

TRANSFER OF FRANK M. PEES CHAPTER 13 OFFICE (“THE WORTHINGTON OFFICE”)
TO FAYE D. ENGLISH AS INTERIM TRUSTEE

GENERAL INFORMATION

The transfer will be effective May 1, 2020.

The Columbus Office (www.ch13columbus.com) and the Worthington Office (www.ch13.org) will remain completely separate. Cases presently assigned to the Worthington Office will remain in the Worthington Office and cases presently assigned to the Columbus Office will remain in the Columbus Office.

New cases will be assigned to each Office as follows:

- All of Judge Preston’s cases, Judge Hopkins’ even numbered cases, and all Zanesville cases will be assigned to Interim Trustee Faye D. English.
- All of Judge Hoffman’s cases, Judge Hopkins’ odd numbered cases, and all St. Clairsville cases will be assigned to Faye D. English, Chapter 13 Trustee.

A successor trustee will be appointed with an anticipated start date of October 1, 2020.

PAYMENT INFORMATION – WORTHINGTON OFFICE

Payments should be made payable to “The Chapter 13 Trustee.”

Payments for Worthington cases should be mailed to: Interim Trustee English, PO Box 342, Memphis, TN 38101-0342. Do not send payments for the Columbus Office to this address.

The current Worthington lockbox will remain open for approximately 2 months, but please begin using the new payment address effective immediately.

Letters with the new payment address have been sent to all employers, attorneys, and debtors. Please do not begin filing Amended Wage Orders unless the employer requires one.

TFS payments will continue to be accepted. For more information regarding TFS payments, please visit their website at www.tfsbillpay.com.

Requests for direct payments in lieu of a wage deduction order should be discussed at the §341 meeting of creditors. If trustee permission is not received, the debtor shall file a motion with the court noting the reason(s) for the request.

Attorneys and creditors may choose to receive monthly disbursements electronically. The process to request EFT payments will be the same as the Columbus Office. Forms are available at www.ch13.org.

PRE-CONFIRMATION

The scheduling of §341 Meeting of Creditors will be changed from 60-minute time blocks to 30-minute time blocks. Every effort will be made to schedule an attorney's cases in the same time slot.

To request an adjournment of a §341 meeting, contact the Worthington Input and Scheduling Clerk, Tammy Gollihue at tammy@ch13.org at least 24 hours prior to the scheduled hearing.

- If the debtor has made the first plan payment, the hearing will be called at the scheduled time and the adjournment will be noted on the record.
- If the debtor has not yet made the first plan payment, counsel should contact Tammy Gollihue once the first payment has been posted to obtain a new date.

Telephonic §341s will continue for both offices until further notice.

For cases filed on or after May 1, 2020, the Worthington Office will no longer be sending pre-§341 recommendation. Counsel may obtain a list of trustee concerns prior to the §341 meeting by logging on to 13network as you would for Columbus Office cases.

The Worthington Office and the Columbus Office will continue to maintain their separate existing Safe Harbor numbers. Schedules I & J will be reviewed for excessive budget line item amounts even if the debtor falls below Safe Harbor. Documentation may be requested for certain expenses.

Judge Preston's confirmation docket will be finalized by noon the Friday before the Thursday confirmation hearing date.

Any documentation wished to be reviewed prior to submission of the final docket to Judge Preston's chambers should be provided to the Plan Analyst 48 hours prior to the noon deadline.

Non-standard provisions ("NSP"):

Applicable Commitment Period ("ACP") language – please use the following language for cases where the debtor is above or below median in order to avoid the need to amend the plan to comply with ACP:

- Debtors shall make plan payments in the amount set forth in this plan for no less than the applicable commitment period, but not to exceed 60 months. The dividend to be paid to unsecured creditors shall be no less than the dividend set forth in Section 2.2 of the plan. The Chapter 13 Trustee is authorized to administratively adjust the proposed dividend to unsecured creditors accordingly.

Student loan language – the Department of Education requires the following NSP language if the debtor is in or plans to apply for an Income Based or Income Driven Repayment Plan during the pendency of the case:

- Prior to filing for bankruptcy protection, the Debtor was enrolled in an Income Driven Repayment (IDR) plan for the student loans held by the Department of Education (currently serviced by FedLoan Servicing). Debtor's monthly IDR plan payment is \$ _____. Debtor proposes to make this payment direct. Debtor will enter into an Agreed Order with the Department of Education for the limited stay relief needed for the IDR program. The Order will also outline how the Debtor will advise the Chapter 13 Trustee of any change in the monthly payment after the annual income recertification requirement of the IDR program.

Appraisers/Utility Deposits – if appraiser fees and/or utility deposits are to be paid upon confirmation, please provide language to that effect in the NSP.

POST-CONFIRMATION

Effective May 1, 2020, the Worthington Office will no longer file any amended wage order in any case. See LBR 2016-1.

Continue to contact the Worthington Office as normal for hearing resolutions.

When itemizing fees, please remember to bill in .10-hour increments. See Notice to Bankruptcy Bar Re: Content of Attorney Fee Applications in Chapter 13 cases – Time and Service Entries, issued March 11, 2020.

CARES ACT, SUSPENSION OF PLAN PAYMENTS, AND MORTGAGE FORBEARANCE AGREEMENTS

The CARES ACT provides relief to debtors in Chapter 13 cases.

For cases confirmed before March 27, 2020, it provides the option for a debtor affected by COVID-19 to extend their Chapter 13 plan payments for up to 84 months. Action, such as filing a modified plan, must be taken by the debtor to effectuate this relief.

Pursuant to General Order No. 42-1, if a debtor has experienced a reduction or interruption in income due to COVID-19, the debtor may obtain an immediate suspension or reduction in plan payments. An Agreed Order template and instructions on how to complete the Agreed Order are available on both the Columbus and Worthington websites.

If the debtor has entered into a forbearance agreement with the loan servicer, ensure you are properly docketing the notice by using the proper event on CM/ECF - "Notice of Mortgage Forbearance."

For other questions, please refer to the proper office's website for contact information.