

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

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In re: : BANKRUPTCY GENERAL ORDER
Second Amended Loss Mitigation :
Program and Procedures : No. 10-002
:
- - - - - x

**GENERAL ORDER ADOPTING SECOND AMENDED LOSS
MITIGATION PROGRAM AND PROCEDURES**

On January 14, 2010, this Court issued General Order 10-001, adopting First Amended Loss Mitigation Program and Procedures, effective January 15, 2010, and

During the first four months of the Program, four areas have been identified that require clarification and/or explanation in order to further facilitate the implementation of the Program.

THEREFORE,

It is hereby **ORDERED** that the Second Amended Loss Mitigation Program and Procedures is adopted and shall replace the January 15, 2010 version, effective on April 1, 2010. The provisions herein substantively amended are:

- Sections III.(A) - that the entry of a discharge and/or the granting of relief from stay does not prevent a debtor from requesting loss mitigation or preclude the entry of a loss mitigation order, nor does it prevent a creditor from pursuing their state court rights.
- Section V.(D) - objections that fail to address: the success standard will be overruled without hearing, and the Court's position regarding the payment of regular mortgage payments as a condition to participation in the Loss Mitigation Program.
- Section VI.(A) - requiring the order to specify the date for the submission of written status reports; and continuing the hearing date for confirmation of Chapter 13 plans to a date after the last day of the loss mitigation period.
- Section VI.(B) - in order that the automatic stay not expire during Loss Mitigation, a chapter 7 debtor may seek to extend the entry of discharge during the Loss Mitigation period.
- Section VII.(A) - the procedures for seeking compliance

with deadlines in a Loss Mitigation Order.

- Section VII.(C) - eliminating the scheduling of a routine status conference and requiring instead, the submission of written status reports to update the Court on the status of loss mitigation.
- Section IX. (B) limiting requests for extensions to 60 days.

ORDER



Susan M. Thurston
Clerk of Court

ENTER:



Arthur N. Votolato
U.S. Bankruptcy Judge

Dated: April 1, 2010

Rev'd 04/01/2010