



To:
Cc:
Bcc:
Subject: Fw: Draft Form and Working Group Comments

From: Ray Bell [mailto:rbell@mercantilesolutions.com]
Sent: Tuesday, November 27, 2012 5:38 PM
To: McKenzie, Troy; eugene_wedoff@ilnb.uscourts.gov
Subject: Draft Form and Working Group Comments

I would like first to commend the working group for the drafts and certainly the thoughts and discussions that produced the drafts attached that I obtained from the report of the Advisory Committee on Bankruptcy Rules from the Judicial Court web site.

Here are my comments:

-Schedule J: Your expenses- To an average consumer and possibly if represented by an attorney, Column B states "What your expenses will be if your current plan is confirmed" may be confusing and also become just a replication of column A just to be on the safe side of scrutiny because of the potential length of time between filing the petition and schedules and then the confirmation hearing taking place at least 45 days from the first meeting of creditors. We know the dismissal rates on chapter 13s are high so I am not certain if this column is needed or what it is intended to show since a consumer may not know of circumstances beyond their control between the time frames though possibly short from a bankruptcy perspective but likely not a consumer. Obviously if expenses change between this time and/or during the chapter 13 case, I think the consumer's attorney should notify the Court and applicable parties. The Instructions(Form 6J) may be confusing as indicated in the second paragraph on this subject as well.

Otherwise I believe the forms and instructions are more "user friendly" as we use to call it in the credit industry. As far as the means test forms and instructions, while again they appear to be user friendly, I would have to say I disagree and have disagreed to the entire means test since inception.

Raymond Bell
Associate Member of the ABA

Raymond P. Bell, Jr.
Vice President of Bankruptcy Management Services
Mercantile Adjustment Bureau, LLC
630 Fitzwatertown Road
Suite A-1
Willow Grove, PA 19090
Office: 215-659-1272
Mobile: 716-260-4899
rbell@mercantilesolutions.com