

Proposed Amendments to the Federal Rules of Bankruptcy Procedure

(Effective Dec. 1, 2011)

Federal Rules of Bankruptcy Procedure

The rules amendments and new rules were transmitted to Congress in accordance with the Rules Enabling Act, and will take effect on December 1, 2011, unless Congress enacts legislation to the contrary.

<http://www.uscourts.gov/RulesAndPolicies/FederalRulemaking/PendingRules.aspx>

- Bankruptcy Rule 1004.2 (republishing of a new rule requiring entity filing a chapter 15 petition to state the country of the debtor's main interest, filer to list each country in which a case involving debtor is pending, and setting deadline for challenging the statement asserting the country of the debtor's main interest)
- Bankruptcy Rule 2003 (requires the filing of a statement upon adjourning a meeting of creditors or equity security holders)
- Bankruptcy Rule 2019 (expands the scope of the rule's disclosure requirements by requiring disclosure in chapter 9 and chapter 11 cases by all committees or groups that consist of more than one creditor or equity security holder, as well as entities or that represent more than one creditor or equity security holder. It also authorizes the court to require disclosure by an individual party in interest when knowledge of that party's economic stake in the debtor would assist the court in evaluating the party's arguments)
- Bankruptcy Rule 3001 (prescribes in greater detail the supporting information required to accompany certain proofs of claim)
- Bankruptcy Rule 3002.1 (new rule implements § 1322(b)(5) of the Bankruptcy Code, which permits a chapter 13 debtor to cure a default and maintain payments of a home mortgage)
- Bankruptcy Rule 4004 (permits a party under limited circumstances to seek an extension of time to object to a debtor's discharge after the time for objecting has expired)
- Bankruptcy Rule 6003 (clarifies that the requirement of a 21-day waiting period before a court can enter certain orders at the beginning of a case, including an order approving employment of counsel, does not prevent the court from specifying an effective date for the order that is earlier than the date of its issuance)
- Bankruptcy Form 1 (implements new Bankruptcy Rule 1004.2)
- Bankruptcy Forms 9A - 9I (conforming amendments to the pending amendment of Bankruptcy Rule 2003(e))
- Bankruptcy Form 10 (clarifies that, consistent with Rule 3001(c), writings supporting a claim or evidencing perfection of a security interest - not just summaries - must be attached to the proof of claim)
- Bankruptcy Form 25A (changes the effective date consistent with 2009 time-computation rules amendments)