

**EXCERPT FROM THE  
REPORT OF THE JUDICIAL CONFERENCE  
COMMITTEE ON RULES OF PRACTICE AND PROCEDURE**

**TO THE CHIEF JUSTICE OF THE UNITED STATES AND MEMBERS OF THE  
JUDICIAL CONFERENCE OF THE UNITED STATES**

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**AMENDMENTS TO THE  
FEDERAL RULES OF BANKRUPTCY PROCEDURE**

Rules Recommended for Approval and Transmission

The Advisory Committee on Bankruptcy Rules submitted proposed amendments to Rules 1007, 2002, 3016, 3017, 3020, 9006, 9020, and 9022, and Official Form 7 with a recommendation that they be approved and transmitted to the Judicial Conference. The amendments were circulated to the bench and bar for comment in August 1999. The scheduled public hearing was canceled because the single request to testify was withdrawn.

Under the proposed amendment to Rule 1007 (Lists, Schedules, and Statements; Time Limits), a debtor who knows that a creditor is an infant or incompetent person would be required to include in the list of creditors and schedules the name, address, and legal relationship of any representative of that creditor.

The proposed amendments to Rule 2002 (Notices to Creditors, Equity Security Holders, United States, and United States Trustee) would require that a party who is entitled to notice of a plan confirmation hearing be given adequate notice of any injunction that would enjoin conduct not otherwise enjoined by the Bankruptcy Code. The amendments also clarify provisions governing mailing addresses of creditors and indenture trustees.

Rule 3016 (Filing of Plan and Disclosure Statement in Chapter 9 Municipality and Chapter 11 Reorganization Cases) would be amended to require adequate notice of a proposed

injunction to entities whose conduct would be enjoined under a plan rather than by the Bankruptcy Code.

The proposed amendment to Rule 3017 (Court Consideration of Disclosure Statement in Chapter 9 Municipality and Chapter 11 Reorganization Cases) would require a court to consider prescribing procedures that would provide adequate notice of an injunction to be issued under a proposed plan, rather than by operation of the Bankruptcy Code, to entities who are neither creditors nor equity security holders.

Rule 3020 (Deposit; Confirmation of Plan in a Chapter 9 Municipality or a Chapter 11 Reorganization Case) would be amended to require that an order of confirmation describe in reasonable detail the terms, scope, and conditions of an injunction issued under a plan, enjoining conduct not otherwise enjoined by the Bankruptcy Code.

The proposed amendment of Rule 9006(f) (Time) would provide a party with an additional three days to respond to a paper served by electronic means.

The proposed amendments to Rule 9020 (Contempt Proceedings) would apply the procedures governing contested matters to a motion filed by an United States trustee or a party in interest for an order of contempt. The amendment only sets out a procedure for handling a motion for contempt; it does not address the existence of the power of a bankruptcy court to issue a contempt order.

Rule 9022 (Notice of Judgment or Order) would be amended to permit the clerk of court to use electronic means to serve notice of entry of an order or judgment on a party who has consented to such service.

The Committee concurred with the advisory committee's recommendations.

**Recommendation:** That the Judicial Conference approve the proposed amendments to Bankruptcy Rules 1007, 2002, 3016, 3017, 3020, 9006, 9020, and 9022 and

transmit them to the Supreme Court for its consideration with the recommendation that they be adopted by the Court and transmitted to Congress in accordance with the law.