**Department:** Default Services

**Location:** Rochester, NY

**Classification:** Non-exempt

**Reports to:** Bankruptcy Supervisor

**Company Overview:**

It is an exciting time to be at Woods Oviatt Gilman. Through our continued growth, we work very hard to maintain an environment that is fun and a place to feel proud of while out in the community. The firm recognizes the importance of work/life balance and many programs are in place to support that philosophy.

The job role of a Clerk involves tasks from essential level of administrative effort. To ensure success in your position, this outline will clarify your role and define our expectations.

**Loss Mitigation Clerk 3**

3+ years' experience in Bankruptcy

The purpose of the Loss Mitigation clerk is to facilitate the loss mitigation process within the context of a Bankruptcy action. The primary objective is to assist with gathering documentation and communicating with the borrower or his/her counsel in order to assist with rendering a determination regarding whether there is home retention options available to a borrower in order to forego the foreclosure process.

The loss mitigation clerk is responsible for ensuring client SLA are in compliance for all gathering documents, send follow up correspondence to client/debtor, filing of status letters, scheduling hearing calls and any other Court Order matter.  In addition the loss mitigation is responsible for, identifying any court deadlines or future appearances, preparing files for the appearing Counsel, scheduling appearing Counsels and processing hearing results.

Specific Job Responsibilities:

Loss Mitigation:

* + Receive and process initial loss mitigation requests received from the court.
	+ Monitor for objection referral if warranted.
	+ Draft, obtain client approval, if applicable, file and serve the objection to Loss Mitigation with the Court.
	+ Monitor for upcoming hearing date and set correlated tasks in case management systems.
	+ Review court websites weekly to monitor for the loss mitigation Order and the initial hearing scheduling.
	+ Enter hearing date into case management system.
	+ Notify client of hearing and update client system within 1 business days of receiving notice.
	+ Receive blank initial modification packet from client.
	+ Draft, file and serve the District required Creditor Affidavit/Contact form with the Court.
	+ Forward all communications from client to borrower's Counsel, if applicable. All communications must be sent via email or fax if possible, retaining evidence of same in the document management system.  If email or fax is not possible, communications must be sent via certified mail or FedEx retaining evidence of same.
	+ Schedule counsel to appear at hearing, if applicable.
	+ Seek client approval for counsel at least 15 business days prior to hearing, if applicable.
	+ Upon receipt of financial documents, immediately upload/fax financial/email documents to client.
	+ Send acknowledgment letter to borrower's Counsel upon receipt of financial documents.
	+ Send Missing Document correspondence or follow up correspondence to borrower's Counsel at least every 5 business days with one follow up communication 5 business days prior to hearing.
	+ Follow up with client for updates on loss mitigation review.
	+ Draft status letters/detailed denials letters, obtain client approval, if applicable, file and serve with the Court.
	+ Coordinate client appearances for the hearing, if applicable
	+ Coordinate all conference calls with clients, borrower's counsel, client and handling counsel.
	+ Review Court Calendar to ensure hearing is still proceeding.
	+ Schedule telephonic appearances.
	+ Prepare hearing file for appearing Counsel.
	+ Receive, review, and process hearing results in case management system and client systems within 1 business day of hearing.
	+ Ensure all billing is completed and accurate.

Motions to Sell

* + Review chain of title for completion and accuracy.
	+ Review Motion against the figures provided by the client.
	+ Draft, file and serve response to motion to sell with the Court.
	+ Update case management system and client systems with appropriate filing information.
	+ Schedule counsel to appear at any scheduled hearings, if applicable
	+ Review Court Calendar to ensure hearing is still proceeding.
	+ Schedule telephonic appearances.
	+ Prepare file for appearing Counsel, if applicable
	+ Receive, review, and process hearing results in case management system and client systems within 1 business day of hearing.
	+ Monitor for any entered order(s).
	+ Update case management system and client systems with appropriate information.
	+ Monitor for the closing to occur.
	+ Bill in accordance with the correct fee scheduled

Processing Incoming Mail (paper or electronic)

* + Review documents to identify applicability to case
	+ If necessary, disburse to the correct clerk for handling
	+ Document mail in case management system
	+ Advise client of necessary information contained within the document.