

Official Forms and Federal Bankruptcy Rules Changes

Effective 12/1/2017

This table includes a list of affected rules and forms and highlights primary changes effective 12/1/17. For additional information regarding rules and forms changes, including a link to the packet of materials sent to Congress with the text of the new and amended rules, [click here](#).

Official Forms		
Form Number(s)	Name(s) of Form(s)	Description
113	Chapter 13 Plan	New Official Form. The Western District of Kentucky has elected to adopt the use of the new Official Form.
309B,G, H, I	Notice of Chapter 7 Bankruptcy Case (Proof of Claim Deadline Set) Notice of Chapter 12 Bankruptcy Case (For Individual or Joint Debtors) Notice of Chapter 12 Bankruptcy Case (For Corporations or Partnerships) Notice of Chapter 13 Bankruptcy Case	Amended to reflect the change to the Proof of Claim deadline effective 12/1/17 pursuant to Fed.R.Bank.P. 3002(c)

Federal Rules of Bankruptcy Procedure	
Rule Number(s)	Description
1001, 1006(b), 1015(b)	Individual or joint petition must be accepted if accompanied by application for installments but no initial fee payment; “husband and wife” changed to “spouses” throughout.
2002(a)(9), 2002(b)(3)	Requires at least 21 days’ notice of the time for filing objection to confirmation of a Chapter 13 plan, and at least 28 days’ notice of the date of the confirmation hearing.

3002(c)	Alters the time for filing proofs of claims in voluntary 7,12 and 13 cases to 70 days from the date of the petition or the date of conversion; (c)(7): mortgage POCs secured by an interest in debtor's principal residence – POC due 70 days from petition/conversion date with attachments required by under Rule 3001(c)(2)(C) and supplemental attachments required by Rule 3001(c)(1) and 3001(d) are due 120 days after petition/conversion date. In an involuntary Chapter 7, POC deadline is 90 days from the date of the Order of Relief.
3007	Requires that a notice for objections regarding an objection to claim, as well as the objection, must be served with at least 30 days notice for responses, and must be served on the claimant via first-class mail to most claimants, in the manner required for a summons or complaint pursuant to Rule 7004(b)(4) or (5) if claimant is the United States or any of its officers or agencies, and in the manner required by Rule 7004(h) if claimant is an insured depository institution.
3012	Request for determination of amount of secured or priority claim (formerly "valuation") may be made by motion, within an objection to claim or within a Chapter 12 or 13 plan; request made within a plan requires service per Rule 7004. If claimant is a governmental unit, request must be made either by motion or by objection to claim.
3015	Requires use of Official Form 113 or a local form consistent with Rule 3015.1. Service of a summary in lieu of the plan only allowed for amended plans. Objections to confirmation must be served at least seven days prior to the date set for confirmation. Confirmation of a plan that includes determination of an amount of a secured claim is binding on the claim holder and also grants any request made for termination of stay by the debtor in the plan.
3015.1	New. Sets forth requirements for the use of a local form for the Chapter 13 Plan.
4003	Allows debtor to request avoidance of liens under 522(f) within a Chapter 12 or Chapter 13 plan.
5009	Allows Chapter 12 and 13 debtors to request an order declaring that a secured claim has been satisfied and a lien has been released under the terms of the plan.
7001	Determination of the amount of a secured claim under Rule 3012 does not require the filing of an adversary proceeding.
9009	Requires that Official Forms shall be used without alteration except for minor changes or when another rule, the Official Form itself or national instructions allow alteration.