



UNITED STATES BANKRUPTCY COURT, WESTERN DISTRICT OF NEW YORK

NOTICE OF AMENDMENTS TO BANKRUPTCY RULES AND BANKRUPTCY CODE REGARDING CHANGES TO TIME COMPUTATIONS; CHANGES TO OTHER BANKRUPTCY RULES; AND CHANGES TO OFFICIAL FORMS EFFECTIVE DECEMBER 1, 2009

Notice No. 09-04

A. CHANGES TO BANKRUPTCY RULES REGARDING TIME COMPUTATIONS:

The Supreme Court has approved changes to Bankruptcy Rule 9006 (as well as changes to similar appellate, civil, and criminal rules), which address the method by which time is calculated in the Federal Courts. In addition, all time deadlines of less than 30 days were changed to multiples of 7 days, so that the expiration of deadlines ordinarily would occur on a weekday. Under the revised rules:

- 5-day periods are lengthened to 7-day periods;
- 10-day periods are lengthened to 14-day periods;
- 15-day periods **are shortened to** 14-day periods;
- 20-day periods are lengthened to 21-day periods;
- 25-day periods are lengthened to 28-day periods.

The following amendments to the Bankruptcy Rules will become effective December 1, 2009:

- 5 days are lengthened to 7 days in Rules 2006, 2007, 2008, 2015.3, 6004, 9006, and 9027.
- 10 days are lengthened to 14 days in Rules 1007, 2003, 2015.1, 2015.2, 2016, 3020, 4001, 6004, 6006, 7004, 7012, 8001, 8002, 8003, 8006, 8009, 8015, 8017, 9027, and 9033.
- 15 days **are shortened to** 14 days in Rules 1007, 1019, 1020, 2015, 2015.1, 2016, 3015, 4001, 4002, 6004, 6007, and 8009. **Please take particular note of the shorter 14 day deadline under these Rules.**
- 20 days are lengthened to 21 days in Rules 1011, 2002, 2007.2, 2015, 2015.3, 3001, 3015, 4019, 6003, 7012, 8002, 9027, and 9033.
- 25 days are lengthened to 28 days in Rules 2002, 3017, and 4004.

B. AMENDMENTS TO BANKRUPTCY CODE REGARDING CHANGES IN TIME COMPUTATIONS:

- Five-day periods changed to seven-day periods in the following bankruptcy-related statutes: 11 U.S.C. § 109(h)(3)(A)(ii); § 322(a); § 332(a); § 342(e)(2); § 521(e)(3)(B); § 521(i)(2); § 704(b)(1)(B); § 749(b); and § 764(b).

C. AMENDMENTS TO BANKRUPTCY RULES NOT RELATING TO TIME COMPUTATIONS:

- Amendments to Bankruptcy Rules: 2016, 4008, 7052, 9015, and 9021.
- New Bankruptcy Rule 7058.
- Revisions to Interim Rule 1007-I.

D. AMENDMENTS TO OFFICIAL FORMS AND DIRECTOR'S PROCEDURAL FORMS:

- Amendments to the following Official Forms: Exhibit D to Form B1, Form B8, Form 9F, Form B10, Form B23; and to the following Director's Procedural Forms: Form B200, Form 201A, 201B, Form B210, Form B231A, Form B231B, and Forms B250A, B250B, B250C, B250D, and B250E.
- New Official Form B27; and new Director's Procedural Forms: B250F, Form B18RI, and Form B261C.

Additional information regarding these amendments and copies of Official Forms and Director's Procedural Forms may be found at www.uscourts.gov. This notice is for informational purposes only. Please refer to the Federal Rules of Bankruptcy Procedure, Official Forms, and Official Comments for complete information and guidance.

November 16, 2009

PAUL R. WARREN /s/ PRW
Clerk of Court