MMMP Filing Procedure

- To start the mediation process, a *Notice of Motion and Motion to Participate in Mortgage Modification Mediation Program* must be docketed using the event found at **Bankruptcy – Motions/Applications – Mortgage Mediation ~ Notice of Motion and Motion to Participate in Mortgage Modification Mediation Program**

- Within 30 days, the creditor should respond to the Notice of Motion to Participate.

    - If the creditor agrees to mediation, the creditor's attorney will docket the *Consent to Motion to Participate in Mortgage Modification Mediation* using the event found at **Bankruptcy – Miscellaneous/Other Events – Mortgage Mediation ~ Consent to Motion to Participate in Mortgage Modification Mediation**

    - If the creditor does not agree to mediation, the creditor's attorney will docket an *Objection to Motion to Participate in Mortgage Modification Mediation Program* using the event found at **Bankruptcy – Answer/Response – Mortgage Mediation ~ Objection to Motion to Participate in Mortgage Modification Mediation Program**

    - If the creditor does not respond to the Notice, the Judge will schedule a hearing.

- If a consent is filed by the creditor, the Judge will sign an *Order Authorizing Mediation*.

- The Order requires that certain documents be provided to the creditor within 21 days of the consent being filed. In addition to the required documents, a list of frequently requested documents can be found on the website. Once the documents are provided, the debtor's attorney will docket a *Certification of Readiness for Mediation* using the event found at **Bankruptcy – Miscellaneous/Other Events – Mortgage Mediation ~ Certification of Readiness for Mediation**

- After the Certification of Readiness for Mediation is filed, the Bankruptcy Clerk's Office will docket a *Notice of Appointment of Mediator*.

- The mediator will contact the debtor and creditor to schedule a pre-mediation telephone conference and a meeting time for the mediation.

- Each party pays the mediator $125.

- The expectation is that there will be one in-person (or video conference) mediation session and there may be one pre-mediation telephone conference and up to two post-mediation telephone conferences. The parties and the mediator have flexibility to vary from this expectation.

- At the end of the in person mediation session, surveys will be handed out and should be completed and turned into the survey box.

MMMP Filing Procedure

- After the mediation is concluded, the mediator will file a *Final Report* (Results of the Mediation) using the event found at **Bankruptcy – Miscellaneous/Other Events – Mortgage Mediation ~ Mediators Report of Results**

    - If the report indicates no agreement, the parties will be given 7 days to agree to extend the deadline for reaching an agreement. If no extension is reached, the debtor will have 14 additional days to file a modified plan.

    - If the report indicates a modification was agreed upon, at the option of the parties, the court will approve the modification. Docket the *Motion to Approve Stipulation* using this event: **Bankruptcy – Motions/Applications – Mortgage Mediation ~ Motion to Approve Stipulation Resulting from Mediation**. *It is critical* for the creditor and debtor to file any other required documents (withdrawal or amendment to creditor's proof of claim) so the Trustees know how to treat the modified mortgage claim in the plan.

- If neither an extension agreement nor a mediator's Final Report is filed within 75 days of the Notice of appointment of the mediator, the mediator's appointment will be terminated, and the MMM program will be deemed to be concluded.