

**PROPOSED AMENDMENT TO THE
FEDERAL RULES OF BANKRUPTCY PROCEDURE***

Rule 9006. Time

1 (a) COMPUTATION. In computing any period of time
2 prescribed or allowed by these rules, by the local rules, by order of
3 court, or by any applicable statute, the day of the act, event, or
4 default from which the designated period of time begins to run shall
5 not be included. The last day of the period so computed shall be
6 included, unless it is a Saturday, a Sunday, or a legal holiday, or,
7 when the act to be done is the filing of a paper in court, a day on
8 which weather or other conditions have made the clerk's office
9 inaccessible, in which event the period runs until the end of the next
10 day which is not one of the aforementioned days. When the period
11 of time prescribed or allowed is less than ~~11~~ 8 days, intermediate
12 Saturdays, Sundays, and legal holidays shall be excluded in the
13 computation. As used in this rule and in Rule 5001(c), "legal
14 holiday" includes New Year's Day, Birthday of Martin Luther King,
15 Jr., Washington's Birthday, Memorial Day, Independence Day, Labor
16 Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas

*New matter is underlined; matter to be omitted is lined through.

FEDERAL RULES OF BANKRUPTCY PROCEDURE

17 Day, and any other day appointed as a holiday by the President or
18 the Congress of the United States, or by the state in which the
19 bankruptcy court is held.

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COMMITTEE NOTE

Prior to 1987, subdivision (a) provided that intermediate weekends and legal holidays would not be counted in the computation of a time period if the prescribed or allowed time was less than 7 days. This rule was amended in 1987 to conform to Fed. R. Civ. P. 6(a) which provides for the exclusion of intermediate weekends and legal holidays if the time prescribed or allowed is less than 11 days. An undesirable result of the 1987 amendment was that 10-day time periods prescribed in the interest of prompt administration of bankruptcy cases were extended to at least 14 calendar days.

As a result of the present amendment, 10-day time periods prescribed or allowed will no longer be extended to at least 14 calendar days because of intermediate weekends and legal holidays.