

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

PROPOSED AMENDMENTS TO FEDERAL RULES OF APPELLATE, BANKRUPTCY, CIVIL,
AND CRIMINAL RULES OF PROCEDURE; PROPOSED AMENDMENTS TO SELECTED
APPELLATE AND OFFICIAL BANKRUPTCY FORMS

PUBLISHED FOR COMMENT AUGUST 2016

The public comment period ends February 15, 2017, at 11:59 p.m.

The Judicial Conference Advisory Committees on Appellate, Bankruptcy, Civil, and Criminal Rules have proposed amendments to their respective rules and forms and have asked that they be circulated to the bench, bar, and public for comment. The proposed amendments and the advisory committees' reports explaining the proposed changes are posted on the Judiciary's website at: <http://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>. The information is posted in a printable format for those who prefer hard copy documents. The public comment period ends February 15, 2017.

- Appellate Rules 8, 11, 25, 28.1, 29, 31, 39, 41, and Form 4
- Bankruptcy Rules 3002.1, 5005, 8002, 8006, 8011, 8013, 8015, 8016, 8017, new Rule 8018.1, 8022, 8023, and new Part VIII Appendix; and Official Forms 309F, 417A, 417C, 425A, 425B, 425C, and 426
- Civil Rules 5, 23, 62, and 65.1
- Criminal Rules 12.4, 45, and 49

Read the text of the proposed amendments and supporting materials:

[Preliminary Draft of Proposed Amendments to the Federal Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure](#) (pdf)

Your comments are welcome on all aspects of each proposal. The advisory committees will review all timely comments, which are made part of the official record and are available to the public.

How to Submit Comments:

Comments and supporting files must be submitted electronically using the Regulations.gov portal. After choosing the appropriate link below, click the "Submit a Comment" link. This will display the comment web form. You can then enter your submitter information and attach your comment as a file (up to 10MB), or type your comment directly on the web form. When you have finished attaching or typing your comment, click the "Preview Comment" link to review. Once you are satisfied with your comment, click the "Submit" button to send your comment to the advisory committees. Upon completion, you will receive a tracking number for your submission.

- [Submit or Review Comments on the Proposed Amendments to Appellate Rules 8, 11, 25, 28.1, 29, 31, 39, and 41, and Form 4](#) (comment period closes February 15, 2017)

- [Submit or Review Comments on the Proposed Amendments to Bankruptcy Rules 3002.1, 5005, 8002, 8006, 8011, 8013, 8015, 8016, 8017, new Rule 8018.1, 8022, 8023, and new Part VIII Appendix; and Official Forms 309F, 417A, 417C, 425A, 425B, 425C, and 426](#) (comment period closes February 15, 2017)
- [Submit or Review Comments on the Proposed Amendments to Civil Rules 5, 23, 62, and 65.1](#) (comment period closes February 15, 2017)
- [Submit or Review Comments on the Proposed Amendments to Criminal Rules 12.4, 45, and 49](#) (comment period closes February 15, 2017)

Detailed instructions on how to submit a comment are given in the [Regulations.gov FAQs](#).

Members of the public who wish to present testimony may appear at public hearings on these proposals. The advisory committees will hold hearings on the proposed amendments on the following dates:

- Appellate Rules in Washington, D.C., on October 17, 2016, and in Denver, Colorado, on January 20, 2017;
- Bankruptcy Rules in Pasadena, California, on January 24, 2017; • Civil Rules in Washington, D.C., on November 3, 2016, in Phoenix, Arizona, on January 4, 2017, and in Dallas/Fort Worth, Texas, on February 16, 2017;
- Criminal Rules in Phoenix, Arizona, on January 4, 2017, and in Washington, D.C., on February 24, 2017. If you wish to testify, you must notify the Committee at least 30 days before the scheduled hearing. Requests to testify should be e-mailed to: Rules_Support@ao.uscourts.gov, with a copy mailed to: Committee on Rules of Practice and Procedure, Administrative Office of the United States Courts, Thurgood Marshall Federal Judiciary Building, One Columbus Circle, N.E., Suite 7-240, Washington, D.C. 20544.

After the public comment period, the advisory committees will decide whether to submit the proposed amendments to the Committee on Rules of Practice and Procedure. At this time, the Committee on Rules of Practice and Procedure has not approved these proposed amendments, except to authorize their publication for comment. The proposed amendments have neither been submitted to nor considered by the Judicial Conference or the Supreme Court. If approved, the proposed amendments would become effective on December 1, 2018, with or without revision, by the relevant advisory committee, the Committee on Rules of Practice and Procedure, the Judicial Conference, and the Supreme Court, and if Congress does not act to defer, modify, or reject them.

William C. Redden
Clerk of Court

Date: August 12, 2016