

## **NOTICE OF BANKRUPTCY CASE**

### **General Information**

Official Form 309 is used to give notice to creditors, equity security holders, and other interested parties of the filing of the bankruptcy case, the time, date, and location of the meeting of creditors, the time for filing various documents in the case, instructions for filing proofs of claim, and other information concerning the case.

Official Form 309 consists of several variations, numbered 309A through 309I, created to meet the specialized notice requirements for cases filed under chapters 7, 11, 12, and 13 of the Bankruptcy Code. The form to be used is determined by the chapter under which the bankruptcy petition was filed, the type of debtor (Individual or Joint Debtor, or Corporation or Partnership Debtor) and whether a proof of claim deadline is included. The versions of Official Form 309 are listed below:

- 309A (For Individuals or Joint Debtors), Notice of Chapter 7 Bankruptcy Case – No Proof of Claim Deadline
- 309B (For Individuals or Joint Debtors), Notice of Chapter 7 Bankruptcy Case –Proof of Claim Deadline Set
- 309C (For Corporations of Partnerships), Notice of Chapter 7 Bankruptcy Case – No Proof of Claim Deadline
- 309D (For Corporations of Partnerships), Notice of Chapter 7 Bankruptcy Case – Proof of Claim Deadline Set
- 309E (For Individuals or Joint Debtors), Notice of Chapter 11 Bankruptcy Case
- 309F (For Corporations of Partnerships), Notice of Chapter 11 Bankruptcy Case
- 309G (For Individuals or Joint Debtors), Notice of Chapter 12 Bankruptcy Case
- 309H (For Corporations of Partnerships), Notice of Chapter 12 Bankruptcy Case
- 309I Notice of Chapter 13 Bankruptcy Case

Generally, the clerk will complete this form and mail (or transmit electronically) a copy to the creditors and other entities whose names and addresses appear on the mailing list or matrix filed by the debtor. Sometimes, the court delegates the noticing function to a chapter 13 trustee or, in a large chapter 11 case, to the debtor or a private notice provider.

### **Applicability of Rule 9009(a)**

Rule 9009(a) provides that “[t]he Official Forms prescribed by the Judicial Conference of the United States shall be used without alteration, except as otherwise provided ... in the national instructions for a particular Official Form.”

Courts, or, in the event that the noticing function has been delegated, the individual or entity providing notice, may modify this form by adding additional information.