

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA**
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In re:

Administrative Order 13-01

**Implementation of Loss Mitigation
Mediation Program**

In determining whether a uniform, comprehensive, court-supervised loss mitigation mediation program would facilitate consensual resolutions between lenders and individual debtors whose real property is at risk of loss due to foreclosure or surrender, the Court sought input from a loss mitigation mediation working group and other local practitioners. Having considered the input received, the Court has determined that a loss mitigation mediation program may avoid the need for litigation, reduce costs to participants, and enable debtors to reorganize or otherwise address their most significant debts and assets under the United States Bankruptcy Code.

Accordingly, effective April 1, 2013, it is **ORDERED** as follows:

1. A Loss Mitigation Mediation program ("LMM") is adopted in accordance with 11 U.S.C. § 105(a), and shall be implemented by the LMM Program Procedures and Forms attached as Exhibit A to this Administrative Order.
2. LMM shall be effective for:
 - a. Individual debtor cases filed or reopened under or converted to an eligible chapter on or after April 1, 2013 as set forth in the program procedures;
 - b. Individual debtor cases pending under an eligible chapter before April 1, 2013, as set forth in the program procedures, provided that those debtors seek to commence LMM not later than September 30, 2013; and,
 - c. Individual debtor cases where the court has authorized, after motion and hearing, an application to participate in LMM outside the time periods established in (a) and (b) of this paragraph.
3. The compensation and cost amounts allowed for participants in the LMM program shall be set forth in the LMM Program Procedures and Local Forms and

may be amended from time to time as provided under paragraph 4 of this order. This Court's Local Rule 9019-2(A)(6) and related administrative order setting compensation rate for mediators shall not apply to mediations under the LMM program, except for sessions extending beyond the initial two, one-hour sessions.

4. The Court may modify the LMM Procedures and Forms from time to time without prior notice, by publication of a clerk's notice of revised procedures and/or forms on the court website.
5. Copies of this Administrative Order and the LMM Program Procedures and Forms shall be posted on the court website and copies may be obtained from the Clerk's Office.

ORDERED in the Southern District of Florida on February 26, 2013.


PAUL G. HYMAN, JR.,
CHIEF U.S. BANKRUPTCY JUDGE

c: All SD Bankruptcy Judges
Clerk of Court

The current versions of the LMM procedures and forms can be accessed at the following links:

- [Loss Mitigation Mediation Program Procedures \(Amended Effective December 1, 2013\)](#)
- [Loss Mitigation Mediation Local Forms](#)