

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re: COURT ADMINISTRATIVE MATTERS
Proposed New Local Bankruptcy Rules and
New Local Form Chapter 13 Plan

Misc. No. 19-001

**NOTICE OF PROPOSED NEW LOCAL BANKRUPTCY RULES
AND NEW LOCAL FORM CHAPTER 13 PLAN**

Pursuant to 28 U.S.C. § 2071, Fed.R.Civ.P. 83, Fed.R.Bankr.P. 9029, and Administrative Order No. 84-0324 of the United States District Court for the District of New Mexico authorizing the Bankruptcy Court to make local rules governing practice and procedure in bankruptcy cases in this district, the United States Bankruptcy Court for the District of New Mexico hereby gives notice of proposed new Local Bankruptcy Rule 3015-3 – Conduit Mortgage Payments in Chapter 13 Cases and proposed new Local Bankruptcy Rule 3015-4 – Arrearages in Chapter 13 Cases.

Proposed new LBR 3015-3 will require debtors who are more than two months delinquent in their monthly mortgage payments as of the petition date, become delinquent before plan confirmation, or become more than two months delinquent after plan confirmation to make conduit post-petition mortgage payments to the Chapter 13 trustee for payment to the mortgage holder. Proposed new LBR 3015-4 precludes mortgagees from charging late payments or other default-related fees and services based on any pre-petition mortgage arrearage provided for in the plan, and deems current upon discharge the prepetition mortgage arrearage paid under a confirmed Chapter 13 Plan, unless the Court orders otherwise, or the mortgagee timely files a contrary statement under Fed. R. Bankr. P. 3002.1(g)

The Court hereby gives further notice of a proposed new local form Chapter 13 Plan (NM LF 3015-2).

Copies of the proposed new LBR 3015-3, new LBR 3015-4, and the proposed new form Chapter 13 Plan (NM LF 3015-2) are attached to this Notice and posted on the Bankruptcy Court's website: www.nmb.uscourts.gov. Once adopted, LBR 3015-3, LBR 3015-4, and the new local form Chapter 13 Plan will apply to all cases filed on or after the affective date.

Pursuant to 28 U.S.C. § 2071(b), the United States Bankruptcy Court for the District of New Mexico invites public comment on proposed new local rule and form plan. All comments will remain anonymous to the judges and chambers staff. Comments can be made by email to web_ntp@nmb.uscourts.gov. Or, written comments may be sent by mail to Lana Merewether, Clerk, United States Bankruptcy Court, Pete V. Domenici United States Courthouse, 333 Lomas Blvd. NW, Suite 360, Albuquerque, New Mexico 87102.

The deadline for submitting comments is **February 6, 2020**.

Dated December 23, 2019.