

RULE 3002-1 FILING PROOF OF CLAIM OR INTEREST [Modified 2/28/11]

(a) Service of Proof of Claim on Attorney for the Debtor and case trustee. An original proof of claim shall be filed with the Clerk. In addition, in all chapters, the claimant shall, contemporaneously with the filing, serve a copy of the proof of claim, with all attachments thereto, on the trustee, if any, and on the debtor's attorney, or debtor, if pro se.

(b) Notice to Creditors in Chapter 7 Cases. Following expiration of the bar date for filing claims, the Clerk and parties designated to provide service may limit the serving and distribution of papers, except notices as governed by Fed. R. Bankr. P. 2002, to those parties who have filed proofs of claim or who have been granted extensions within which to file claims, excepting therefrom, however, creditors whose claims have been fully disallowed.

(c) Creditors Duties in Chapter 13 Cases -

(1) Notice of Contract Change

(A) Creditor's Duty to file Notice of Contract Change. At any time during the pendency of the debtor's case, a creditor must file on the Claims Register and serve, by first class mail, upon the trustee, debtor, and debtor's counsel, at least thirty (30) days before the change is to take place, or a payment at a new amount is due, a "Notice of Contract Change".

(B) Contents of Notice. The notice shall outline any change(s) in the amount owed by Debtor under any Agreement, including any change(s) in the:

(i) Interest rate;

(ii) Escrow payment requirement;

(iii) Insurance premiums;

(iv) Change in payment address or other similar matters impacting the amount owed by debtor under such Agreement (each a "Contract Change").

(C) Disallowance for failure to comply. Additional amounts owed by the debtor due to a Contract Change may be disallowed by the Court to the extent the amounts:

(i) Were not reflected in a Notice of Contract Change filed as required by this rule, and;

(ii) Exceed the amount set forth in the proof of claim filed by the creditor or deemed filed under this plan.

(D) Debtor's Duties and time to object. Within thirty (30) days of receipt of the Notice of Contract Change, debtor shall either adjust the Post-Petition Payment to the amount set forth in the Notice of Contract Change, or file a motion with the court, objecting to the payment amount listed in the Notice of Contract Change and the stated reasons for the objection.

(2) Notice of Outstanding Obligations

(A) Creditor's Duty to file Notice of Outstanding Obligations. At any time during the pendency of the debtor's case, a creditor shall file on the Claims Register and serve upon the trustee, debtor, and debtor's counsel within sixty (60) days after the date such Outstanding Obligations were incurred, a Notice of Outstanding Obligations. Said Notice must be sworn to by the creditor pursuant to 28 U.S.C. § 1746, referencing the paragraph(s) (or specific section(s) and page number(s)) in the Agreement that allows for the reimbursement of the services and/or expenses. This subsection will not apply to the extent that the court has previously approved a creditor's outstanding obligations pursuant to a Court order or conditional order.

(B) Contents of Notice. The notice shall contain an itemization of any obligations arising after the filing of this case that the creditor believes are recoverable against the debtor or against the debtor's property (the "Outstanding Obligations"). Outstanding Obligations include, but are not limited to:

- (i)** All fees, expenses, or charges incurred in connection with any Agreement, such as any amounts that are due or past due related to unpaid escrow or escrow arrearages;
- (ii)** Insurance premiums;
- (iii)** Appraisal costs and fees;
- (iv)** Taxes;
- (v)** Costs associated with the maintenance and/or upkeep of the property; and other similar items.

(C) Time to Object. The debtor may file a motion with the court no later than sixty (60) days following the filing of a Notice of Outstanding Obligations, objecting to the amounts listed in the Notice of Outstanding Obligations and stating the reasons for the objection.

(D) The bankruptcy court shall retain jurisdiction to resolve disputes relating to any Notice of Outstanding Obligations.

(3) Application for Reimbursement of Costs and Fees of Professionals. Pursuant to Bankruptcy Rule 2016 and Local Rule 2016-1(d), a creditor must file an application with the court on an annual basis if it wishes to be compensated from the debtor or the estate for services rendered or expenses incurred by its professionals [attorneys, accountants, appraisers, auctioneers, or other professional persons], after debtor's filing of the petition and before the issuance of the Notice of Discharge. See, R.I. LBR 2016-1(d)

RULE 5005-4 ELECTRONIC FILING [Modified 2/28/11]

(a) Requirement to File Cases and Documents Electronically. All cases filed after April 24, 2003 are part of the Court's Case Management/Electronic Case Filing (CM/ECF) System. Commencing on January 1, 2007, all petitions, motions, memoranda of law, or other pleadings and documents must be electronically filed except as expressly provided in section (c) below, or in circumstances where the Electronic Filer is prevented from filing electronically, i.e., CM/ECF System failure. "Electronic Filer" refers to those who have a court-issued log-in and password to file documents electronically. Filing of documents submitted, signed, or verified by electronic means must be consistent with technical standards established by the Judicial Conference of the United States and must comply with the within local rule and such other local rules as are applicable.

(b) Eligibility and Registration for Electronic Filing; Use of Passwords.

(1) Eligibility. Attorneys, United States trustees and their assistants, private trustees, and others as the Court deems appropriate, are entitled to one System password to enable the user or any support staff so authorized by the user to participate in the electronic retrieval and filing of documents within the System.

(2) Registration and Training.

(A) Registration Requirements:

(i) Eligible applicants must file with the Clerk's Office an application for registration using Form A entitled, "Electronic Case Filing System Attorney Registration Form", and must also meet the minimum system requirements.

(ii) An "Application for Limited Use/Claim Password for Electronic Case Filing System", Form E, shall be submitted by any Creditor who intends to use the system for the limited purpose of filing claims and related claim activity, and not requiring the appearance of counsel.

(iii) Registration forms are available on the Court's Internet web site (www.rib.uscourts.gov).