

Rule 3002-3 ADDITIONAL REQUIREMENTS FOR CLAIMS IN CHAPTER 12 AND 13 CASES

(a) Subject to the requirements of Fed. R. Bankr. P. 9037, the following shall be included in the claim form:

- (1) Creditor's account number conspicuously stated.
- (2) Sufficient identification of collateral.
- (3) A holder of a claim secured by real property shall separately state the following:
 - (A) arrearage, late fees, attorney's fees and foreclosure costs incurred through the date of filing of the debtor's bankruptcy petition, principal balance, applicable interest rate and amount of the regular monthly payment.
 - (B) if regular payment includes an escrow component, it shall be clearly identified and the amount stated.
 - (C) the Mortgage and Note and any Assignments of Claim shall be attached to the claim.
 - (D) any postpetition arrearage shall be separately stated and itemized.

(b) Claims resulting from the rejection of an executory contract shall be filed and served on the Chapter 13 trustee, the debtor, and debtor's attorney, if represented, by the later of the claims bar date or thirty (30) days after the date of rejection. Executory contracts may be rejected in the confirmed plan.

(c) Any creditor who asserts a deficiency shall file a proof of claim or amend a filed proof of claim to assert the deficiency.

(d) If an amended proof of claim is filed after the deadline for filing claims, such claim shall be served by the creditor on the Chapter 13 trustee, the debtor, and debtor's attorney, if represented.

(e) All objections to the amended proof of claim shall be filed and served within ninety (90) days after the amended proof of claim is filed and served.

(f) The Chapter 13 trustee will promptly place all funds intended for a specific creditor on reserve:

- (1) upon notice from an assignor or transferee that a claim has been transferred;

- (2) whenever the trustee receives:
 - (A) a returned check;
 - (B) a statement from a creditor indicating that the account has been assigned;
 - (C) a statement from a creditor indicating that the account has been paid in full; or
 - (D) any other statement from a creditor indicating that the creditor is not owed anything on a claim; or
- (3) in any circumstance where a creditor seeks to change the payee name for a claim.

(g) Within twenty-one (21) days of placing funds on reserve, the Chapter 13 trustee shall file a "Notice of Funds on Reserve" with the Court which certifies that the debtor(s), the original creditor, the putative creditor, and if known, counsel for the debtor(s), original creditor and putative creditor were served with the Notice and the date of such service.

(h) No funds will be distributed by the Chapter 13 trustee to any purported assignee or transferee without a "transferred proof of claim" filed in accordance with Fed. R. Bankr. P. 3001(e) and notice issued in accordance therewith by the Clerk with an opportunity to object.

(i) Transferred or assigned proofs of claim shall include the following:

- (1) the case number;
- (2) the claim to be paid;
- (3) the nature of the collateral supporting the claim;
- (4) the appropriate address for payment, and
- (5) copies of all assignments and authorizations for loan service applicable to the transfer and in support of the claim.

(j) Copies of each proof of claim and each amended, assigned, and/or transferred proof of claim, including all attachments, shall be served on the Chapter 13 trustee, the debtor, and the debtor's counsel, if represented.