

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

PROPOSED AMENDMENTS TO FEDERAL RULES OF APPELLATE, BANKRUPTCY, AND
CRIMINAL RULES OF PROCEDURE AND FEDERAL RULES OF EVIDENCE; PROPOSED
AMENDMENT TO SELECTED OFFICIAL BANKRUPTCY FORM

PUBLISHED FOR COMMENT AUGUST 2017

The public comment period ends February 15, 2018

The Judicial Conference Advisory Committees on Appellate, Bankruptcy, Criminal and Evidence Rules have proposed amendments to the following rules and forms and have asked that they be circulated to the bench, bar, and public for comment.

Appellate Rules: 3, 13, 26.1, 28, and 32

Bankruptcy Rules: 2002, 4001, 6007, 9036, 9037, and Official Form 410

Criminal Rules: New Criminal Rule 16.1, Rule 5 of the Rules Governing Section 2254 Cases, and Rule 5 of the Rules Governing Section 2255 Proceedings

Rules of Evidence: 807

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>.
<http://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>.

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. **The comment period closes on February 15, 2018.**

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 3, 13, 26.1, 28 and 32](#)
- [Submit or Review Comments on the Proposed Amendments to Bankruptcy Rules 2002, 4001, 6007, 9036, 9037, and Official Form 410](#)

- [Submit or Review Comments on the New Proposed Criminal Rule 16.1; Proposed Amendments to Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts, and Rule 5 of the Rules Governing Section 2255 Proceedings for the United States District Courts](#)
- [Submit or Review Comments on the Proposed Amendment to Evidence Rule 807](#)

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

At this time, the Committee on Rules of Practice and Procedure has only approved these proposed amendments for publication for comment. The proposed amendments have neither been submitted to nor considered by the Judicial Conference or the Supreme Court. 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 for approval in accordance with the Rules Enabling Act.

If approved, with or without revision, by the relevant advisory committee, the Committee on Rules of Practice and Procedure, the Judicial Conference, and the Supreme Court, the proposed amendments would become effective on December 1, 2019, if Congress does not act to defer, modify, or reject them.

William C. Redden
Clerk of Court

Date: August 14, 2017