

RULE AMENDMENTS

[Rule 1014\(b\)](#) addresses the instance when petitions are filed in different districts by or against the same debtor. The amendment adds a sentence providing that the court with the first-filed petition can order the parties in the later-filed cases not to proceed.

[Rule 7004\(e\)](#) addresses the time limit for serving a summons. Previously, the Rule provided that service must be accomplished within fourteen days of issuance. The amendment changes this period to seven days.

[Rules 7008\(b\)](#) and [7054](#) affect the procedure for seeking attorneys' fees in adversary proceedings. The goal of these changes is to align the process more closely with the civil process. To that end, the amendments delete language from Rule 7008 and adds a reference to Rule 54(d), explaining that this section of the Civil Rules applies to adversary proceedings.

[Rules 8001-8028](#) govern appeals to district courts and bankruptcy appellate panels. The purpose of the amendments are to (1) bring the bankruptcy appellate rules into closer alignment with the Federal Rules of Appellate Procedures; (2) incorporate a presumption favoring electronic transmission, filing and service of court documents; and (3) adopt a clearer and simpler style.

[Rules 9023](#) and [9024](#) will add reference to the procedure in amended Rule 8008 addressing indicative rulings.

OFFICIAL FORMS

Regarding Filing Fees:

[Application for Individuals to Pay the Filing Fee in Installments \(B 3A\)](#): revised to remove amounts of bankruptcy filing fees

[Application to Have the Chapter 7 Filing Fee Waived \(B 3B\)](#): revised to remove amounts of bankruptcy filing fees

Schedules & Statements:

[Summary of Schedules \(B 6\)](#): updated with line references to the amended means test forms

Appeals:

[Notice of Appeal and Statement of Election \(17A\)](#): includes a section for the appellant's optional statement of election to have the appeal heard by the district court rather than by the bankruptcy appellate panel. This would only be applicable in districts that have authorized appeals to a BAP (not the Northern District of Florida).

[Optional Appellee Statement of Election to Proceed in District Court \(17B\)](#): This is a new form that an appellee would file if it wanted the appeal to be heard by the district court rather than by the bankruptcy appellate panel. This would only be applicable in districts that have authorized appeals to a BAP (not the Northern District of Florida).

[Certificate of Compliance \(17C\)](#): New form to certify compliance with the bankruptcy appellate rules that prescribe limitations on brief length based on number of words or lines of text.

Means Test Forms - Ch 7:

Chapter 7 Statement of Your Current Monthly Income (22A-1): This form determines the current monthly income and compares whether that income is more than the median income for households of the same size in the debtor's state. If the income is not above the median, there is no presumption of abuse and the Chapter 7 Means Test Calculation (22A-2) is not required.

Chapter 7 Means Test Calculation (22A-2): If the completed Form 22A-1 shows income above the median, debtors must also file the Means Test Calculation.

Statement of Exemption from Presumption of Abuse Under § 707(b)(2) (22A-1Supp):

Determines whether the debtor may be exempted from the presumption of abuse because the debtor does not have primarily consumer debts or because they have provided certain military or homeland defense services.

Means Test Forms - Ch 13:

Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (22C-1): calculates the current monthly income and plan commitment period. All chapter 13 debtors must complete.

Chapter 13 Calculation of Your Disposable Income (22C-2): to be completed only if current monthly income exceeds the applicable median.

MISCELLANEOUS FEE SCHEDULE

Direct Appeal (Item 14): Increases the fee when a direct appeal or direct cross-appeal has been authorized from \$157.00 to \$207.00.

Redaction (Item 21): New \$25 per case fee to file a motion to redact a record

Motions to Reopen: The court will not charge a fee for the filing of a motion to reopen a case solely for the purpose of redacting a previously filed document and has created a new filing event in CM/ECF specifically for this purpose.

More information on the Rule and forms changes may be found on the USCourts.gov website:

Rules:

<http://www.uscourts.gov/RulesAndPolicies/rules/pending-rules.aspx>

Forms:

<http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms/BankruptcyFormsPendingChanges.aspx>