

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA**

PUBLIC NOTICE

AMENDMENTS TO THE FEDERAL RULES OF PRACTICE AND PROCEDURE

Congress has taken no action on the proposed amendments to the Federal Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure, and the Federal Rules of Evidence adopted by the Supreme Court and transmitted to Congress on April 24, 2023. Under the Rules Enabling Act, 28 U.S.C. §§ 2071-75, the following take effect on December 1, 2023:

Federal Rules of Appellate Procedure

Rule 2 Suspension of Rules
Rule 4 Appeal as of Right—When Taken
Rule 26 Computing and Extending Time
Rule 45 Clerk’s Duties

Federal Rules of Bankruptcy Procedure

Rule 3011 Unclaimed Funds in Cases Under Chapter 7, Subchapter V of Chapter 11, Chapter 12, and Chapter 13
Rule 8003 Appeal as of Right—How Taken; Docketing the Appeal
Rule 9006 Computing and Extending Time; Time for Motion Papers
Rule 9038 Bankruptcy Rules Emergency

Federal Rules of Civil Procedure

Rule 6 Computing and Extending Time; Time for Motion Papers
Rule 15 Amended and Supplemental Pleadings
Rule 72 Magistrate Judges: Pretrial Order
Rule 87 Civil Rules Emergency

Federal Rules of Criminal Procedure

Rule 16 Discovery and Inspection
Rule 45 Computing and Extending Time
Rule 56 When Court Is Open
Rule 62 Criminal Rules Emergency

Federal Rules of Evidence

Rule 106 Remainder of or Related Statements
Rule 615 Excluding Witnesses from the Courtroom; Preventing an Excluded Witness’s Access to Trial Testimony
Rule 702 Testimony by Expert Witnesses

Under 28 U.S.C. §§ 2074 and 2075, and the Supreme Court orders dated April 24, 2023, the amendments govern all proceedings commenced on or after December 1, 2023, and all proceedings then pending “insofar as just and practicable.” Links to the text of the amended rules, and the accompanying committee notes—along with extensive supporting documentation related to their adoption—are posted on the [Current Rules](#) page of the Judiciary’s website.

In addition, two amended official bankruptcy forms became effective on December 1, 2023. As approved by the Judicial Conference of the United States, amendments to official bankruptcy forms govern all proceedings in bankruptcy cases thereafter commenced and, insofar as just and practicable, all proceedings then pending.

Official Bankruptcy Forms

Form 410A Mortgage Proof of Claim Attachment
Form 417A Notice of Appeal and Statement of Election

William C. Redden
Clerk of Court

Date: December 1, 2023