



MEMORANDUM

To: Attorneys Practicing in the Middle District of Georgia
From: William E. Tanner, Clerk of Court
Subject: PROPOSED LOCAL RULE CHANGES

January 19, 2011

Attached you will find a number of local rule changes that are being proposed at this time. These rules are being published for comment. **The deadline for comments on these proposed rule changes is February 23, 2011.**

Rule 2002-1 simply provides for a change that the clerk will now serve the Chapter 12 plans in those type cases.

Rule 2016-1 is being amended to add a sub-paragraph (c). There is also an increase in the amount an attorney will receive in a dismissed or converted case which conforms to the new administrative order which will be going into effect for cases filed on or after February 1. The main changes in the rule other than the increase in that fee are instructional but are intended to make clear the extent of service needed on fee applications and which parties need to be served with which type applications.

Rule 3015 is being amended to reflect a change on when the clerk's office will be responsible to serve Chapter 13 plans and when the debtors must undertake that responsibility. It is also adding a requirement of using a new mandatory Chapter 13 plan form which has been developed by the Chapter 13 trustees.

Rule 4000-1 is amended to add a new sub-paragraph (e) and a new sub-paragraph (f). Paragraph (e) deals with negotiation of modifications to mortgages and paragraph (f) is a provision that allows for the final disposition of a motion to extend the stay to occur after the expiration of 30 days from the filing of the case.

Rule 4003-2 is being amended to give further clarification on lien avoidances that can be included in a Chapter 13 plan.

Rule 7056-1 is amended to make reference to the fact that supporting briefs will be expected not only for the initial movant but also for any response that is filed.

Again, please note that the response deadline is February 23 for these local rules. All comments will be brought to the attention of the judges before consideration of final adoption of these rules.

If you have any questions, please feel free to contact me directly.

WET/kp

Attachment