

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**IN RE:**

**CASES UNDER CHAPTER 13  
OF THE BANKRUPTCY CODE**

---

**GENERAL ORDER PENDING ADOPTION OF D.N.J. LB.R. 3002.1 -1**

Whereas, effective December 1, 2011, the Judicial Conference approved amendment to *Fed. R. Bankr.P. 3001, Proof of Claim* and the adoption of *Fed. R. Bankr.P. 3002.1, Notice Relating to Claims Secured by Security Interest in the Debtor's Principal Residence*, and

Whereas, the amendment to Fed. R. Bankr.P. 3001 and adoption of Fed. R. Bankr.P. 3002.1 supersede the Court's General Order entered on May 21, 2009 Adopting Supplemental Chapter 13 Plan Provisions Requiring: (1) Supporting Information Concerning Proof of Claim and (2) Disclosure and Adjudication of Postpetition Mortgage Charges Pending Amendment of the Federal Rules of Bankruptcy Procedure; and

Whereas, On November 14, 2011, the Court entered a General Order abrogating its May 21, 2009 General Order in its entirety to be effective in all cases filed on or after December 1, 2011 to conform with the effective date of these Federal Rules; and

Whereas, the Board of Judges of this Court seeks to implement three of the abrogated Supplemental Chapter 13 Plan Provisions pending adoption of a local rule, D.N.J. L.B.R. 3002.1-1,

**IT IS ORDERED** that in all cases filed on or after December 1, 2011 the following provisions shall be in effect pending adoption of D.N.J. LBR 3002.1 -1:

**Response to Notice of Fees, Expenses and Charges.** If the debtor does not object to the Notice of Fees, Expenses and Charges filed under Fed. R. Bankr. P. 3002.1(c), or if the debtor's objection is overruled, the debtor shall either 1) pay all post petition amounts included in the Notice of Fees, Expenses and charges; 2) enter into an agreed order allowing the claim (to be paid by the Trustee); or 3) take no action and the amounts claimed shall be deemed allowed, but will not be paid by the Trustee and will not be deemed to have been paid upon closure or conversion of the case.

**Application of Payments.** The holder of a claim secured by a security interest in the debtor's principal residence shall apply payments from the Trustee to arrears being cured and payments from the debtor to maintain post-petition monthly payments.

**Order Deeming Mortgage Current.** If the holder of a secured claim fails to respond to the Trustee's Notice of Final Cure Payment filed under Fed. R. Bankr.P. 3002.1(f), the debtor may submit a proposed order which deems the mortgage current. The proposed order shall be served on the holder of the secured claim and the trustee. The parties served with the order shall have 7 days to file and serve an objection. A hearing may be conducted on the objection in the court's discretion.

**Dated: December 6 , 2011**

**/s/Judith H. Wizmur**

**HON. JUDITH H. WIZMUR**

**Chief Judge, United States Bankruptcy Court**

**District of New Jersey**