



OFFICE OF THE CLERK
UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

Susan M. Thurston
Clerk of Court

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Chief Deputy Clerk

**NOTICE OF AMENDMENTS TO FEDERAL RULES OF BANKRUPTCY
PROCEDURE, ENACTMENT OF NEW RULE, AND AMENDMENTS TO OFFICIAL
BANKRUPTCY FORMS
EFFECTIVE DECEMBER 1, 2010**

**1. AMENDMENTS TO FEDERAL RULES OF BANKRUPTCY PROCEDURE
AND ENACTMENTS OF NEW RULE**

The following Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”) are amended effective December 1, 2010: 1007, 1014, 1015, 1018, 1019, 4001, 4004, 5009, 7001, and 9001, and Rule 5012 is new.

Rule 1007 shortens the time for debtors to file a list of creditors after the entry of an order for relief in an involuntary case. The rule also extends the time for individual Chapter 7 debtors to file a statement of completion of the personal financial management course.

Rule 1014 includes Chapter 15 cases in the rule that authorizes the court to determine where cases should go forward when multiple petitions involving the same debtor are pending.

Rule 1015 includes Chapter 15 cases in the rule that authorizes the court to order consolidation or joint administration of cases.

Rule 1018 reflects enactment of Chapter 15 in 2005.

Rule 1019 with some exceptions, provides a new time period to object to a claim of exemption when a case is converted to Chapter 7 from Chapter 11, 12, or 13.

Rule 4001 includes a technical and conforming amendment on the computation of time.

Rule 4004 is amended to: (a) include a new deadline for the filing of motions (rather than complaints) under Rule 7001(b) objecting to a debtor's discharge; (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.

Note: To accommodate this rule change, a new motion event has been added to CM/ECF: *Bankruptcy>Motions> Objection to Debtor's Discharge*. There is no fee for filing this motion.

Rule 5009 is amended to add new subdivisions (b) and (c). 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 the 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.

Rule 5012 is a new rule establishing procedures in Chapter 15 cases for obtaining approval of an agreement regarding communications and coordination of proceedings with cases involving the debtor pending in other countries.

Rule 7001 provides that specified objections to a discharge in Chapter 7 and 13 cases are not treated as adversary proceedings.

Rule 9001 is amended to add words and phrases in § 1502 to the list of definitions.

2. AMENDMENTS TO OFFICIAL BANKRUPTCY FORMS

Amendments to the following Official Bankruptcy Forms are effective December 1, 2010:

B9A, B9C, B9I [341 Notice] – New language added regarding objections to discharge by motion if based on a discharge in a previous case; and deadline for objections to discharge in Chapter 13 for the first time.

B20A, B20B -technical amendments. Notice of Motion and Notice of Objection to Claim.

B22A, B22C [Means Test] -“Household” and “household size” have been changed to “family size” or “number of persons”.

B22A, B22B, B22C -The forms instruct that regular payments by another person for household expenses should not be reported twice. Only one of the joint debtors should report the payment.

This notice is for informational purposes only. Please refer to the Federal Rules of Bankruptcy Procedure, Official Forms, and Official Comments at www.uscourts.gov for complete information and guidance.

November 23, 2010

FOR THE COURT
/s/ Susan M. Thurston
Susan M. Thurston, Clerk