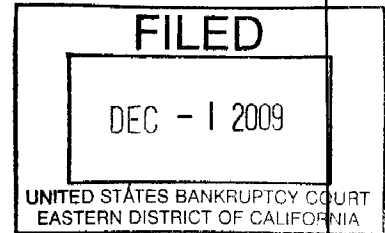


1 UNITED STATES BANKRUPTCY COURT
2 EASTERN DISTRICT OF CALIFORNIA



3 In re
4 ORDER ADOPTING REVISION TO
5 INTERIM RULE 1007-1
6 _____

GENERAL ORDER 09-03

7
8 **WHEREAS**, on October 20, 2008, the National Guard and Reservists Debt Relief
9 Act of 2008 (the Act) was enacted into law; and

10 **WHEREAS**, the provisions of the Act are effective December 19, 2008; and

11 **WHEREAS**, the Advisory Committee on Bankruptcy Rules prepared new Interim
12 Rule 1007-1, *Lists, Schedules, and Other Documents; Time Limits; Expiration of Temporary*
13 *Means Testing Exclusion*, and amended Official Form 22A, *Statement of Current Monthly*
14 *Income and Means Test Calculation*, creating a new Part 1C therein; and

15 **WHEREAS**, the Committee on Rules of Practice and Procedure of the Judicial
16 Conference of the United States approved the new Interim Rule and amended form and
17 recommended the adoption of both by the Judicial Conference of the United States to
18 provide for uniform procedures and means by which to implement the Act; and

19 **WHEREAS**, the Executive Committee, acting on behalf of the Judicial Conference
20 of the United States, having approved both recommendations, has transmitted the Interim
21 Rule to the courts for adoption by standing order, effective December 19, 2008; and

22 **WHEREAS**, the Court adopted Interim Rule 1007-1 in its entirety without change
23 effective December 19, 2008; and

24 **WHEREAS**, Interim Rule 1007-1 includes time deadlines contained in Federal Rule
25 of Bankruptcy Procedure 1007 (Rule 1007), which will be revised effective December 1,
26 2009, unless Congress acts to the contrary, as part of a comprehensive package of
27 changes to time periods in all federal rules of practice and procedure; and

28 **WHEREAS**, it is necessary to revise Interim Rule 1007-1, effective December 1,

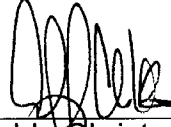
1 2009, to conform to the time deadline changes in Rule 1007, as follows: the 10-day period
2 in Rule 1007(h) and the 15-day periods in subdivisions (a)(2), (a)(3), (c), and (f) of the rule
3 all become 14-day periods; and

4 **WHEREAS**, the general effective date of the Act has not provided sufficient time to
5 promulgate rules after appropriate public notice and an opportunity for comment;

6 **NOW, THEREFORE, IT IS ORDERED** that pursuant 28 U.S.C. § 2071, Rule 83 of
7 the Federal Rules of Civil Procedure, and Rule 9029 of the Federal Rules of Bankruptcy
8 Procedure, the attached revised Interim Rule 1007-I is adopted in its entirety without
9 change by this Court effective December 1, 2009, to conform to the Act. For cases and
10 proceedings not governed by the Act, the Federal Rules of Bankruptcy Procedure and the
11 Local Rules of this Court, other than Interim Rule 1007-I, shall apply. The Act applies only
12 to cases commenced in the three-year period beginning on the effective date of the Act,
13 as set forth herein. Revised Interim Rule 1007-I shall remain in effect until further order
14 of the Court.

15 DATED: **DEC - 1 2009**

FOR THE COURT

16
17 
18 _____
Honorable Christopher M. Klein,
Chief Judge