

**Amended Bankruptcy Rules
Approved by the U.S. Supreme Court**

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On April 23, 2012, the U.S. Supreme Court approved amendments to the Federal Rules of Bankruptcy Procedure. The amended rules automatically become effective on December 1, 2012, unless Congress acts before then to reject, modify, or delay the rule changes. Several of the amendments involve technical and conforming changes to eliminate inconsistencies within the existing Bankruptcy Rules, as well as changes designed to make the bankruptcy rules consistent with the Federal Rules of Civil Procedure and the Federal Rules of Appellate Procedure.

The amendment to Bankruptcy Rule 3001 clarifies disclosure obligations regarding proofs of claim based on an open-end or revolving consumer credit account. Under the amended rule, a creditor asserting such a claim, which is commonly based upon a credit-card debt, must attach to its proof of claim a statement providing, among other things, the name of any entity from which the creditor purchased the account, along with current payment information.

Amendments to Bankruptcy Rule 7056 will tie the default deadline for filing a summary-judgment motion to a scheduled hearing date, rather than the close of discovery, as provided in Rule 56 of the Federal Rules of Civil Procedure. According to the rules committee, the change is warranted because hearings in bankruptcy cases sometimes occur shortly after the close of discovery. Under amended Bankruptcy Rule 7056, a summary-judgment motion must be filed 30 days before the initial date set for an evidentiary hearing on any issue for which summary judgment is sought, unless a local rule or court order establishes a different deadline.

A copy of the amended bankruptcy rules as transmitted to Congress is posted at <http://pub.bna.com/lw/frbk12.pdf>.

Links to the Judicial Conference reports on the amendments are available at <http://www.uscourts.gov/RulesAndPolicies/FederalRulemaking/PendingRules.aspx>.