

Office of the Clerk  
U.S. Bankruptcy Court  
Eastern District of California

**Summary of Amendments to the Federal Rules of Bankruptcy Procedure  
and Official Forms Effective December 1, 2010**

- ◆ Bankruptcy Rule 1007, Lists, Schedules, Statements, and Other Documents; Time Limits, is amended in subsection (a) to shorten the time for the debtor to file a list of creditors after the entry of an order for relief in an involuntary case from 15 to 14 days. Subdivision (c) is amended to extend the time for individual chapter 7 debtors to file the statement of completion of a course concerning personal financial management from 45 to 60 days.
- ◆ Bankruptcy Rule 1014, Dismissal and Change of Venue, is amended to include chapter 15 cases among those subject to the rule that authorizes the court to determine where cases should go forward when multiple petitions involving the same debtor are pending.
- ◆ Bankruptcy Rule 1015, Consolidation or Joint Administration of Cases Pending in Same Court, is amended to include chapter 15 cases among those subject to the rule that authorizes the court to order consolidation or joint administration of cases.
- ◆ Bankruptcy Rule 1018, Contested Involuntary Petitions; Contested Petitions Commencing Chapter 15 Cases; Proceedings to Vacate Order for Relief; Applicability of Rules in Part VII Governing Adversary Proceedings, is amended to reflect the enactment of chapter 15 in 2005.
- ◆ Bankruptcy Rule 1019, 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, is amended to provide, with some exceptions, that a new time period to object to a claim of exemption arises when a case is converted to chapter 7 from chapter 11, 12, or 13.
- ◆ Bankruptcy Rule 4001, Relief from Automatic Stay; Prohibiting or Conditioning the Use, Sale, or Lease of Property; Use of Cash Collateral; Obtaining Credit; Agreements, is amended to implement changes in connection with the 2009 amendment to Rule 9006(a) and the manner in which time is computed under the rules.
- ◆ Bankruptcy Rule 4004, Grant or Denial of Discharge, is amended to:
  - (a) Include a new deadline for filing of motions (rather than complaints) objecting to a debtor's discharge under Rule 7001(b);

- (b) Direct the court not to grant a discharge if a motion or complaint objecting to discharge has been filed unless the objection has been decided in the debtor's favor; and
  - (c) Direct the court in chapter 11 and 13 cases to withhold the entry of the discharge if the debtor has not filed with the court a statement of completion of a course concerning personal financial management.
- ◆ Bankruptcy Rule 5009, Closing Chapter 7 Liquidation, Chapter 12 Family Farmer's Debt Adjustment, Chapter 13 Individual's Debt Adjustment and Chapter 15 Ancillary and Cross-Border Cases, is amended to add new subdivisions (b) and (c) to the rule. Subdivision (b) requires the clerk to provide notice to individual debtors in chapter 7 and 13 cases that their cases may be closed if they fail to file a statement of completion of a financial management course. Subdivision (c) requires a foreign representative in a chapter 15 case to file and give notice of the filing of a final report.
  - ◆ Bankruptcy Rule 5012, Agreements Concerning Coordination of Proceedings in Chapter 15 Cases, is a new rule establishing procedures in chapter 15 cases for obtaining approval of an agreement regarding communications and the coordination of proceedings with cases involving the debtor pending in other countries.
  - ◆ Bankruptcy Rule 7001, Scope of Rules of Part VII, is amended to except objections to discharge under §§727(a)(8), (a)(9), and 1328(f) from the listing of adversary proceedings. Objections under these Code sections are to be commenced by motion rather than by complaint.
  - ◆ Bankruptcy Rule 9001, General Definitions, is amended to add §1502 to the list of definitional provisions in the Bankruptcy Code that are applicable to the Bankruptcy Rules.
  - ◆ Official Forms 9A, Notice of Chapter 7 Individual or Joint Debtor No Asset Bankruptcy Case, 9C, Notice of Chapter 7 Individual or Joint Debtor Asset Bankruptcy Case, and 9I, Notice of Chapter 13 Bankruptcy Case, are amended in the "Deadlines" section on the front and the "Discharge of Deadlines" section on the back to conform to the amendments to Bankruptcy Rules 4004 and 7001.
  - ◆ Official Forms 20A, Notice of Motion or Objection, and 20B, Notice of Objection to Claim, are amended to instruct the filer to list all names used by the debtor in the last eight (rather than six) years and to redact not only social security numbers but also individual taxpayer identification numbers.
  - ◆ Official Forms 22A, Statement of Current Monthly Income and Means Test Calculation (Chapter 7), 22B, Statement of Current Monthly Income (Chapter

- 11), and 22C, Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Chapter 13), are amended to instruct that only one joint filer should report payments by another person for household expenses. Forms 22A and 22C are amended to delete references to “household” and “household size” and are replaced by “number of persons” or “family size.” Form 22A directs debtors in joint cases to file separate forms only if one of the debtors is entitled to a Part I exemption.
- ◆ Official Form 23, Debtor’s Certification of Completion of Instructional Course Concerning Personal Financial Management, is amended in the deadlines paragraph at the bottom of the form to conform to amended Rule 1007(c).

This summary is provided for informational purposes only and is not an exhaustive list of the changes to be implemented. For the full text of the rules effective December 1, 2010, please visit the U.S. Court’s website at:  
<http://www.uscourts.gov/uscourts/RulesAndPolicies/rules/Supreme%20Court%202009/BK-Clean-Rules.pdf>

For the amended Official Forms effective December 1, 2010, please visit:  
<http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms/BankruptcyFormsPendingChanges.aspx>