldn’t be December without some form changes, now would it?).

Here’s what you need to know:

### A. Proof of Claim B10, Section 8

Section 8 of the B10 Form has been updated to require that the claimant indicate their role in the bankruptcy case. A copy of the updated form is attached to the back of this edition of The Filer for your reference.

### B. Proof of Claim Attachment (B10 Attachment A - Mortgage Proof of Claim)

This form is new and MUST be attached to a claim secured by a security interest in the debtor’s principal residence. The form, which implements Rule 3001(c)(2), requires an itemization of prepetition interest, fees, expenses, and charges included in the claim amount, as well as a statement of the amount necessary to cure any default as of the petition date. If the mortgage

installment payments include an escrow deposit, an escrow account statement must also be attached to the proof of claim, as required by Rule 3001(c)(2).

### **C. Proof of Claim Attachment ( B10 Supplement 1- Notice of Mortgage Payment Change)**

This form is new and applies in Chapter 13 cases. It implements Rule 3002.1, which requires the holder of a claim secured by a security interest in the debtor's principal residence - or the holder's agent - to provide notice at least 21 days prior to a change in the amount of the ongoing mortgage installment payments. The form requires the holder of the claim to indicate the basis for the changed payment amount and when it will take effect. The notice must be filed as a supplement to the claim holder's proof of claim, and it must be served on the debtor, debtor's counsel and the trustee.

### **D. Proof of Claim Attachment (B10 Supplement 2 - Notice of Postpetition Mortgage Fees, Expenses, and Charges)**

This form is new and applies in Chapter 13 cases. It implements Rule 3002.1, which requires that the holder of a claim secured by a security interest in the debtor's principal residence - or the holder's agent - to file a notice of all postpetition fees, expenses, and charges within 180 days after they are incurred. The notice must be filed as a supplement to the claim holder's proof of claim, and it must be served on the debtor, debtor's counsel and the trustee.



## **But Wait, There's More!**



### **Additional Docket Events Related to Rule 3002.1**

**A**s if the new claim supplements and B10 attachments weren't exciting enough, there are some new docket events you may begin seeing on docket sheets (unlike the claim supplements, these events **WILL** appear on the docket). Watch for these events on a docket sheet near you:

**-Notice of Final Cure Mortgage Payment** (Filed by the trustee or debtor to advise that the final cure payment has been made)

**-Objection to Response to Notice of Final Cure Payment** (Most likely filed by the debtor)

**-Motion to Determine Mortgage Fees and Expenses**

**-Motion to Determine Final Cure and Mortgage Payment Rule 3002.1**

## **Looking Ahead-**

### **Docketing of Proposed Orders**



**I**n an effort to streamline processes and make your ECF filing experience as efficient as possible, Northern District of Iowa's Bankruptcy Court will soon implement a new procedure for submission of proposed orders. Beginning January 1, 2012, proposed orders should be submitted to the court by docketing them to the

case file (currently, we ask that you email them to the appropriate scheduling deputy). Watch for more information about this new filing procedure as January 1st draws closer.

## Pay.gov Failover Testing

Pay.gov (that's the interface you use when making payments in CM/ECF) has advised us that they will be failing over to their contingency site in East Rutherford, NJ (ERO) on Saturday, January 21, 2012 beginning at 6:00 PM ET. Pay.gov will operate for a two week period from the ERO site, and will then return to their current production site in Dallas, TX on February 4<sup>th</sup>, 2012 beginning at 6:00 PM ET.

Please be advised that we will experience a Pay.gov outage of up to two hours during the failover to the contingency site on January 21<sup>st</sup>, and again when productions are returned to Dallas on February 4<sup>th</sup>. During both of these failover periods, you will be unable to pay filing fees in CM/ECF.

The Clerk's Office will provide a reminder about these planned outages as we move closer to January 21st.

## Reminder Round-Up



### Password Requirement

### Changes with CM/ECF Version 4.2

**B**y now, many of you have experienced what has quickly become the LEAST popular feature of ECF Version 4.2: getting locked out because you entered your password incorrectly too many times. It's like a time out for grown ups. Fun, isn't it? And it never fails, it always happens when you're in a hurry, or at the end of the day, when you're tired and just wanna go

home already! We get it, and we know it's frustrating when you're locked out. In an effort to reduce the number of times this happens to you, we offer these helpful hints:

1. Be sure your CM/ECF password meets the following criteria:

- **Must be a *minimum* of 8 characters**
- **Must contain at least one upper case alpha letter**
- **Must contain at least one special character or number**

(Example of passwords that meet this criteria: Nov3mber, Christma\$, DiscoRule5!)

2. Create a password that you can recall with relative ease, or store it in a *safe* place (NOT on a Post-It attached to your monitor!)

3. If you enter your password incorrectly 5 times, CM/ECF will lock you out for 5 minutes (sound familiar?)

4. Lockout times increase with each subsequent incorrect attempt

5. If you can't seem to access ECF despite your best attempts, you'll need to have your password re-set. To do this, send an email to: [training@ianb.uscourts.gov](mailto:training@ianb.uscourts.gov), explaining what's happened and requesting a password re-set. We'll take care of it quickly, and you'll be on your way in no time flat.



## Automated Reply Emails and CM/ECF

Planning some time away from the office this holiday season? If you're one of the many of us who utilize the handy "Out of Office" automated reply feature in your email, the IT Department here at the Clerk's Office would like to ask a favor. When you enable your "Out of Office" feature, please designate the court's CM/ECF email address ([cmecf@ianb.uscourts.gov](mailto:cmecf@ianb.uscourts.gov)) as **excluded** from your automated response. A large number of the bounce-back emails we receive each day are from automated "Out of Office" replies. Excluding our CM/ECF email address from your response list will reduce the volume of bounce-back emails we receive, and will enable us to more efficiently manage the remaining ones. We thank you in advance for your efforts!

## New Kid on the Block: Bank Account Debit Payment Option Now Available in CM/ECF

If you've paid a CM/ECF filing fee within the last couple of weeks, you have likely noticed a new payment option available to you. Previously, online payment of filing fees could only be made by credit card, but you now also have the option of paying by Bank Account Debit (ACH). When a filing user initiates the payment



process, the Online Payment screen will now present two options. Option 1, which will appear first, allows a filer to pay by ACH, while Option 2, located further down the screen, is the familiar credit card option. The ACH payment option will appear like this:

**Online Payment**

**Step 1: Enter Payment Information**

This item is payable by [Bank Account Debit \(ACH\)](#) or [Plast](#)

**Option 1: Pay Via Bank Account (ACH)** [About ACH Debit](#)

Required fields are indicated with a red asterisk \*

Account Holder Name:  \*

If you have any questions or comments about this new payment option, contact the Clerk's Office in Cedar Rapids at 319-286-2200 or in Sioux City at 712-233-3939.

## What'd We Miss?

If you have topics or questions you'd like to see covered in future editions of The Frequent Filer, we'd love to hear from you! Email your feedback to [training@ianb.uscourts.gov](mailto:training@ianb.uscourts.gov), and we'll do our best to incorporate your suggestions into future issues.

