



# JUDICIAL CONFERENCE OF THE UNITED STATES

WASHINGTON, D.C. 20544

THE CHIEF JUSTICE  
OF THE UNITED STATES  
*Presiding*

JAMES C. DUFF  
*Secretary*

November 29, 2010

## MEMORANDUM

To: All United States Judges  
Circuit Executives  
Federal Public/Community Defenders  
District Court Executives  
Clerks, United States Courts  
Chief Probation Officers  
Chief Pretrial Services Officers  
Senior Staff Attorneys  
Chief Preargument/Conference Attorneys  
Bankruptcy Administrators  
Circuit Librarians

From:

James C. Duff

A handwritten signature in black ink that reads "James C. Duff".

RE:

AMENDMENTS TO THE FEDERAL RULES OF PRACTICE AND PROCEDURE  
**(IMPORTANT INFORMATION)**

Congress has taken no action on the amendments to the Federal Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure, and the Federal Rules of Evidence, approved by the Supreme Court on April 28, 2010. Under the Rules Enabling Act, 28 U.S.C. § 2072, the following amendments to the rules will take effect on December 1, 2010:

- Appellate Rules 1, 4, and 29, and Appellate Form 4;
- Bankruptcy Rules 1007, 1014, 1015, 1018, 1019, 4001, 4004, 5009, 7001, and 9001, and new Rule 5012;
- Civil Rules 8, 26, and 56, and Illustrative Civil Form 52;
- Criminal Rules 12.3, 21, and 32.1; and
- Evidence Rule 804.

Under 28 U.S.C. § 2074(a) and the April 28, 2010, Supreme Court orders, the amendments will govern all proceedings commenced on or after December 1, 2010, and all proceedings then pending “insofar as just and practicable.”

The text of the amended rules and extensive supporting documentation can be found on the Judiciary’s Federal Rulemaking website at: <http://www.uscourts.gov/RulesAndPolicies/FederalRulemaking/Overview.aspx>. The amendments were mailed to you earlier this year as part of House Documents 111-110, 111-111, 111-112, 111-113, and 111-114. In addition, pamphlets containing the rules as amended will be sent to you as soon as they become available from the Government Printing Office.

Please note that amendments to several Bankruptcy Rules affect filing time periods in ways unrelated to the 2009 time-computation amendments. These amended filing requirements appear in Rule 1007(c) (which adds time) and in Rules 1019(2)(B), 5009, and 5012 (which create new filing periods). Additionally, an amendment to Rule 1007(a)(2) reduces from 14 days to 7 days the time for a debtor in an involuntary case to file a list of creditors’ names and addresses. A court may extend the time to file the list if a debtor shows cause, which may include a failure to meet the new deadline from lack of knowledge about the amendment, especially within the first six months after the shorter period becomes effective.

If you have any questions about the status of any of the amendments, please contact Peter G. McCabe, Assistant Director for Judges Programs, or James Ishida, Senior Attorney, Office of Judges Programs, at (202) 502-1800.