

## MEMORANDUM

TO: Drafting Committee Members, Advisors and Observers,  
Proposed Home Foreclosure Procedures Act

FROM: Bill Breetz, Chair of the Drafting Committee

DATE: January 17, 2014

RE: **Final Committee Draft for January 31-February 2, 2014 meeting**

On behalf of co-Reporters James Charles Smith and Alan White, our American Bar Association Advisor Barry Nekritz and myself, I am pleased to forward this redlined draft to you for consideration at our upcoming meeting. As usual, we will convene on Friday morning, January 31 at 9 am and conclude for the day at 5 pm. We will follow the same schedule on Saturday. If necessary to cover all the issues before us – and in a departure from past meetings – we will continue at 9 am on Sunday, concluding at 12 noon.

As usual, you will find there are a considerable number of redlined amendments in the draft, as compared to our November, 2013 draft. We intend that most of the changes conform to suggestions and decisions made at that meeting; the balance represent the best thinking of the four of us on the various topics where we have made proposals for change.

As always, we recognize that substantial policy differences remain throughout the draft. Several of the more modest choices are reflected in the Drafters' Notes. However, a considerable number of fundamental policy issues require a more detailed explanation than is suited to the Drafters' Notes. Also, in several instances, our discussion in San Diego will be better served if the attendees are able to read in advance materials provided to us by various members of the Drafting Committee and observers.

Accordingly, as I have done in the past, I will distribute to you before the end of next week an 'Issues Memorandum' detailing those issues in the order they appear in the Act. I will also distribute an agenda for the meeting as soon as possible.

To help you track in the Act which of those issues are addressed in the Issues Memorandum, I have inserted into the draft a reference to each such issue in bold font, underlined and highlighted in yellow with the words **"SEE ISSUES MEMORANDUM, SECTION \_\_,"** and naming the topic. I hope you find this useful.

Further, it may well be that after we prepare the Issues Memorandum but before the meeting begins, we will receive additional relevant materials from interested stakeholders. Those materials will be sent to you as they are received and I will use my best judgment in adding them to our agenda.

Finally, we recognize that many of those who have been active in earlier drafting meetings will not be attending the meeting in San Diego. It is not feasible for the ULC to offer absent

observers or Committee members the opportunity to listen on a telephone hook-up or view the meeting on Skype. However, we would very much welcome your written comments, which the Reporters and I will endeavor to incorporate into the discussion at the appropriate time.

On behalf of the Drafting Committee, Reporters and our American Bar Advisor, we all look forward to seeing you, and to a lively discussion in San Diego.