

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA**

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In re:

Administrative Order 14-03

**Adoption of Mortgage Modification
Mediation Program and Status of
Loss Mitigation Mediation Program
Adopted Under AO 13-01**

In accordance with 11 U.S.C. § 105(a), this court entered Administrative Order 13-01 “Adoption of Loss Mitigation Mediation Program” which implemented a mortgage modification program in this court effective April 1, 2013.

In February 2014, the United States Bankruptcy Court for the Middle District of Florida hosted a statewide Chapter 13 Mortgage Modification Mediation Summit (Summit) to provide an open forum for debtors’ attorneys, mediators, lenders and chapter 13 trustees to discuss and compare the three mortgage modification mediation programs offered in the Southern, Middle and Northern Districts of Florida.

As a result of the Summit, the bankruptcy judges of the Southern, Middle and Northern Districts of Florida agreed to strive toward uniformity in all three districts and have identified and agreed upon certain provisions that should be included in each court’s program, with a focus on what is working well and on possible efficiencies that could be implemented to improve the respective programs.

The court, in accordance with the findings of the Summit, and in continued determination that a mortgage modification 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,

ORDERS as follows:

1. The Loss Mitigation Mediation (LMM) Program and implementing procedures and local forms adopted under Administrative Order 13-1 shall be replaced by the [Mortgage Modification Mediation \(MMM\) Program](#) and implementing procedures and forms. The MMM Program shall become effective August 1, 2014, for the following cases:

- (a) Individual debtor cases filed or reopened under an eligible chapter on or after August 1, 2014, as set forth in the MMM Program Procedures;

- (b) Individual debtor cases filed prior to August 1, 2014, in which no motion under LMM has ever been filed as of the effective date of the MMM Program, as set forth in the MMM Program Procedures, provided that those debtors seek to commence MMM on or after August 1, 2014, and not later than September 30, 2014; and,
- (c) Individual debtor cases where the court has authorized, after motion and hearing, an application to participate in MMM outside the time periods established in paragraphs (a) and (b) above.
2. The compensation and cost amounts allowed for participants in the MMM Program shall be set forth in the MMM 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 MMM Program, except for sessions extending beyond the initial two, one-hour sessions.
 4. The Court may modify the MMM Program Procedures and local 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, the MMM Program Procedures and local forms shall be posted on the court website and copies may be obtained from the Clerk's Office.
 6. The Loss Mitigation Mediation Program procedures and local forms in effect under AO 13-1 shall remain in effect for those cases in which LMM was commenced prior to August 1, 2014. Upon determination by the clerk that no further LMM cases are pending, the forms and procedures shall be removed from the list of current procedures and forms for this court and Administrative Order 13-1 shall be deemed moot.

ORDERED in the Southern District of Florida on July 24, 2014.

/s/ Paul G. Hyman, Jr.
PAUL G. HYMAN, JR.
CHIEF U.S. BANKRUPTCY JUDGE

c: All SD Bankruptcy Judges
Clerk of Court