

UNITED STATES BANKRUPTCY COURT

DISTRICT OF RHODE ISLAND

The Federal Center

380 Westminster St., 6th Floor

Providence, Rhode Island 02903

website: www.rib.uscourts.gov

Susan M. Thurston
Clerk of Court

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NOTICE OF PROPOSED AMENDMENTS TO LOCAL FORMS

Pursuant to 28 U.S.C. § 2071, Fed. R. Civ. P. 83, Fed. R. Bankr. P. 9029 and U.S. District Court for the District of Rhode Island General Rule 109(h)(1) authorizing the Bankruptcy Court to make and amend local rules, the U.S. Bankruptcy Court for the District of Rhode Island hereby provides notice that it proposes to amend the following three Local Forms. These forms were inadvertently omitted from the Court's July 31, 2013 notice of proposed local rule and form amendments. The local rule provisions which correspond to these proposed form changes (LBR 1006-1, 3015-1 and 3015-2) went into effect on September 9, 2013. Thus, in order to conform these form changes to the recent rule changes, we are shortening the noticing period for comments to 14 days.

EFFECTIVE DATE OF 10/18/2013

Local Form D (amended)
Local Form W.1 (amended) (technical)
Local Form W.2 (amended)

Pursuant to 28 U.S.C. § 2071(b), **the U.S. Bankruptcy Court for the District of Rhode Island invites public comment** on the Proposed Amendments to these Local Forms. Copies of the proposed amendments are available at the Clerk's office or on our website at www.rib.uscourts.gov. **Comments on the proposed forms should be received by October 16, 2013.** Comments can be made on-line at www.rib.uscourts.gov or in writing addressed to:

Susan M. Thurston, Clerk
U.S. Bankruptcy Court for the District of Rhode Island
380 Westminster St., 6th Floor
Providence, Rhode Island 02903

Dated: 10/3/2013

/s/ 
Susan M. Thurston, Clerk

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

----- X
In re: : BK No.
: : Chapter
: :
: :
: :
----- X

INCOME AND EXPENSE INFORMATION FOR FEE WAIVER APPLICATION

A. SOURCE OF INCOME OF INDIVIDUAL DEBTOR(S)

1. Source of income (i.e., wages, commissions, social security, unemployment, disability).

_____.

2. If the attorney was paid to represent the debtor in this bankruptcy case, provide the source of the payment to the attorney (i.e., wages, social security, unemployment, relative).

_____.

~~This section must be completed if you have not filed Schedule J.~~

B. CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this document by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

- 1. Rent or home mortgage payment (include lot rented for mobile home) \$ _____
 - a. Are real estate taxes included? Yes__ No
 - b. Is property insurance included? Yes__ No
- 2. Utilities:
 - a. Electricity and heating fuel \$ _____
 - b. Water and sewer \$ _____
 - c. Telephone \$ _____
 - d. Other \$ _____
- 3. Home maintenance (repair and upkeep) \$ _____
- 4. Food \$ _____
- 5. Clothing \$ _____
- 6. Laundry and dry cleaning \$ _____
- 7. Medical and dental expenses \$ _____

8. Transportation (not including car payments) \$ _____
9. Recreation, clubs and entertainment. newspaper, magazines. etc. \$ _____
- List each specific recreation item:*
- \$ _____
- \$ _____
- \$ _____
- \$ _____
10. Charitable contributions \$ _____
11. Insurance (not deducted from wages or included in home mortgage payments)
- a. Homeowner's or renter's \$ _____
- b. Life \$ _____
- c. Health \$ _____
- d. Auto \$ _____
- e. Other \$ _____
12. Taxes (not deducted from wages or included in home mortgage payments)
(Specify) _____ \$ _____
13. Installment payments:
- a. Auto \$ _____
- b. Other \$ _____
- c. Other \$ _____
14. Alimony, maintenance, and support paid to others \$ _____
15. Payments for support of additional dependents not living at your home \$ _____
16. Regular expenses from operation of business, profession, or farm \$ _____
(attach detailed statement)
17. Other _____ \$ _____
18. TOTAL MONTHLY EXPENSES \$ _____
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document: _____

**DECLARATION CONCERNING DEBTOR'S EXPENSE ADDENDUM
DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I (we) declare under penalty of perjury that I (we) cannot currently afford to pay the filing fee in full or in installments and that the foregoing information is true and correct. I (we) further declare under penalty of perjury that I (we) have read the foregoing expense information and that it is true and correct to the best of my knowledge, information, and belief.

Date _____

Signature _____

Debtor

Date _____

Signature _____

(Joint Debtor, if any)

DECLARATION AND SIGNATURE OF BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices

and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and (2) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required under that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

Last four digits of Social Security No.
Required by 11 U.S.C. §110

If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.

Address

X

Signature of Bankruptcy Petition Preparer

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person. A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.

R.I. Bankr. Form W.1
See, R.I. LBR 3015-1
[Revised 12/1/11]
**[Required for cases filed
on or after 4/1/09]**

Page one of Form W.1 is being revised on technical grounds to add the word “timely” in the second paragraph as indicated below. No other changes to the form are being made.

“If you or your attorney do not take these steps, the Court may decide that you do not oppose the proposed plan of the debtor(s), including any motions contained in the plan, and may enter an order confirming the plan and granting the motions. Any creditor’s failure to timely object to confirmation of the proposed plan or any of the above checked motions shall constitute the creditor’s acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. Section 1325(a)(5)(A).”

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

IN RE:

CHAPTER 13
CASE NO.

Debtor(s)

_____ *[indicate 1st, 2nd, 3rd, etc.]*
AMENDED CHAPTER 13 PLAN AND APPLICABLE MOTIONS DESIGNATED BELOW:

This amended plan: Does adversely affect creditors ~~or is filed after the 341 meeting.~~
 Does *not* adversely affect creditors ~~and is filed prior to the 341 meeting.~~

Check for motions applicable to this plan amendment:

- () Motion to Avoid Lien(s)
- () Motion to Modify Secured Claim(s)
- () Motion to Assume/Reject Lease(s)
- () No motions applicable to this plan amendment

On _____, Debtor’s original Chapter 13 plan was confirmed. If applicable,
[date confirmed]
further amendments were made on _____ [dates of later amendments] **and the substance of all prior amendments is also listed below.**

This Amended Chapter 13 Plan, including certain motions and other provisions, is hereby **amended**
as follows **(list all new and prior amendments with dates):**

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully, including any motions contained therein, and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you object to the confirmation of the proposed plan of the debtor(s) as amended, including any of the motions included therein, then you or your attorney must file with the Court a written objection to confirmation and/or to the motions contained therein at the following address:

Clerk, U.S. Bankruptcy Court, 380 Westminster St., Providence, R.I., 02903

OBJECTIONS: Your objection to confirmation and/or to the motions contained in the plan must include the specific reasons for your objection, **and must be filed with the Court no later than seven (7) days before the confirmation hearing, ~~or within twenty one (21) days of service of the amendment, whichever is greater, and applicable.~~**

If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadlines stated above. You must also serve a copy of your objection to confirmation, and any applicable motions contained therein, on the debtor(s), the attorney for the debtor(s), and the Chapter 13 trustee at their addresses as they are listed in the notice of the meeting of creditors.

If you or your attorney does not take these steps, the Court may decide that you do not oppose the proposed plan of the debtor(s) as amended, including any motions contained therein, and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to timely object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. Section 1325(a)(5)(A).**

PLAN SERVICE AND SIGNATURES:

Pursuant to the R.I. LBR 3015-1(b), the Debtor or his/her counsel is required to serve a copy of the *amended* Chapter 13 Plan upon the Chapter 13 Trustee, all creditors and interested parties, and to file a certificate of service accordingly. In addition, if the Debtor has included a Motion to Modify Secured Claim and/or a Motion to Avoid Lien in this *amended* plan, the Debtor must also comply with the service requirements contained in R.I. LBR's 3015-1(c)(1) and 4003-2.

Debtor is also required to attach the original filed plan within the Amended Plan filing event in ECF.

I/We declare under penalty of perjury that the information provided in the Amended Chapter 13 Plan, including any applicable Motion(s) to Modify Secured Claim(s); Motion(s) to Avoid Certain Lien(s); and Motion(s) for Assumption and Rejection of Executory Contracts and Unexpired Lease(s), as to all matters set forth herein, are true and correct to the best of our knowledge and belief:

Dated _____
Debtor's Signature

Dated _____
Debtor's Signature

I hereby certify that I have reviewed this document with the debtor(s) and that the debtor(s) have received a copy of this document.

Dated _____
Attorney for the Debtor