



Amendments to Rule 3001 & New Rule 3002.1

Marlene Eichelbaum o Rules_Comments

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The proposed Amendment to Rule 3001 would make the system fairer, and allow the Courts to more effectively deal with creditor abuses, especially by bad debt buyers, many of whom are very adept at gaming the system.

Proposed new rule 3002.1, would prevent unscrupulous Mortgage Companies and Mortgage Servicers from piling up made-up charges, and then surprising the debtor with these at the end of the Chapter 13 Bankruptcy. I've seen situations where the Debtor has successfully completed a Chapter 13 Bankruptcy, only to have the Mortgage creditor disclose thousands of dollars in made-up fees, causing a new arrearage situation. None of these fees were disclosed to the Debtor or the Debtor's attorney during the Chapter 13 Bankruptcy. This situation often caused the Debtors to have to file another Chapter 13 Bankruptcy or lose their home.

Sincerely,
Melvin N. Eichelbaum,
Attorney at Law