



**Proposed Amendments to Bankruptcy Rules**  
Ken Keeling to: 'Rules\_Comments@ao.uscourts.gov'

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The undersigned supports proposed amendments to Bankruptcy Rules 3001 and 3002.1.

Re: Rule 3001

The undersigned is regularly involved in consumer bankruptcy proceedings. A common occurrence is that a purchaser (hereafter, "creditor") in bulk (and at a discount) of credit card debt submits a claim on a purchased account with no information to support its "claim" other than a listing on an account purchased. The creditor then files a proof of claim (in my case, typically in a Ch. 13 reorganization) based on its account. The proof of claim is prima facie valid under 3001(f). In fact, the creditor knows little or nothing about the validity of the claim and has no supporting documentation. In many instances the legal liability of the debtor on the claim is barred by limitations. The debtor is then put to the expense, and the Court's limited time is wasted, in a claim objection. In a substantial percentage of challenged claims, the creditor does not bother responding as the creditor knows nothing about the claim other than an account entry on a purchased asset.

Accordingly, the undersigned supports the proposed amendment of Rule 3001.

Re: Rule 3002.1

The undersigned supports the proposed amendment to Rule 3002.1. It is often the case in Chapter 13 proceedings that the mortgage company fails to provide adequate notice to involved parties of interest rate adjustments and escrow adjustments. In many such cases, the mortgage company then assesses late charges and proceeds to put "less than full" payments in suspense. The discrepancies rise. In addition to this, many mortgage companies book hidden fees or, more charitably, fail to promptly book fees assessed against the debtor. The result is often an incomplete accounting of costs and credits that accrues during the life of a plan, thereby wasting the Court's resources and adding to costs of the mortgage company and the debtor. Amended Rule 3002.1, while not providing a perfect resolution, will result in better accounting during the proceeding and overall increased predictability and efficiency of the system.

Sincerely,  
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