

**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, and Criminal Procedure, the Rules of Evidence, the Rules Governing Section 2254 Cases in the United States District Courts, and the Rules Governing Section 2255 Proceedings for the United States District Courts adopted by the Supreme Court and transmitted to Congress on April 25, 2019. Under the Rules Enabling Act, 28 U.S.C. §§ 2071-75, the following took effect on December 1, 2019:

Federal Rules of Appellate Procedure

Rule 3	Appeal as of Right—How Taken
Rule 5	Appeal by Permission
Rule 13	Appeals from the Tax Court
Rule 21	Writs of Mandamus and Prohibition, and Other Extraordinary Writs
Rule 25	Filing and Service
Rule 26	Computing and Extending Time
Rule 26.1	Disclosure Statement
Rule 28	Briefs
Rule 32	Form of Briefs, Appendices, and Other Papers
Rule 39	Costs

Federal Rules of Bankruptcy Procedure

Rule 4001	Relief from Automatic Stay; Prohibiting or Conditioning the Use, Sale, or Lease of Property; Use of Cash Collateral; Obtaining Credit; Agreements
Rule 6007	Abandonment or Disposition of Property
Rule 9036	Notice and Service Generally
Rule 9037	Privacy Protection for Filings Made with the Court

Federal Rules of Criminal Procedure

Rule 16.1 (new) Pretrial Discovery Conference; Request for Court Action

Rules Governing Section 2254 Cases in the United States District Courts

Rule 5 The Answer and the Reply

Rules Governing Section 2255 Proceedings for the United States District Courts

Rule 5 The Answer and the Reply

Federal Rules of Evidence

Rule 807 Residual Exception

Under 28 U.S.C. § 2074(a) and the Supreme Court orders dated April 25, 2019, the amendments govern all proceedings commenced on or after December 1, 2019, and all proceedings then pending “insofar as just and

practicable.” The text of the new and amended rules and forms, 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 at: <http://www.uscourts.gov/rules-policies/current-rules-practice-procedure>.

In addition, the following amended official bankruptcy form and new and one new Director’s form became effective on December 1, 2019. As approved by the Judicial Conference, amendments to the official bankruptcy forms govern all proceedings in bankruptcy cases thereafter commenced and, insofar as just and practicable, all proceedings then pending. The forms are posted on the website at: <http://www.uscourts.gov/forms/bankruptcy-forms>.

Official Bankruptcy Forms

Official Form 122A-1 Chapter 7 Statement of Your Current Monthly Income

Director’s Forms

Form 1340 (new) Application for Payment of Unclaimed Funds

Note: At a later date, the Court will consider this form for adoption/adaption.

William C. Redden
Clerk of Court

Date: December 4, 2019