

# OFFICE OF THE STANDING TRUSTEE

## CHAPTER 12 AND CHAPTER 13 PROCEEDINGS

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**Brett N. Rodgers**

Standing Trustee

**Elizabeth Salata**

Staff Attorney

**50 Louis N.W. Suite 700  
Grand Rapids, Michigan 49503**

**Telephone: 616-454-9638**

**Fax: 616-454-9798**

MEMO: To Debtor's Attorneys  
RE: Document Transmittal Letter  
DATE: March 15, 2004

Enclosed for your use is a copy of the "Document Transmittal Letter." The purpose of this letter is to encourage the early transmittal to the Trustee's Office the various documents that we need to review for a Chapter 13 case. We will need these documents **10 days prior** to the First Meeting of Creditors. This will benefit both you and your clients by reducing or eliminating the time spent at the First Meeting searching for and shuffling papers between the debtors, attorneys and the Trustee. Use of this letter will also reduce the number of Confirmation hearings which are adjourned just because the Trustee is waiting to receive and review a document. In addition, the collection and review of the documents prior to filing will help you to comply with your due diligence responsibilities which have been recommended in the US Trustee's "Best Practices" Seminars.

Some attorneys have already been sending us documents right after the case is filed. Others have been attaching them to the original bankruptcy petition that is filed with the court. We would prefer, in the future, that the documents be sent to us under separate cover. This will also save the staff at the bankruptcy court the time it takes to scan in the extra pages attached to a bankruptcy petition. Once CM/ECF is fully implemented, the petition and attached documents will be transmitted to our office via computer but may be difficult to review on a computer screen.

In addition, some attorneys have expressed concern over privacy issues for their clients if these documents become part of the court file and therefore available for anyone to look at. The Trustee's file is not public record, so sensitive documents sent to the Trustee will not be accessible by the general public.

Please send us as many of the documents that you can, even if your client has not yet provided you with all of the papers that the Trustee will need to review. We will always need to review the deeds, recorded mortgages, SEVs, and appraisals (if your client has had one done recently) for any parcel of real estate; all Certificates of Title; tax returns for the previous year; and paycheck stubs used to calculate Schedule I. Also send other documents that you feel are appropriate for the particular case and/or that you anticipate we will request. Of course, we may ask for additional documents at the First Meeting.

Failure to timely forward the documents requested to the Trustee within the 10 days prior to the 341 First Meeting of Creditors could result in a motion to dismiss the case. If you have any questions please feel free to contact this office.

Brett N. Rodgers, Chapter 13 Trustee

[Attorney Letterhead]

Brett N. Rodgers  
Chapter 13 Trustee  
50 Louis St NW, Ste 700  
Grand Rapids, MI 49503

Date:  
Re: [Debtor(s) name]  
Case No:

Dear Mr. Rodgers:

Enclosed are copies of documents regarding the above case: (Check all that apply.)

A. Real Estate

Residence at \_\_\_\_\_; Other Real Estate at \_\_\_\_\_  
\_\_\_\_\_ Deed \_\_\_\_\_  
\_\_\_\_\_ 1st Mortgage w/ \_\_\_\_\_; \_\_\_\_\_ w/ \_\_\_\_\_  
\_\_\_\_\_ 2nd Mortgage w/ \_\_\_\_\_; \_\_\_\_\_ w/ \_\_\_\_\_  
\_\_\_\_\_ SEV/Tax Statement \_\_\_\_\_  
\_\_\_\_\_ Appraisal \_\_\_\_\_  
\_\_\_\_\_ Other (Ins. Etc) \_\_\_\_\_; \_\_\_\_\_

B. Vehicles/Mobile Home

\_\_\_\_\_ Certificate of Title for: (yr/make/model) \_\_\_\_\_  
\_\_\_\_\_ Certificate of Title for: (yr/make/model) \_\_\_\_\_  
\_\_\_\_\_ Loan Document/Lease for \_\_\_\_\_  
\_\_\_\_\_ Other: (Proof of Ins., etc.) \_\_\_\_\_

C. Other Personal Property

\_\_\_\_\_

D. Financial Information

\_\_\_\_\_ Tax Returns for tax years: \_\_\_\_\_ w/ w2's \_\_\_\_\_  
\_\_\_\_\_ Paycheck stubs used to prepare Schedule I for H &/or W \_\_\_\_\_  
\_\_\_\_\_ 401K/IRA/Pension/Retirement Account: \_\_\_\_\_  
\_\_\_\_\_ Other: \_\_\_\_\_

E. Miscellaneous

\_\_\_\_\_ Divorce Judgment/Child support Order \_\_\_\_\_

My client does not yet have, but is in the process of providing: \_\_\_\_\_  
\_\_\_\_\_

Very Truly Yours,

[Attorney's Name]

Enc.

Cc: [Debtor(s) Name(s)]