

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

In re:

**MODIFICATION OF
THE LOCAL RULES OF PRACTICE AND
PROCEDURE IN BANKRUPTCY COURT,
DISTRICT OF VERMONT**

STANDING ORDER # 18-01

**TO RELIEVE CHAPTER 13 TRUSTEE OF DUTY TO
DISBURSE MORTGAGE PAYMENTS PRIOR TO DATE
MORTGAGE CREDITOR FILES A PROOF OF CLAIM,
REVISING LOCAL BANKRUPTCY RULE 3015-6(d); AND
TO RELIEVE DEBTOR'S ATTORNEYS OF DUTY TO FILE
REDLINED VERSION OF MODIFIED CHAPTER 13 PLANS,
REVISING LOCAL BANKRUPTCY RULE 3015-8(c).**

On December 1, 2017, certain amendments to both the Federal Rules of Bankruptcy Procedure and the Official Bankruptcy Forms took effect. This Court's revised Local Rules also took effect on that date, to implement the changes made to the Federal Bankruptcy Rules and Official Bankruptcy Forms, particularly with regard to chapter 13 practice. Now that the Court, the chapter 13 trustee, and the Vermont bankruptcy bar have had some experience with the impact of the amended Bankruptcy Rules and amended Official Forms, especially the new form for chapter 13 plans (Official Form 113), and after considering input from those practitioners, THE COURT FINDS cause to amend its Local Rules to simplify and streamline local chapter 13 practice.

Therefore, IT IS HEREBY ORDERED that Vermont Local Bankruptcy Rules 3015-6 and 3015-8 are revised as follows:

3015-6. CONDUIT MORTGAGE PAYMENT PLANS IN CHAPTER 13.

...

(d) Duties of the Trustee.

In Conduit Mortgage Payment cases, the trustee must

- (1) disburse payments to the Mortgage Creditor ~~by the earlier of~~ within 30 days of the date the Mortgage Creditor files a proof of claim ~~or 30 days after confirmation of the plan,~~ unless the Court orders otherwise.

3015-8. MOTIONS TO MODIFY CONFIRMED CHAPTER 12 AND 13 PLANS.

...


(c) Additional Filing Requirements for a Motion to Modify Plan.

- (1) A party who files a motion to modify a chapter 13 plan must ~~also and simultaneously file clean and redlined copies of the proposed modified plan, along with a proposed order using Vt. LB Form F. If the movant seeks to modify a chapter 13 plan,~~ file the proposed modified plan ~~must be filed~~ on Official Form 113 and must, on the top of that form (next to the box checked to identify it as an amended plan), specify the part of the plan being modified, the name of each creditor whose claim is affected, and the nature and extent of the proposed changes to the affected claim (i.e., what each such creditor's treatment was under the original plan and what it is under the modified plan), and must also file a proposed order using Vt. LB Form F-13.
- (2) A party who files a motion to modify a chapter 12 plan must also and simultaneously file clean and redlined copies of the proposed modified plan, along with a proposed order using Vt. LB Form F-12.

IT IS FURTHER ORDERED that these revisions are effective immediately.

SO ORDERED.

February 13, 2018
Burlington, Vermont


Colleen A. Brown
United States Bankruptcy Judge