

**Amendments to Federal Rules of Bankruptcy Procedure
Effective 12/01/09**

Prepared by the Office of the Clerk, United States Bankruptcy Court, District of New Mexico

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Amendments to Federal Rules of Bankruptcy Procedure

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Rule	Topic	Text of Rule	Change
1007 (a)(2)	Lists, Schedules, Statements, and Other Documents; Time Limits (a) <u>Corporate ownership statement, list of creditors and equity security holders, and other lists.</u> (2) <i>Involuntary Case.</i>	(2) <i>Involuntary case.</i> In an involuntary case, the debtor shall file within 14 days after entry of the order for relief, a list containing the name and address of each entity included or to be included on Schedules D, E, F, G, and H as prescribed by the Official Forms.	Time computation - 15 to 14 days. Time for submission of a creditor mailing list after entry of the order for relief in an involuntary petition is shortened to 14 days.
1007 (a)(3)	Lists, Schedules, Statements, and Other Documents; Time Limits (a) <u>Corporate ownership statement, list of creditors and equity security holders, and other lists</u> (3) <i>Equity Security Holders.</i>	(3) <i>Equity security holders .</i> In a chapter 11 reorganization case, unless the court orders otherwise, the debtor shall file within 14 days after entry of the order for relief a list of the debtor's equity security holders of each class showing the number and kind of interests registered in the name of each holder, and the last known address or place of business of each holder.	Time computation - 15 to 14 days. Time for filing a list of equity security holders after a ch 11 petition is filed is shortened to 14 days.
1007 (c)	Lists, Schedules, Statements, and Other Documents; Time Limits (c) <u>Time limits</u> [NOTE: 1007 (b)(1) refers to schedules and statements; 1007 ((b)(4), (5) and (6) refer to statement of current monthly income - Official Forms B22A for ch 7, B22B for ch 11, and B22C for ch 13, respectively - which satisfy section 521 (a)(1)(B)(v); and 1007 (b)(3)(A) and (B) refer to credit counseling certs due with petition or, if debtor certifies that he received the counseling but does not have the cert, submission of the cert after petition is filed.]	(c) <u>Time limits.</u> In a voluntary case, the schedules, statements, and other documents required by subdivision (b)(1), (4), (5), and (6) shall be filed with the petition or within 14 days thereafter, except as otherwise provided in subdivisions (d), (e), (f), and (h) of this rule. In an involuntary case, the list in subdivision (a)(2), and the schedules, statements, and other documents required by subdivision (b)(1) shall be filed by the debtor within 14 days of the entry of the order for relief. In a voluntary case, the documents required by paragraphs (A), (C), and (D) of subdivision (b)(3) shall be filed with the petition. Unless the court orders otherwise, a debtor who has filed a statement under subdivision (b)(3)(B), shall file the documents required by subdivision (b)(3)(A) within 14 days of the order for relief. [no change in the rest of the rule.]	Time computation - 15 to 14 days. Time for filing schedules and statements, including forms B22A, B22B, and B22C, after the voluntary petition is filed is shortened to 14 days. In an involuntary petition, the time for filing schedules and statements as well as the creditor mailing list is shortened to 14 days after entry of the order for relief. In an individual case, if the debtor certifies when the petition is filed that debtor has received credit counseling but debtor does not have the certificate to file with the petition, the debtor has 14 days to file the certificate.

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1007 (f)	Lists, Schedules, Statements, and Other Documents; Time Limits (f) <u>Statement of social security number</u>	(f) <u>Statement of social security number.</u> An individual debtor shall submit a verified statement that sets out the debtor's social security number, or states that the debtor does not have a social security number. In a voluntary case, the debtor shall submit the statement with the petition. In an involuntary case, the debtor shall submit the statement within 14 days after the entry of the order for relief.	Time computation - 15 to 14 days. The time for submission of debtor's statement of social security number in an involuntary case is shortened to within 14 days after entry of the order for relief.
1007 (h)	Lists, Schedules, Statements, and Other Documents; Time Limits (h) <u>Interest Acquired or Arising After Petition.</u>	(h) <u>Interest Acquired or Arising After Petition.</u> If, as provided by § 541(a)(5) of the Code, the debtor acquires or becomes entitled to acquire any interest in property, the debtor shall within 14 days after the information comes to the debtor's knowledge or within such further time the court may allow, file a supplemental schedule in the chapter 7 liquidation case, chapter 11 reorganization case, chapter 12 family farmer's debt adjustment case, or chapter 13 individual debt adjustment case. If any of the property required to be reported under this subdivision is claimed by the debtor as exempt, the debtor shall claim the exemptions in the supplemental schedule. The duty to file a supplemental schedule in accordance with this subdivision continues notwithstanding the closing of the case, except that the schedule need not be filed in a chapter 11, chapter 12, or chapter 13 case with respect to property acquired after entry of the order confirming a chapter 11 plan or discharging the debtor in a chapter 12 or chapter 13 case.	Time computation - 10 to 14 days. Time for filing a supplemental schedule of property acquired or to which debtor becomes entitled to acquire is shortened to within 14 days after debtor acquires or knows he may acquire the property.
1011 (b)	Responsive Pleading or Motion in Involuntary and Cross-Border Cases (b) <u>Defenses and objections; when presented</u>	(b) <u>Defenses and objections; when presented.</u> Defenses and objections to the petition shall be presented in the manner prescribed by Rule 12 F.R.Civ.P. and shall be filed and served within 21 days after service of the summons, except that if service is made by publication on a party or partner not residing or found within the state in which the court sits, the court shall prescribe the time for filing and serving the response.	Time computation - 20 to 21 days. In an involuntary or cross-border case, the time to file defenses and objections to the petition is changed to 21 days after service of the summons.

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1019 (5) (A) and (B)	Conversion of a Chapter 11 Reorganization Case, Chapter 12 Family Farmer's Debt Adjustment Case, or Chapter 13 Individual's Debt Adjustment Case to a Chapter 7 Liquidation Case (5) <u>Filing final report and schedule of postpetition debts.</u> (A) <i>Conversion of Chapter 11 or Chapter 12 case .</i> (B) <i>Conversion of Chapter 13 case .</i>	<i>(A) Conversion of Chapter 11 or Chapter 12 case .</i> Unless the court directs otherwise, if a chapter 11 or chapter 12 case is converted to chapter 7, the debtor in possession or, if the debtor is not a debtor in possession, the trustee serving at the time of conversion, shall: (i) not later than 14 days after conversion of the case, file a schedule of unpaid debts incurred after the filing of the petition and before conversion of the case, including the name and address of each holder of a claim; and (ii) not later than 30 days after conversion of the case, file and transmit to the United States trustee a final report and account; <i>(B) Conversion of Chapter 13 case.</i> Unless the court directs otherwise, if a chapter 13 case is converted to chapter 7, (i) the debtor, not later than 14 days after conversion of the case, shall file a schedule of unpaid debts incurred after the filing of the petition and before conversion of the case, including the name and address of each holder of a claim; and (ii) the trustee, not later than 30 days after conversion of the case, file and transmit to the United States trustee a final report and account;	Time computation - 15 to 14 days. Time for filing a schedule of unpaid debts after conversion is shortened to 14 days.
1020 (a)	Small Business Chapter 11 Reorganization Case (a) <u>Small business debtor designation</u>	(a) <u>Small business debtor designation.</u> In a voluntary chapter 11 case, the debtor shall state in the petition whether the debtor is a small business debtor. In an involuntary chapter 11 case, the debtor shall file within 14 days after entry of the order for relief a statement as to whether the debtor is a small business debtor. Except as provided in subdivision (c), the status of the case as a small business case shall be in accordance with the debtor's statement under this subdivision, unless and until the court enters an order finding that the debtor's statement is incorrect.	Time computation - 15 to 14 days. The time for filing a statement as to whether the debtor is a small business case in an involuntary chapter 11 case is shortened to withIn 14 days after entry of order for relief.

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2002 (a)	<p>Notices to Creditors, Equity Security Holders, Administrators in Foreign Proceedings, Persons Against Whom Provisional Relief is Sought in Ancillary and Other Cross-Border Cases, United States, and United States Trustee</p> <p>(a) <u>Twenty-one-day notices to parties in interest</u></p>	<p>(a) <u>Twenty-one-day notices to parties in interest.</u> Except as provided in subdivisions (h), (i), (1), (p), and (q) of this rule, the clerk, or some other person as the court may direct, shall give the debtor, the trustee, all creditors and indenture trustees at least 21 days' notice by mail of: 1 - § 341 meeting of creditors; 2 - proposed use, sale, or lease of property other than in the ordinary course business; 3 - hearing on approval of a compromise or settlement of a controversy other than approval of an agreement pursuant to Rule 4001(d); 4 - in chapter 7, 11 and 12 cases, the hearing on dismissal or conversion of the case [unless hearing is under §707(a)(3) or (b) or for failure to pay filing fees]; 5 - time fixed to accept or reject a proposed plan modification; 6 - a hearing on request for compensation or reimbursement of expenses exceeding \$1,000.00; 7 - time fixed for filing proofs of claim pursuant to Rule 3003(c); and 8 - time fixed for filing objections and the hearing to consider confirmation of a chapter 12 plan.</p>	<p>Time Computation - 20 to 21 days.</p> <p>The time for 2002(a) notice to creditors is changed to 21 days.</p> <p>Practitioners should modify their 2002(a) forms of notice.</p>
2002 (b)	<p>Notices to Creditors, Equity Security Holders, Administrators in Foreign Proceedings, Persons Against Whom Provisional Relief is Sought in Ancillary and Other Cross-Border Cases, United States, and United States Trustee</p> <p>(b) <u>Twenty-eight-day notices to parties in interest</u></p>	<p>(b) <u>Twenty-eight-day notices to parties in interest</u> Except as provided in subdivision (l) of this rule, the clerk, or some other person as the court may direct, shall give the debtor, the trustee, all creditors and indenture trustees not less than 28 days' notice by mail of the time fixed (1) for filing objections and the hearing to consider approval of a disclosure statement or, under § 1125(f), to make a final determination whether the plan provides adequate information so that a separate disclosure statement is not necessary; and (2) for filing objections and the hearing to consider confirmation of a chapter 9, chapter 11, or chapter 13 plan.</p>	<p>Time Computation - 25 to 28 days.</p> <p>The time for 2002(b) notice to creditors is changed to 28 days.</p> <p>Practitioners should modify their 2002(b) forms of notice.</p>

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2002 (o)	<p>Notices to Creditors, Equity Security Holders, Administrators in Foreign Proceedings, Persons Against Whom Provisional Relief is Sought in Ancillary and Other Cross-Border Cases, United States, and United States Trustee</p> <p>(o) <u>Notice of order for relief in consumer case</u></p>	<p>(o) <u>Notice of order for relief in consumer case</u> In a voluntary case commenced by an individual debtor whose debts are primarily consumer debts, the clerk or some other person as the court may direct shall give the trustee and all creditors notice by mail of the order for relief within 21 days from the date thereof.</p>	<p>Time Computation - 20 to 21 days.</p> <p>The clerk or some other person as the court may direct shall give the trustee and all creditors notice by mail of the order for relief within 21 days from the date thereof.</p>
2002 (q)(1)	<p>Notices to Creditors, Equity Security Holders, Administrators in Foreign Proceedings, Persons Against Whom Provisional Relief is Sought in Ancillary and Other Cross-Border Cases, United States, and United States Trustee</p> <p>(o) <u>Notice of petition for recognition of foreign proceeding and of court's intention to communicate with foreign courts and foreign representatives</u></p> <p>(1) <i>Notice of Petition for Recognition.</i></p>	<p>(1) <i>Notice of Petition for Recognition</i> . The clerk, or some other person as the court may direct, shall forthwith give the debtor, all persons or bodies authorized to administer foreign proceedings of the debtor, all entities against whom provisional relief is being sought under § 1519 of the Code, all parties to litigation pending in the United States in which the debtor is a party at the time of the filing of the petition, and such other entities as the court may direct, at least 21 days' notice by mail of the hearing on the petition for recognition of a foreign proceeding. The notice shall state whether the petition seeks recognition as a foreign main proceeding or foreign nonmain proceeding.</p>	<p>Time Computation - 20 to 21 days.</p> <p>The time for notice by mail of the hearing on a petition for recognition of a foreign proceeding is changed to at least 21 days.</p>

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2003 (a)	Meeting of Creditors or Equity Security Holders (a) <u>Date and place</u>	(a) <u>Date and place.</u> Except as otherwise provided in § 341(e) of the Code, in a chapter 7 liquidation or a chapter 11 reorganization case, the United States trustee shall call a meeting of creditors to be held no fewer than 21 and no more than 40 days after the order for relief. In a chapter 12 family farmer's debt adjustment case, the United States trustee shall call a meeting of creditors to be held no fewer than 21 and no more than 35 days after the order for relief. In a chapter 13 individual's debt adjustment case, the United States trustee shall call a meeting of creditors to be held no fewer than 21 and no more than 50 days after the order for relief. If there is an appeal from or a motion to vacate the order for relief, or if there is a motion to dismiss the case, the United States trustee may set a later date for the meeting. The meeting may be held at a regular place for holding court or at any other place designated by the United States trustee within the district convenient for the parties in interest. If the United States trustee designates a place for the meeting which is not regularly staffed by the United States trustee or an assistant who may preside at the meeting, the meeting may be held not more than 60 days after the order for relief.	Time Computation - 20 to 21 days. The Office of the United States trustee and the Office of the Clerk have made appropriate adjustments to the section 341 meeting calendars.
2003 (d)(2)	Meeting of Creditors or Equity Security Holders (d) <u>Report of election and resolution of disputes in a chapter 7 case.</u> (2) <i>Disputed election</i> .	(2) <i>Disputed election.</i> If the election is disputed, the United States trustee shall promptly file a report stating that the election is disputed, informing the court of the nature of the dispute, and listing the name and address of any candidate elected under any alternative presented by the dispute. No later than the date on which the report is filed, the United States trustee shall mail a copy of the report to any party in interest that has made a request to receive a copy of the report. Pending disposition by the court of a disputed election for trustee, the interim trustee shall continue in office. Unless a motion for the resolution of the dispute is filed no later than 14 days after the United States trustee files a report of a disputed election for trustee, the interim trustee shall serve as trustee in the case.	Time computation - 10 to 14 days. Unless a motion for the resolution of the dispute is filed no later than 14 days after the United States trustee files a report of a disputed election for trustee, the interim trustee shall serve as trustee in the case.

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2006 (c)(1)	Solicitation and Voting of Proxies in Chapter 7 Liquidation Cases (c)(1) <u>Authorized solicitation</u>	(c) <u>Authorized solicitation.</u> (1) A proxy may be solicited only by ... (C) a committee of creditors selected by a majority in number and amount of claims of creditors (i) whose claims are not contingent or unliquidated, (ii) who are not disqualified from voting under § 702(a) of the Code and (iii) who were present or represented at a meeting of which all creditors having claims of over \$500 or the 100 creditors having the largest claims had at least seven days notice in writing and of which meeting written minutes were kept and are available reporting the names of the creditors present or represented and voting and the amounts of their claims...	Time Computation - 5 to 7 days.
2007 (b)(1)	Review of Appointment of Creditors' Committee Organized Before Commencement of the Case (b)(1) <i>Selection of members of committee</i>	(b) <i>Selection of members of committee</i> . The court may find that a committee organized by unsecured creditors before the commencement of a chapter 9 or chapter 11 case was fairly chosen if: (1) it was selected by a majority in number and amount of claims of unsecured creditors who may vote under § 702(a) of the Code and were present in person or represented at a meeting of which all creditors having unsecured claims of over \$1,000 or the 100 unsecured creditors having the largest claims had at least seven days notice in writing, and of which meeting written minutes reporting the names of the creditors present or represented and voting and the amounts of their claims were kept and are available for inspection;	Time Computation - 5 to 7 days. Unsecured creditors must have been given at least seven days notice in writing of meeting of unsecured creditors before commencement of chapter 9 or 11 case to organize a creditors committee.
2007.2 (a)	Appointment of Patient Care Ombudsman in a Health Care Business Case (a) <u>Order to appoint patient care ombudsman</u>	(a) <u>Order to appoint patient care ombudsman.</u> In a chapter 7, chapter 9, or chapter 11 case in which the debtor is a health care business, the court shall order the appointment of a patient care ombudsman under § 333 of the Code, unless the court, on motion of the United States trustee or a party in interest filed no later than 21 days after the commencement of the case or within another time fixed by the court, finds that the appointment of a patient care ombudsman is not necessary under the specific circumstances of the case for the protection of patients.	Time Computation - 20 to 21 days. Request by UST or a party in interest for court to find that the appointment of a patient care ombudsman is <u>not</u> necessary must be filed no later than 21 days after case is commenced.

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2008	Notice to Trustee of Selection	The United States trustee shall immediately notify the person selected as trustee how to qualify and, if applicable, the amount of the trustee's bond. A trustee that has filed a blanket bond pursuant to Rule 2010 and has been selected as trustee in a chapter 7, chapter 12, or chapter 13 case that does not notify the court and the United States trustee in writing of rejection of the office within seven days after receipt of notice of selection shall be deemed to have accepted the office. Any other person selected as trustee shall notify the court and the United States trustee in writing of acceptance of the office within seven days after receipt of notice of selection or shall be deemed to have rejected the office.	Time Computation - 5 to 7 days. Notice of rejection of selection as ch 7, 12 or 13 trustee by a standing or panel trustee is due within seven days after receipt of selection notice. Notice of acceptance of selection as trustee by any other person is due within seven days after receipt of the selection notice.
2015 (a)(6)	Duty to Keep Records, Make Reports, and Give Notice of Case or Change of Status (a) <u>Trustee or debtor in possession</u> (6) <i>in a chapter 11 small business case...</i>	(a) <u>Trustee or debtor in possession</u> . A trustee or debtor in possession shall: (6) in a chapter 11 small business case, unless the court, for cause, sets another reporting interval, file and transmit to the United States trustee for each calendar month after the order for relief, on the appropriate Official Form, the report required by § 308. If the order for relief is within the first 15 days of a calendar month, a report shall be filed for the portion of the month that follows the order for relief. If the order for relief is after the 15 th day of a calendar month, the period for the remainder of the month shall be included in the report for the next calendar month. Each report shall be filed no later than 21 days after the last day of the calendar month following the month covered by the report. The obligation to file reports under this subparagraph terminates on the effective date of the plan, or conversion or dismissal of the case.	Time Computation - 20 to 21 days. Each report shall be filed no later than 21 days after the last day of the calendar month following the month covered by the report.

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2015 (d)	Duty to Keep Records, Make Reports, and Give Notice of Case or Change of Status (d) <u>Foreign representative</u>	(d) <u>Foreign representative</u> . In a case in which the court has granted recognition of a foreign proceeding under chapter 15, the foreign representative shall file any notice required under § 1518 of the Code within 14 days after the date when the representative becomes aware of the subsequent information.	Time Computation - 15 to 14 days.
2015.1 (a) and (b)	Patient Care Ombudsman (a) <u>Reports</u> (b) <u>Authorization to review confidential patient records</u>	(a) <u>Reports</u> . A patient care ombudsman, at least 14 days before making a report under § 333(b)(2) of the Code, shall give notice that the report will be made to the court, unless the court orders otherwise... (b) <u>Authorization to review confidential patient records</u> . A motion by a patient care ombudsman under § 333(c) to review confidential patient records...Unless the court orders otherwise, a hearing on the motion may not be commenced earlier than 14 days after service of the motion.	Time computation - 10 to 14 days. Time to give notice to the court before making a § 333(b)(2) report increased from 10 to 14 days. Time computation - 15 to 14 days. Time for commencement of hearing on §333(c) motion shortened to 14 days after service of the motion.
2015.2	Transfer of Patient in Health Care Business Case	Unless the court orders otherwise, if the debtor is a health care business, the trustee may not transfer a patient to another health care business under § 704(a)(12) of the Code unless the trustee gives at least 14 days' notice of the transfer to the patient care ombudsman, if any, the patient, and any family member or other contact person whose name and address have been given to the trustee or the debtor for the purpose of providing information regarding the patient's health care. The notice is subject to applicable nonbankruptcy law relating to patient privacy.	Time computation - 10 to 14 days. Trustee may not transfer a patient to another health care business unless the trustee gives at least 14 days notice.

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2015.3 (b)	Reports of Financial Information on Entities in Which a Chapter 11 Estate Holds a Controlling or Substantial Interest (b) <u>Time for filing; service.</u>	(b) <u>Time for filing; service.</u> The first report required by this rule shall be filed no later than seven days before the first date set for the meeting of creditors under § 341 of the Code. Subsequent reports shall be filed no less frequently than every six months thereafter, until the effective date of a plan or the case is dismissed or converted. Copies of the report shall be served on the United States trustee, any committee appointed under § 1102 of the Code, and any other party in interest that has filed a request therefor.	Time computation - 5 to 7 days. The first report required by this rule shall be filed no later than seven days before the first date set for the meeting of creditors under § 341 of the Code.
2016 (b) and (c)	Compensation for Services Rendered and Reimbursement of Expenses (b) <u>Disclosure of compensation paid or promised to attorney for debtor</u> (c) <u>Disclosure of compensation paid or promised to bankruptcy petition preparer</u>	(b) <u>Disclosure of compensation paid or promised to attorney for debtor.</u> Every attorney for a debtor, whether or not the attorney applies for compensation, shall file and transmit to the United States trustee within 14 days after the order for relief, or at another time as the court may direct, the statement required by § 329 of the Code including whether the attorney has shared or agreed to share the compensation with any other entity...A supplemental statement shall be filed and transmitted to the United States trustee within 14 days after any payment or agreement not previously disclosed. (c) <u>Disclosure of compensation paid or promised to bankruptcy petition preparer.</u> Before a petition is filed, every bankruptcy petition preparer for a debtor shall deliver to the debtor, the declaration under penalty of perjury required by § 110(h)(2). ...The declaration shall be filed with the petition. The petition preparer shall file a supplement statement within 14 days after any payment or agreement not previously disclosed.	Time computation - 15 to 14 days. Time to file 2016(b) attorney fee disclosure statement is shortened to 14 days after the order for relief. The time fo filing a supplemental statement is also shortened to 14 days after any payment or agreement not previously disclosed. Time computation - 10 to 14 days. Time for petition preparer to file a supplemental statement is changed to 14 days after any payment or agreement not previously disclosed. Note: Rule 2016 is also amended to correct a cross reference in the rule to a subsection of the Code that was changed by a 2005 amendment to the Code.

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3001 (e)(2) and (4)	<p>Proof of Claim</p> <p>(e) <u>Transferred claim.</u></p> <p>(2) <i>Transfer of claim other than for security after proof filed .</i></p> <p>(4) <i>Transfer of claim for security after proof filed .</i></p>	<p>(2) <i>Transfer of claim other than for security after proof filed.</i> If a claim other than one based on a publicly traded note, bond, or debenture has been transferred other than for security after the proof of claim has been filed, evidence of the transfer shall be filed by the transferee. The clerk shall immediately notify the alleged transferor by mail of the filing of the evidence of transfer and that objection thereto, if any, must be filed within 21 days of the mailing of the notice or within any additional time allowed by the court...</p> <p>(4) <i>Transfer of claim for security after proof filed.</i> If a claim other than one based on a publicly traded note, bond, or debenture has been transferred for security after the proof of claim has been filed, evidence of the terms of the transfer shall be filed by the transferee. The clerk shall immediately notify the alleged transferor by mail of the filing of the evidence of transfer and that objection thereto, if any, must be filed within 21 days of the mailing of the notice or within any additional time allowed by the court...</p>	<p>Time computation - 20 to 21 days.</p> <p>Clerk's forms of notice have been modified accordingly.</p>

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3015 (b) and (g)	<p>Filing, Objection to Confirmation, and Modification of a Plan in a Chapter 12 Family Farmer's Debt Adjustment or a Chapter 13 Individual's Debt Adjustment Case</p> <p>(b) <u>Chapter 13 plan</u></p> <p>(g) <u>Modification of plan after confirmation</u></p>	<p>(b) <u>Chapter 13 plan</u>. The debtor may file a chapter 13 plan with the petition. If a plan is not filed with the petition, it shall be filed within 14 days thereafter, and such time may not be further extended except for cause shown and on notice as the court may direct. If a case is converted to chapter 13, a plan shall be filed within 14 days thereafter, and such time may not be further extended except for cause shown and on notice as the court may direct.</p> <p>(g) <u>Modification of plan after confirmation</u>. A request to modify a plan pursuant to § 1229 or § 1329 of the Code shall identify the proponent and shall be filed together with the proposed modification. The clerk, or some other person as the court may direct, shall give the debtor, the trustee, and all creditors not less than 21 days notice by mail of the time fixed for filing objections and, if an objection is filed, the hearing to consider the proposed modification, unless the court orders otherwise with respect to creditors who are not affected by the proposed modification....</p>	<p>Time computation - 15 to 14 days.</p> <p>Time for filing a chapter 13 plan is shortened to 14 days after petition is filed or case is converted to chapter 13.</p> <p>Time computation - 20 to 21 days.</p> <p>The clerk, or some other person as the court may direct, shall give the debtor, the trustee, and all creditors not less than 21 days notice by mail of the time fixed for filing objections and, if an objection is filed, the hearing to consider a proposed modification the confirmed plan.</p>

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Rule	Topic	Text of Rule	Change
3017 (a) and (f)	<p>Court Consideration of Disclosure Statement in a Chapter 9 Municipality or a Chapter 11 Reorganization Case</p> <p>(a) <u>Hearing on disclosure statement and objections.</u></p> <p>(f) <u>Notice and Transmission of Documents to Entities Subject to an Injunction Under a Plan.</u></p>	<p>(a) <u>Hearing on disclosure statement and objections.</u> Except as provided in Rule 3017.1, after a disclosure statement is filed in accordance with Rule 3016(b), the court shall hold a hearing on at least 28 days' notice to the debtor, creditors, equity security holders and other parties in interest as provided in Rule 2002 to consider the disclosure statement and any objections or modifications thereto...</p> <p>(f) <u>Notice and Transmission of Documents to Entities Subject to an Injunction Under a Plan.</u> If a plan provides for an injunction against conduct not otherwise enjoined under the Code and an entity that would be subject to the injunction is not a creditor or equity security holder, at the hearing held under Rule 3017(a), the court shall consider procedures for providing the entity with: (1) at least 28 days' notice of the time fixed for filing objections and the hearing on confirmation of the plan containing the information described in Rule 2002(c)(3); and (2) to the extent feasible, a copy of the plan and disclosure statement.</p>	<p>Time computation - 25 to 28 days.</p> <p>The court shall hold a hearing on at least 28 days notice to the debtor, creditors, equity security holders and other parties in interest as provided in Rule 2002 to consider the disclosure statement and any objections or modifications.</p>
3019 (b)	<p>Modification of Accepted Plan in a Chapter 9 Municipality or Chapter 11 Reorganization Case.</p> <p>(b) <u>Modification of plan after confirmation in individual debtor case.</u></p>	<p>(b) <u>Modification of plan after confirmation in individual debtor case.</u> If the debtor is an individual, a request to modify the plan under § 1127(e) of the Code is governed by Rule 9014. The request shall identify the proponent and shall be filed together with the proposed modification. The clerk, or some other person as the court may direct, shall give the debtor, the trustee, and all creditors not less than 21 days' notice by mail of the time fixed to file objections and, if an objection is filed, the hearing to consider the proposed modification, unless the court orders otherwise with respect to creditors who are not affected by the proposed modification.</p>	<p>Time computation - 20 to 21 days.</p> <p>The clerk, or some other person as the court may direct, shall give the debtor, the trustee, and all creditors not less than 21 days notice by mail of the time fixed to file objections and, if an objection is filed, the hearing to consider the proposed modification.</p>

Amendments to Federal Rules of Bankruptcy Procedure

Effective 12/01/09

Although efforts were made to ensure accuracy, this summary is not intended as a substitute for reviewing the rules, as amended.

Rule	Topic	Text of Rule	Change
3020 (e)	Deposit; Confirmation of Plan in a Chapter 9 Municipality or Chapter 11 Reorganization Case (e) <u>Stay of confirmation order.</u>	(e) <u>Stay of confirmation order.</u> An order confirming a plan is stayed until the expiration of 14 days after the entry of the order, unless the court orders otherwise.	Time computation - 10 to 14 days. Order of confirmation of a chapter 9 or chapter 11 plan is stayed for 14 days.
4001 (a)(3)	Relief from Automatic Stay; Prohibiting or Conditioning the Use, Sale, or Lease of Property; Use of Cash Collateral; Obtaining Credit; Agreements (a) <u>Relief from stay; prohibiting or conditioning the use, sale, or lease of property</u> (3) <i>Stay of order</i>	(3) <i>Stay of order</i> . An order granting a motion for relief from an automatic stay made in accordance with Rule 4001(a)(1) is stayed until the expiration of 14 days after the entry of the order, unless the court orders otherwise.	Time computation - 10 to 14 days. Order granting a motion from relief from stay is stayed for 14 days.
4001 (b)(2)	Relief from Automatic Stay; Prohibiting or Conditioning the Use, Sale, or Lease of Property; Use of Cash Collateral; Obtaining Credit; Agreements (b) <u>Use of cash collateral.</u> (2) <i>Hearing</i> .	(2) <i>Hearing</i> . The court may commence a final hearing on a motion for authorization to use cash collateral no earlier than 14 days after service of the motion. If the motion so requests, the court may conduct a preliminary hearing before such 14 day period expires, but the court may authorize the use of only that amount of cash collateral as is necessary to avoid immediate and irreparable harm to the estate pending a final hearing.	Time computation - 15 to 14 days. <i>Final</i> hearing on cash collateral motion may commence no earlier than 14 days after service of the motion.
4001 (c)(2)	Relief from Automatic Stay; Prohibiting or Conditioning the Use, Sale, or Lease of Property; Use of Cash Collateral; Obtaining Credit; Agreements (c) <u>Obtaining credit.</u> (2) <i>Hearing</i> .	(2) <i>Hearing</i> . The court may commence a final hearing on a motion for authority to obtain credit no earlier than 14 days after service of the motion. If the motion so requests, the court may conduct a preliminary hearing before such 14 day period expires, but the court may authorize the obtaining of the credit only to the extent necessary to avoid immediate and irreparable harm to the estate pending a final hearing.	Time computation - 15 to 14 days. <i>Final</i> hearing on motion to obtain credit may commence no earlier than 14 days after service of the motion.

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Rule	Topic	Text of Rule	Change
4001 (d)(2)	Relief from Automatic Stay; Prohibiting or Conditioning the Use, Sale, or Lease of Property; Use of Cash Collateral; Obtaining Credit; Agreements (d) <u>Agreement relating to relief from the automatic stay, prohibiting or conditioning the use, sale, or lease of property, providing adequate protection, use of cash collateral, and obtaining credit.</u> (2) <i>Objection</i> .	(2) <i>Objection</i> . Notice of the motion and the time within which objections may be filed and served on the debtor in possession or trustee shall be mailed to the parties on whom service is required by paragraph (1) of this subdivision and to such other entities as the court may direct. Unless the court fixes a different time, objections may be filed within 14 days of the mailing of notice.	Note: This rule was inadvertently left out of the set of rules amended effective December 1, 2009. The amendment to this rule will most likely be effective December 1, 2010. Time Computation - 15 to 14 days
4001 (d)(3)	Relief from Automatic Stay; Prohibiting or Conditioning the Use, Sale, or Lease of Property; Use of Cash Collateral; Obtaining Credit; Agreements (d) <u>Agreement relating to relief from the automatic stay, prohibiting or conditioning the use, sale, or lease of property, providing adequate protection, use of cash collateral, and obtaining credit.</u> (3) <i>Disposition; hearing</i> .	(3) <i>Disposition; hearing</i> . If no objection is filed, the court may enter an order approving or disapproving the agreement without conducting a hearing. If an objection is filed or if the court determines a hearing is appropriate, the court shall hold a hearing on no less than seven days' notice to the objector, the movant, the parties on whom service is required by paragraph (1) of this subdivision and such other entities as the court may direct.	Note: This rule was inadvertently left out of the set of rules amended effective December 1, 2009. The amendment to this rule will most likely be effective December 1, 2010. Time Computation - 5 to 7 days.
4002 (b)(4)	Duties of Debtor (b) <u>Individual debtor's duty to provide documentation.</u> (4) <i>Tax returns provided to creditors.</i>	(4) <i>Tax returns provided to creditors.</i> If a creditor, at least 14 days before the first date set for the meeting of creditors under § 341, requests a copy of the debtor's tax return that is to be provided to the trustee under subdivision (b)(3), the debtor, at least 7 days before the first date set for the meeting of creditors under § 341, shall provide to the requesting creditor a copy of the return, including any attachments, or a transcript of the tax return, or provide a written statement that the documentation does not exist.	Time Computation - 15 to 14 days. If a creditor, at least 14 days before the 341 meeting, requests a copy of debtor's tax return, the debtor shall provide the creditor with a copy at least 7 days before the meeting.

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Rule	Topic	Text of Rule	Change
4004 (a)	Grant or Denial of Discharge (a) <u>Time for filing complaint objecting to discharge; notice of time fixed.</u>	(a) <u>Time for filing complaint objecting to discharge; notice of time fixed.</u> In a chapter 7 liquidation case a complaint objecting to the debtor's discharge under § 727(a) of the Code shall be filed not later than 60 days following the first date set for the meeting of creditors under § 341(a). In a chapter 11 reorganization case, the complaint shall be filed not later than the first date set for the hearing on confirmation. At least 28 days notice of the time so fixed shall be given to the United States trustee and all creditors as provided in Rule 2002(f) and (k) and to the trustee and the trustee's attorney.	Time computation - 25 to 28 days. At least 28 days notice of the time fixed for filing a complaint objecting to discharge in a chapter 11 reorganization case shall be given to the UST and all creditors as provided in Rule 2002(f) and (k) and to the trustee and the trustee's attorney.
4008 (a)	Filing of Reaffirmation Agreement; Statement in Support of Reaffirmation Agreement (a) <u>Filing of Reaffirmation Agreement</u>	NEW REQUIREMENT (a) <u>Filing of Reaffirmation Agreement.</u> A reaffirmation agreement shall be filed no later than 60 days after the first date set for the meeting of creditors under § 341(a) of the Code. The reaffirmation agreement shall be accompanied by a cover sheet, prepared as prescribed by the appropriate official form. The court may, at any time and in its discretion, enlarge the time to file a reaffirmation agreement.	File Official Form 27, Reaffirmation Agreement Cover Sheet with a reaffirmation agreement.
6003	Interim and Final Relief Immediately Following the Commencement of the Case - Applications for Employment; Motions for Use, Sale, or Lease of Property; and Motions for Assumption or Assignment of Executory Contracts	Except to the extent that relief is necessary to avoid immediate and irreparable harm, the court shall not, within 21 days after the filing of the petition, grant relief regarding the following: (a) an application under Rule 2014; (b) a motion to use, sell, lease, or otherwise incur an obligation regarding property of the estate, including a motion to pay all or part of a claim that arose before the filing of the petition, but not a motion under Rule 4001; and (c) a motion to assume or assign an executory contract or unexpired lease in accordance with § 365.	Time computation - 20 to 21 days. Within 21 days after the filing of the petition, the court shall not grant relief regarding Rule 2014 fee application; motion to use, sell, or lease property of the estate; and motion to assume or assign executory contract or unexpired lease.

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Rule	Topic	Text of Rule	Change
6004 (b)	Use, Sale, or Lease of Property. (b) <u>Objection to proposal.</u>	(b) <u>Objection to proposal.</u> Except as provided in subdivisions (c) and (d) of this rule, an objection to a proposed use, sale, or lease of property shall be filed and served not less than seven days before the date set for the proposed action or within the time fixed by the court. An objection to the proposed use, sale, or lease of property is governed by Rule 9014.	Time computation - 5 to 7 days. An objection to a proposed use, sale, or lease of property shall be filed not less than seven days before the date set for the proposed action or within the time fixed by the court.
6004 (d)	Use, Sale, or Lease of Property. (d) <u>Sale of property under \$2,500.</u>	(d) <u>Sale of property under \$2,500.</u> Notwithstanding subdivision (a) of this rule, when all of the nonexempt property of the estate has an aggregate gross value less than \$2,500, it shall be sufficient to give a general notice of intent to sell such property other than in the ordinary course of business to all creditors, indenture trustees, committees appointed or elected pursuant to the Code, the United States trustee and other persons as the court may direct. An objection to any such sale may be filed and served by a party in interest within 14 days of the mailing of the notice, or within the time fixed by the court. An objection is governed by Rule 9014.	Time computation - 15 to 14 days. An objection to any such sale may be filed and served by a party in interest within 14 days of the mailing of the notice, or within the time fixed by the court.
6004 (g)	Use, Sale, or Lease of Property. (g) <u>Sale of personally identifiable information.</u> (2) <u>Appointment .</u>	(2) <u>Appointment .</u> If a consumer privacy ombudsman is appointed under § 332, no later than seven days before the hearing on the motion under § 363(b)(1)(B), the United States trustee shall file a notice of the appointment, including the name and address of the person appointed. The United States trustee's notice shall be accompanied by a verified statement of the person appointed setting forth the person's connections with the debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States trustee, or any person employed in the office of the United States trustee.	Time computation - 5 to 7 days. The United States trustee shall file a notice of the appointment of a consumer privacy ombudsman no later than seven days before the hearing on the motion under § 363(b)(1)(B).

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Rule	Topic	Text of Rule	Change
6004 (h)	Use, Sale, or Lease of Property. (h) <u>Stay of order authorizing use, sale, or lease of property</u>	(h) <u>Stay of order authorizing use, sale, or lease of property.</u> An order authorizing the use, sale, or lease of property other than cash collateral is stayed until the expiration of 14 days after entry of the order, unless the court orders otherwise.	Time computation - 10 to 14 days. Order authorizing the use, sale, or lease of property other than cash collateral is stayed for 14 days.
6006 (d)	Assumption, Rejection or Assignment of an Executory Contract or Unexpired Lease (d) <u>Stay of order authorizing assignment</u>	(h) <u>Stay of order authorizing assignment.</u> An order authorizing the trustee to assign an executory contract or unexpired lease under § 365(f) is stayed until the expiration of 14 days after entry of the order, unless the court orders otherwise.	Time computation - 10 to 14 days. Order authorizing trustee to assign executory contract or unexpired lease is stayed for 14 days.
6007 (a)	Abandonment or Disposition of Property (a) <u>Notice of proposed abandonment or disposition; objections; hearing</u>	(a) <u>Notice of proposed abandonment or disposition; objections; hearing.</u> Unless otherwise directed by the court, the trustee or debtor in possession shall give notice of a proposed abandonment or disposition of property to the United States trustee, all creditors, indenture trustees, and committees elected pursuant to § 705 or appointed pursuant to § 1102 of the Code. A party in interest may file and serve an objection within 14 days of the mailing of the notice, or within the time fixed by the court. If a timely objection is made, the court shall set a hearing on notice to the United States trustee and to other entities as the court may direct.	Time computation - 15 to 14 days. A party in interest may file and serve an objection within 14 days of the mailing of the notice of proposed abandonment or disposition of property or within the time fixed by the court.
7004 (e)	Process; Service of Summons, Complaint. (e) <u>Summons; time limit for service within the United States.</u>	(e) <u>Summons; time limit for service within the United States.</u> Service made under Rule 4(e), (g), (h)(1), (i), or (j)(2) F. R. Civ. P. shall be by delivery of the summons and complaint within 14 days after the summons is issued. If service is by any authorized form of mail, the summons and complaint shall be deposited in the mail within 14 days after the summons is issued. If a summons is not timely delivered or mailed, another summons shall be issued and served. This subdivision does not apply to service in a foreign country.	Time computation - 10 to 14 days. Time to serve the summons is extended to 14 days before summons expires.

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Rule	Topic	Text of Rule	Change
7012 (a)	<p>Defenses and Objections – When and How Presented – By Pleading or Motion – Motion for Judgment on the Pleadings (a) <u>When presented.</u></p>	<p>(a) <u>When presented.</u> If a complaint is duly served, the defendant shall serve an answer within 30 days after the issuance of the summons, except when a different time is prescribed by the court. The court shall prescribe the time for service of the answer when service of a complaint is made by publication or upon a party in a foreign country. A party served with a pleading stating a cross-claim shall serve an answer thereto within 21 days after service. The plaintiff shall serve a reply to a counterclaim in the answer within 21 days after service of the answer or, if a reply is ordered by the court, within 21 days after service of the order, unless the order otherwise directs. The United States or an officer or agency thereof shall serve an answer to a complaint within 35 days after the issuance of the summons, and shall serve an answer to a cross-claim, or a reply to a counterclaim, within 35 days after service upon the United States attorney of the pleading in which the claim is asserted. The service of a motion permitted under this rule alters these periods of time as follows, unless a different time is fixed by order of the court: (1) if the court denies the motion or postpones its disposition until the trial on the merits, the responsive pleading shall be served within 14 days after notice of the court's action; (2) if the court grants a motion for a more definite statement, the responsive pleading shall be served within 14 days after the service of a more definite statement.</p>	<p>Time computation - 20 to 21 days.</p> <p>The time period for filing answers and replies to cross-claim and counter claim is 21 days.</p> <p>Time computation - 10 to 14 days.</p> <p>Responsive pleadings are due 14 days after notice of the court's action or service of a more definite statement.</p>

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Rule	Topic	Text of Rule	Change
7052	Findings by the Court. Note:: Rule 7052 is amended by limiting the time for filing post judgment motions for amended or additional findings. The deadline is set at 14 days in contrast to the 28-day deadline included in the Federal Rules of Civil Procedure. This is necessary because the deadline for filing a notice of appeal under Bankruptcy Rule 8002 is 14 days rather than the 30 days allowed under Rule 4(a)(1)(A) F. R. App. P.	Rule 52 F. R. Civ. P. applies in adversary proceedings, except that any motion under subdivision (b) of that rule for amended or additional findings shall be filed no later than 14 days after entry of judgment. In these proceedings, the reference in Rule 52 F. R. Civ. P. to the entry of judgment under Rule 58 F. R. Civ. P. shall be read as a reference to the entry of a judgment or order under Rule 5003(a).	Time computation - 14 days. Motion for amended or additional findings shall be filed no later than 14 days after entry of judgment.
7058	Entering Judgment in Adversary Proceedings NEW RULE	Rule 58 F. R. Civ. P. applies in adversary proceedings. In these proceedings, the reference in Rule 58 F. R. Civ. P. to the civil docket shall be read as a reference to the docket maintained by the clerk under Rule 5003(a).	This new rule makes the separate-document requirement applicable only to a judgment in an adversary proceeding and not to a judgment or order in other actions, including contested matters.
8001 (f)(3) (D) and (4)(B)	Manner of Taking Appeal; Voluntary Dismissal; Certification to Court of Appeals (f) <u>Certification for Direct Appeal to Court of Appeals</u> (3) (D) <i>Request for certification; Filing; Service; Contents.</i> (4)(B) <i>Certification on Court's own initiative.</i>	(3)(D) <i>Request for certification; Filing; Service; Contents</i> . A party may file a response to a request for certification or a cross request within 14 days after the notice of the request is served, or another time fixed by the court. (4) (B) <i>Certification on Court's Own Initiative</i> . A party may file a supplementary short statement of the basis for certification within 14 days after the certification.	Time computation - 10 to 14 days. Response to a request for certification or a cross request may be filed 14 days after notice of request is filed. Supplementary short statement of basis for certification may be filed 14 days after certification.

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Rule	Topic	Text of Rule	Change
8002 (a)	Time for Filing Notice of Appeal (a) <u>Fourteen-day Period.</u>	(a) <u>Fourteen-day Period.</u> The notice of appeal shall be filed with the clerk within 14 days of the date of the entry of the judgment, order, or decree appealed from. If a timely notice of appeal is filed by a party, any other party may file a notice of appeal within 14 days of the date on which the first notice of appeal was filed, or within the time otherwise prescribed by this rule, whichever period last expires. A notice of appeal filed after the announcement of a decision or order but before entry of the judgment, order, or decree shall be treated as filed after such entry and on the day thereof. If a notice of appeal is mistakenly filed with the district court or the bankruptcy appellate panel, the clerk of the district court or the clerk of the bankruptcy appellate panel shall note thereon the date on which it was received and transmit it to the clerk and it shall be deemed filed with the clerk on the date so noted.	Time computation - 10 to 14 days. Time of filing a notice of appeal is within 14 days of the date of entry of judgment, order, or decree. Any other party may file a notice of appeal within 14 days of the date on which the first notice of appeal was filed.
8002 (b)(4)	Time for Filing Notice of Appeal (a)(4) <u>Effect of motion on time for appeal.</u>	(b) <u>Effect of Motion on Time for Appeal.</u> If any party makes a timely motion of a type specified immediately below, the time for appeal for all parties runs from the entry of the order disposing of the last such motion outstanding. This provision applies to a timely motion: (4) for relief under Rule 9024 if the motion is filed no later than 14 days after the entry of judgment. A notice of appeal filed after announcement or entry of the judgment, order, or decree but before disposition of any of the above motions is ineffective to appeal from the judgment, order, or decree, or part thereof, specified in the notice of appeal, until the entry of the order disposing of the last such motion outstanding. Appellate review of an order disposing of any of the above motions requires the party, in compliance with Rule 8001, to amend a previously filed notice of appeal. A party intending to challenge an alteration or amendment of the judgment, order, or decree shall file a notice, or an amended notice, of appeal within the time prescribed by this Rule 8002 measured from the entry of the order disposing of the last such motion outstanding. No additional fees will be required for filing an amended notice.	Time computation - 10 to 14 days. For relief under Rule 9024, the motion must be filed no later than 14 days after entry of judgment.

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Rule	Topic	Text of Rule	Change
8002 (c)(2)	Time for Filing Notice of Appeal (c)(2) <u>Extension of time for appeal.</u>	Time Computation [20 to 21 days and 10 to 14 days] (c)(2) <u>Extension of time for appeal.</u> A request to extend the time for filing a notice of appeal must be made by written motion filed before the time for filing a notice of appeal has expired, except that such a motion filed not later than 21 days after the expiration of the time for filing a notice of appeal may be granted upon a showing of excusable neglect. An extension of time for filing a notice of appeal may not exceed 21 days from the expiration of the time for filing a notice of appeal otherwise prescribed by this rule or 14 days from the date of entry of the order granting the motion, whichever is later.	Time computation - 20 to 21 and 10 to 14 days.
8003 (a) and (c)	Leave to Appeal (a) <u>Content of motion; answer.</u> (c) <u>Appeal improperly taken regarded as a motion for leave to appeal.</u>	Time Computation [10 to 14 days] (a) <u>Content of motion; answer.</u> A motion for leave to appeal under 28 U.S.C. § 158(a) shall contain: (1) a statement of the facts necessary to an understanding of the questions to be presented by the appeal; (2) a statement of those questions and of the relief sought; (3) a statement of the reasons why an appeal should be granted; and (4) a copy of the judgment, order, or decree complained of and of any opinion or memorandum relating thereto. Within 14 days after service of the motion, an adverse party may file with the clerk an answer in opposition. (c) <u>Appeal improperly taken regarded as a motion for leave to appeal.</u> If a required motion for leave to appeal is not filed, but a notice of appeal is timely filed, the district court or bankruptcy appellate panel may grant leave to appeal or direct that a motion for leave to appeal be filed. The district court or the bankruptcy appellate panel may also deny leave to appeal but in so doing shall consider the notice of appeal as a motion for leave to appeal. Unless an order directing that a motion for leave to appeal be filed provides otherwise, the motion shall be filed within 14 days of entry of the order.	Time computation - 10 to 14 days. Time to file an answer in opposition to a motion for leave to appeal is within 14 days after service of the motion. If an order directs that a motion for leave to appeal be filed, the time for filing the motion is 14 days of entry of the order unless the order provides otherwise.

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Rule	Topic	Text of Rule	Change
8006	Record and Issues on Appeal	Within 14 days after filing the notice of appeal as provided by Rule 8001(a), entry of an order granting leave to appeal, or entry of an order disposing of the last timely motion outstanding of a type specified in Rule 8002(b), whichever is later, the appellant shall file with the clerk and serve on the appellee a designation of the items to be included in the record on appeal and a statement of the issues to be presented. Within 14 days after the service of the appellant's statement the appellee may file and serve on the appellant a designation of additional items to be included in the record on appeal and, if the appellee has filed a cross appeal, the appellee as cross appellant shall file and serve a statement of the issues to be presented on the cross appeal and a designation of additional items to be included in the record. A cross appellee may, within 14 days of service of the cross appellant's statement, file and serve on the cross appellant a designation of additional items to be included in the record...	Time computation - 10 to 14 days. Time to file designation of items to be included in the record on appeal is extended to 14 days. The time to file a designation of additional items to be included is also extended to 14 days.
8009 (a)	Briefs and Appendix. Filing and Service. (a) <u>Briefs.</u>	(a) <u>Briefs.</u> Unless the district court or the bankruptcy appellate panel by local rule or by order excuses the filing of briefs or specifies different time limits: (1) The appellant shall serve and file a brief within 14 days after entry of the appeal on the docket pursuant to Rule 8007. (2) The appellee shall serve and file a brief within 14 days after service of the brief of appellant. If the appellee has filed a cross appeal, the brief of the appellee shall contain the issues and argument pertinent to the cross appeal, denominated as such, and the response to the brief of the appellant. (3) The appellant may serve and file a reply brief within 14 days after service of the brief of the appellee, and if the appellee has cross-appealed, the appellee may file and serve a reply brief to the response of the appellant to the issues presented in the cross appeal within 14 days after service of the reply brief of the appellant. No further briefs may be filed except with leave of the district court or the bankruptcy appellate panel.	Time computation - 15 to 14 days and 10 to 14 days. Appellant's brief is due 14 days after entry of the appeal on the docket. Appellee's brief is due 14 days after service of appellant's brief. Additional allowed reply briefs are due 14 days after service of adversary's brief.

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Rule	Topic	Text of Rule	Change
8015	Motion for Rehearing.	Unless the district court or the bankruptcy appellate panel by local rule or by court order otherwise provides, a motion for rehearing may be filed within 14 days after entry of the judgment of the district court or the bankruptcy appellate panel. If a timely motion for rehearing is filed, the time for appeal to the court of appeals for all parties shall run from the entry of the order denying rehearing or the entry of subsequent judgment.	Time computation - 10 to 14 days. Time for filing a motion for rehearing is within 14 days after entry of the judgment.
8017 (a)	Stay of Judgment of District Court or Bankruptcy Appellate Panel (a) <u>Automatic stay of judgment on appeal.</u>	(a) <u>Automatic stay of judgment on appeal.</u> Judgments of the district court or the bankruptcy appellate panel are stayed until the expiration of 14 days after entry, unless otherwise ordered by the district court or the bankruptcy appellate panel.	Time computation - 10 to 14 days. District Court and Bankruptcy Appellate Panel judgments are stayed for 14 days after entry.
9006 (a)	Computing and Extending Time (a) <u>Computing time.</u>	See last page of this document.	
9006 (d)	Computing and Extending Time (d) <u>For motions - affidavits</u>	A written motion, other than one which may be heard ex parte, and notice of any hearing shall be served not later than seven days before the time specified for such hearing, unless a different period is fixed by these rules or by order of the court. Such an order may for cause shown be made on ex parte application. When a motion is supported by affidavit, the affidavit shall be served with the motion; and, except as otherwise provided in Rule 9023, opposing affidavits may be served not later than one day before the hearing, unless the court permits them to be served at some other time.	Time computation - 5 to 7 days. Minimum time for notice of hearing is extended to seven days before the hearing, unless a different time is fixed by these rules or by the court.
9006 (f)	Computing and Extending Time (f) <u>Additional time after service by mail or under Rule 5(b)(2))(D), (E), or (F) F. R. Civ. P.</u>	(f) <u>Additional time after service by mail or under Rule 5 (b)(2))(D), (E), or (F) F. R. Civ. P.</u> When there is a right or requirement to act or undertake some proceedings within a prescribed period after service and that service is by mail or under Rule 5 (b)(2)(D), (E), or (F) F.R.Civ.P., three days are added after the prescribed period would otherwise expire under Rule 9006(a).	Rule 9006(f) is amended to correct a cross reference to subparagraphs of Rule 5(b)(2) F. R. Civ. P. Those subparagraphs were renumbered as a part of the civil rules restyling project.

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Although efforts were made to ensure accuracy, this summary is not intended as a substitute for reviewing the rules, as amended.

Rule	Topic	Text of Rule	Change
9015 (a)	Jury Trials (a) <u>Applicability of certain Federal Rules of Civil Procedure</u> (c) <u>Applicability of Rule 50 F. R. Civ. P.</u>	(a) <u>Applicability of certain Federal Rules of Civil Procedure.</u> Rules 38, 39, 47-49, and 51, F. R. Civ. P., and Rule 81(c) F. R. Civ. P. insofar as it applies to jury trials, apply in cases and proceedings, except that a demand made under Rule 38(b) F. R. Civ. P. shall be filed in accordance with Rule 5005.	Rule 9015 is amended by deleting the reference to Rule 50 F. R. Civ. P. from the list of civil rules that are applicable in cases and proceedings.
9015 (c)	Jury Trials (c) <u>Applicability of Rule 50 F. R. Civ. P.</u> NEW	(c) <u>Applicability of Rule 50 F. R. Civ. P.</u> Rule 50 F. R. Civ. P. applies in cases and proceedings, except that any renewed motion for judgment or request for a new trial shall be filed no later than 14 days after the entry of judgment.	Time computation - 14 days. Subdivision (c) is added to make Rule 50 applicable in cases and proceedings, but it limits the time for filing any renewed motion for judgment or request for a new trial to 14 days rather than 28 days after entry of judgment as set out in the civil rules.
9021	Entry of Judgment	A judgment or order is effective when entered under Rule 5003.	The rule is amended in connection with the amendment that adds Rule 7058. The entry of judgment in adversary proceedings is governed by Rule 7058, and the entry of a judgment or order in all other proceedings is governed by this rule.
9023	New Trials; Amendment of Judgments	Except as provided in this rule and Rule 3008, Rule 59. F. R. Civ. P. applies in cases under the Code. A motion for a new trial or to alter or amend a judgment shall be filed, and a court may on its own order a new trial, no later than 14 days after entry of judgment.	Time computation - 10 to 14 days. Rule 9023 is amended to extend the time for filing a post judgment motion for a new trial or for the court to order sua sponte a new trial to 14 days after entry of judgment. This is necessary because the deadline for filing a notice of appeal under Rule 8002 is 14 days.

Amendments to Federal Rules of Bankruptcy Procedure

Effective 12/01/09

Although efforts were made to ensure accuracy, this summary is not intended as a substitute for reviewing the rules, as amended.

Rule	Topic	Text of Rule	Change
9027 (e)(3)	Removal (e) <u>Procedure after removal</u>	(e)(3) <u>Procedure after removal</u> . Any party who has filed a pleading in connection with the removed claim or cause of action, other than the party filing the notice of removal, shall file a statement admitting or denying any allegation in the notice of removal that upon removal of the claim or cause of action the proceeding is core or non-core. If the statement alleges that the proceeding is non-core, it shall state that the party does or does not consent to entry of final orders or judgment by the bankruptcy judge. A statement required by this paragraph shall be signed pursuant to Rule 9011 and shall be filed not later than 14 days after the filing of the notice of removal. Any party who files a statement pursuant to this paragraph shall mail a copy to every other party to the removed claim or cause of action.	Time computation - 10 to 14 days. Time to file statement in removed case admitting or denying any allegation in notice of removal that upon removal, the proceeding is core or non-core is not later than 14 days after filing of notice of removal.
9027 (g)	Removal (g) <u>Applicability of Part VII</u>	Time Computation [20 to 21 days <u>and</u> five to seven days] (g) <u>Applicability of Part VII</u> . The rules of Part VII apply to a claim or cause of action removed to a district court from a federal or state court and govern procedure after removal. Repleading is not necessary unless the court so orders. In a removed action in which the defendant has not answered, the defendant shall answer or present the other defenses or objections available under the rules of Part VII within 21 days following the receipt through service or otherwise of a copy of the initial pleading setting forth the claim for relief on which the action or proceeding is based, or within 21 days following the service of summons on such initial pleading, or within seven days following the filing of the notice of removal, whichever period is longest.	Time computation - 20 to 21 days and 5 to 7 days. Changes 20-day and 5-day periods to 21 and 7 days for defendant to answer.

Amendments to Federal Rules of Bankruptcy Procedure

Effective 12/01/09

Although efforts were made to ensure accuracy, this summary is not intended as a substitute for reviewing the rules, as amended.

Rule	Topic	Text of Rule	Change
9033 (b)	Review of Proposed Findings of Fact and Conclusions of Law in Non-Core Proceedings (b) <u>Objections: time for filing.</u>	(b) <u>Objections: time for filing</u> . Within 14 days after being served with a copy of the proposed findings of fact and conclusions of law a party may serve and file with the clerk written objections which identify the specific proposed findings or conclusions objected to and state the grounds for such objection. A party may respond to another party's objections within 14 days after being served with a copy thereof. A party objecting to the bankruptcy judge's proposed findings or conclusions shall arrange promptly for the transcription of the record, or such portions of it as all parties may agree upon or the bankruptcy judge deems sufficient, unless the district judge otherwise directs.	Time computation - 10 to 14 days. Time to file objections to proposed findings of fact and conclusions of law is extended to 14 days.
9033 (c)	Review of Proposed Findings of Fact and Conclusions of Law in Non-Core Proceedings (c) <u>Extension of time.</u>	(c) <u>Extension of time.</u> The bankruptcy judge may for cause extend the time for filing objections by any party for a period not to exceed 21 days from the expiration of the time otherwise prescribed by this rule. A request to extend the time for filing objections must be made before the time for filing objections has expired, except that a request made no more than 21 days after the expiration of the time for filing objections may be granted upon a showing of excusable neglect.	Time computation - 20 to 21 days. Extension of time shall not exceed 21 days.

Rule 9006. Computing and Extending Time
Subsection (a) as Amended Effective 12/01/09

(a) Computing time. The following rules apply in computing any time period specified in these rules, in the Federal Rules of Civil Procedure, in any local rule or court order, or in any statute that does not specify a method of computing time.

(1) ***Period stated in days or longer unit*** . When the period is stated in days or a longer unit of time:

(A) exclude day of event that triggers period;

(B) count every day, including intermediate Saturdays, Sundays, and legal holidays, and

(C) include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

(2) ***Period stated in hours*** . When the period is stated in hours:

(A) begin counting immediately on the occurrence of the event that triggers the period;

(B) count every hour including hours during intermediate Saturdays, Sundays, and legal holidays; and

(C) if the period would end on a Saturday, Sunday, or legal holiday, then continue the period until the same time on the next day that is not a Saturday, Sunday, or legal holiday.

(3) ***Inaccessibility of Clerk's Office*** . Unless the court orders otherwise, if the clerk's office is inaccessible:

(A) on last day for filing under Rule 9006a(1), then the time is extended to the first accessible day that is not a Saturday, Sunday, or legal holiday.

(B) during the last hour for filing under Rule 9006(a)(2), the time for filing is extended to the same time on the first accessible day that is not a Saturday, Sunday, or legal holiday .

(4) ***"Last Day" Defined*** . Unless a different time is set by statute, local rule, or order, the last day ends:

(A) for electronic filing, at midnight in the court's time zone; and

(B) for filing by other means, when the clerk's office is scheduled to close.

(5) ***"Next Day" Defined*** . The "next day" is determined by continuing to count forward when the period is measured after an event and backward when measured before an event.

(6) ***"Legal Holiday" Defined*** . "Legal holiday" means

(A) the day set aside by statute for observing New Year's Day, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, or Christmas Day;

(B) any day declared a holiday by the President or Congress; and

(C) for periods measured after an event, any other day declared a holiday by the state where the district court is located. (In this rule, "state" includes the District of Columbia and any United States commonwealth or territory.)