

**OFFICE OF THE CHAPTER 13 TRUSTEE**

**CRAIG SHOPNECK, TRUSTEE**

For Cases Filed Under Chapter 13 in the United States Bankruptcy Court  
Northern District of Ohio – Eastern Division

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February 9, 2005

04-BK-030

Peter G. McCabe  
Secretary of the Committee on Rules of Practice and Procedure  
Administrative Office of the United States Courts  
Washington, D.C. 20544

Re: Proposed Bankruptcy Rule 4002

Dear Mr. McCabe:

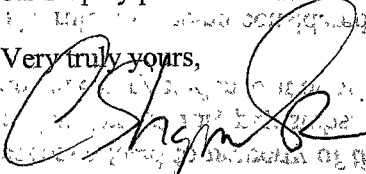
In my role as Trustee for cases filed under Chapter 13 of the Bankruptcy Code in the United States Bankruptcy Court Northern District of Ohio – Eastern Division, I am writing to express my support for the adoption of the amendments proposed to Rule 4002 of the Federal Rules of Bankruptcy Procedure now being considered by the Rules Committee of Practice and Procedure.

Chapter 13 Trustees are charged with the responsibility of monitoring Chapter 13 cases to determine whether a plan proposed by a debtor complies with the requirements of Chapter 13 and the Bankruptcy Code including the question of whether a debtor is paying sufficient income to the Trustee to repay creditors. To assist Trustees in performing this responsibility, debtors are under a statutory obligation to provide to the bankruptcy Trustee all recorded information, including books, documents, records and papers related to property of the estate. See 11 U.S.C. §521(4). Some Trustees, bolstered by local rule, review tax returns, pay stubs, vehicle titles, insurance documents, and mortgage information, and other documentary evidence at or prior to a Meeting of Creditors.

The rule now being considered by the Rules Committee provides to the Chapter 13 Trustee an additional tool with which to fulfill the statutory responsibilities of that office. The rule also recognizes that, in some cases, the Chapter 13 Trustee may relieve a debtor of this obligation, particularly where the ability to obtain such information is costly, cumbersome, or simply not available.

The proposed rule is timely, appropriate, reasonable and in the best interest of a responsible and equitable bankruptcy process.

Very truly yours,

  
Craig H. Shopneck  
Chapter 13 Trustee

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