

TO: Honorable Alicemarie H. Stotler, Chair
Standing Committee on Rules of Practice
and Procedure

FROM: Honorable Adrian G. Duplantier, Chair
Advisory Committee on Bankruptcy Rules

DATE: May 12, 1997

RE: Report of the Advisory Committee on Bankruptcy Rules

Introduction

The Advisory Committee on Bankruptcy Rules met on March 13-14, 1997, in Charleston, South Carolina. The Committee considered public comments regarding the proposed amendments to the Official Bankruptcy Forms that were published in August, 1996, and recommendations of the Advisory Committee's Subcommittee on Forms regarding those comments. After making certain revisions, the Committee approved the proposed amendments for presentation to the Standing Committee for final approval. The Advisory Committee also approved preliminary drafts of proposed amendments to 16 Bankruptcy Rules for presentation to the Standing Committee with a request for publication for comment by the bench and bar. The proposed amendments to the Official Bankruptcy Forms and the preliminary drafts of proposed amendments to the Bankruptcy Rules are discussed in the section of this report on "Action Items."

I. Action Items

- A. Proposed Amendments to Official Bankruptcy Forms 1, 3, 6, 8, 9, 10, 14, 17, and 18, and Proposed New Bankruptcy Forms 20A and 20B, Submitted for Approval by the Standing Committee and Transmittal to the Judicial Conference.

1. *Public Comment.*

The Preliminary Draft of the Proposed Amendments to the Official Bankruptcy Forms, and the Proposed New Official Bankruptcy Forms, and related committee notes, were published for comment by the bench and bar in August 1996.

The Advisory Committee received letters from 35 commentators. Many of these letters contain several comments or suggestions and address several Official Forms (for example, one letter contains 26 comments addressing 11 forms). As a result, nearly 200 comments and suggestions have been made. The Advisory Committee's Subcommittee

on Forms met in Washington, D.C., on February 28th to consider and to formulate recommendations to the Advisory Committee with respect to each comment. Prior to the meeting, the reporter prepared and distributed to the subcommittee summaries of all comments, arranged on a form-by-form basis. As a result of the subcommittee meeting, the reporter prepared and circulated to the Advisory Committee a summary of comments and the subcommittee's recommendations. These comments and recommendations were reviewed at the Advisory Committee meeting on March 13-14, 1997.

2. *Materials Included in this Report.* To assist the Standing Committee in reviewing the proposed amendments to the Official Bankruptcy Forms, the following materials are provided with this report:
 - (a) The Preliminary Draft of the Proposed Amendments to the Official Bankruptcy Forms that was published for comment is in the enclosed booklet ("Request for Comment").
 - (b) A "clean copy" of the forms as they will appear as amended, including amendments made after publication, is attached as Exhibit A.
 - (c) The Preliminary Draft of the Proposed Amendments, marked to show the changes made after publication, is attached as Exhibit B.
 - (d) A list of commentators in alphabetical order is attached as Exhibit C.
 - (e) The "Summary of Comments and Recommendations of the Forms Subcommittee" is attached as Exhibit D. Comments are listed and summarized, on a form-by-form basis, followed by the recommendation of the subcommittee. This document was circulated and considered by the Advisory Committee at its March meeting.
 - (f) The current Official Bankruptcy Forms that will be amended are attached as Exhibit E.
3. *Summary of Post-Publication Revisions and Policy Decisions:*
 - (a) Most of the post-publication revisions relate to style and formatting of the forms (margins, type and size of print, location of

information, phrasing of questions and instructions), and technical corrections (statutory citations, etc.). Substantive changes are discussed below.

- (b) Several commentators have questioned whether the benefits of the proposed changes outweigh the increased costs in using the amended forms. In particular, Form 9 (Notice of Bankruptcy Case, Meeting of Creditors, and Deadlines) will be increased from a one-page document to a two-page document (printed on one sheet, front and back).

The Advisory Committee considered these comments and has concluded that the increased costs are outweighed by the benefits of the proposed amendments. First, the reason for increasing the number of pages of Form 9 and for revising the other forms is to improve and expand instructions and information for creditors and other parties in the case. By making this information more complete and understandable to the reader, it is anticipated that the burdens and costs to the clerks' offices incurred by answering numerous inquiries from the public will be reduced significantly. Second, the only increased cost resulting from the revisions to Form 9 in more than 70 percent of the bankruptcy cases filed annually will be the minimal cost of printing the second side of a single sheet. The increased cost of mailing a second sheet of paper will be incurred in only 30 percent of the cases in which the court prefers to mail both the Form 9 Notice and a Proof of Claim form (Form 10). These cases are predominantly chapter 13 cases. Moreover, in 1992, the Judiciary imposed a new \$30 administrative fee that must be paid to the clerk by a debtor commencing a chapter 7 or chapter 13 case. This fee is intended to cover the cost of noticing and is more than sufficient to cover the cost increases resulting from the proposed amendments to the forms.

- (c) Regarding Form 3 (Application to Pay the Filing Fee in Installments), several commentators have questioned whether an individual debtor should be permitted to pay the filing fee in installments if he or she

paid a fee to a bankruptcy petition preparer before the filing of the petition. The Advisory Committee believes that payment of a fee to a non-attorney bankruptcy petition preparer prior to the commencement of the case should not disqualify a debtor from paying the filing fee in installments, but that the bankruptcy petition preparer may not accept any fee postpetition until the filing fee is paid in full. This treatment differs from the rule regarding payment of fees to an attorney. A debtor may not pay the filing fee in installments if he or she paid a fee to an attorney before the case, and may not pay any fee to the attorney postpetition until the filing fee is paid in full. The fiduciary duty and professional responsibility of an attorney with respect to properly advising a debtor regarding the right to pay the filing fee in installments is not present when a non-attorney petition preparer is assisting an individual debtor. Moreover, this distinction and the proposed amendments to Form 3 are consistent with Rule 1006(b).

4. *Synopsis of Preliminary Draft of Proposed Amendments to the Official Bankruptcy Forms and Proposed New Forms (as published), and Summary of Substantive Post-Publication Changes ("GAP Report"):*

(a) Form 1 (Voluntary Petition). The amendments included in the published draft are designed to simplify the form and make it easier to complete correctly. Information from bankruptcy clerks regarding frequent errors in completing the form has led to the proposed amendments. The amendments are designed to reduce the amount of information requested, to re-label and add new statistical ranges for reporting assets and liabilities, to reduce the number of places for signatures, and to delete the request for information regarding the filing of a plan. The form also has been redesigned by a graphics expert to make it easier to understand.

GAP Report: After publication, and as a result of the comments received, this form has been substantially reformatted.

(b) Form 3 (Application and Order to Pay Filing Fee in Installments). The published amendments are designed to include the debtor's acknowledgement of the potential for dismissal of the case if the debtor fails to pay any installment, and clarifies that a debtor is not disqualified under Rule 1006 from paying the fee in installments solely because the debtor has paid money to a bankruptcy petition preparer.

GAP Report: After publication, the number of spaces for specifying the installments was changed to clarify that only four installments are permitted, including any amount paid at the time of the commencement of the case.

(c) Form 6 (Schedules) is amended to add to Schedule F (Creditors Holding Unsecured Nonpriority Claims) a reference to community claims; this is a technical amendment.

GAP Report: No substantive changes after publication.

(d) Form 8 (Chapter 7 Individual Debtor's Statement of Intention) is amended to be more consistent with the language of the Bankruptcy Code, and to clarify that debtors may not be limited to the options stated on the form.

GAP Report: No substantive changes after publication.

(e) Form 9 (Notice of Commencement of Case Under the Bankruptcy Code, Meeting of Creditors, and Fixing of Dates) has nine variations (including alternatives for two of them), each designed for a particular type of debtor (individual, partnership or corporation), the particular chapter of the Bankruptcy Code in which the case is pending, and the nature of the estate (assets or no-assets). This form is expanded to two pages to make it easier to read, and the explanatory material is rewritten in plain English. This form also has been redesigned by a graphics expert.

GAP Report: The following changes have been made after publication:

- (1) To recognize the right of a party to file papers at the clerk's office in any division of the district, the instructions to file

papers at the address of the clerk listed on the form was changed to provide that the papers "should" be filed at that address.

(2) The committee note was changed to state that blank spaces on the form may be used by the court to include additional local information.

(3) Information on exempt property was deleted from forms relating to corporate and partnership cases because a corporate or partnership debtor may not exempt property from the estate.

(4) The box headed "Deadline to File a Complaint Objecting to Discharge" was deleted from the notice forms for corporate and partnership chapter 11 cases, and the information regarding "Discharge of Debts" was revised (for greater accuracy and clarity) on all notice forms for chapter 11 cases.

(5) The information on "Discharge of Debts" on the notice for chapter 13 cases was revised to conform to the Code provisions on dischargeability.

(f) Form 10 (Proof of Claim) is amended to provide definitions and better instructions for completing the form. It also has been redesigned by a graphics expert.

GAP Report: The boxes (Boxes 4, 5, and 6) in which the claim is described (the amount, whether secured or unsecured, and whether there is a claim of priority), and related instructions, have been substantially revised after publication to avoid redundancy and to make them clearer and easier to complete. The definitions of "proof of claim" and "secured claim" have been revised for greater accuracy and clarity. A statement has been added to instruct the creditor not to send original documents in support of the claim.

(g) Form 14 (Ballot for Accepting or Rejecting Plan) is amended to simplify its format and make it easier to complete correctly.

GAP Report: No substantive changes after publication.

(h) Form 17 (Notice of Appeal under 28 U.S.C. § 158(a) or (b) from a Judgment, Order, or Decree of a Bankruptcy Judge) is amended to direct the appellant to provide the addresses and telephone numbers of the attorneys for all parties to the judgment, order, or decree appealed from, as required by Rule 8001(a).

GAP Report: The form, as published, includes a statement informing the appellant how the right to have the appeal heard by the district court, rather than by a bankruptcy appellate panel, may be exercised. After publication, this statement was expanded to also inform other parties (other than the appellant) that they may elect, within the time provided in 28 U.S.C. § 158(c), to have the appeal heard by the district court, rather than by a bankruptcy appellate panel. The words "bankruptcy judge" were substituted for "bankruptcy court" in the title and the form to conform to the statutory language in 28 U.S.C. 158.

(i) Form 18 (Discharge of Debtor) is amended to clarify that this form applies only in a chapter 7 case and to delete paragraphs that stated some, but not all, of the effects of the discharge. A comprehensive explanation, in plain English, is added to the back of the form to assist both debtors and creditors to understand the bankruptcy discharge.

GAP Report: The explanations on the back of the form were revised after publication for greater clarity.

(j) Form 20A (Notice of Motion or Objection) and Form 20B (Notice of Objection to Claim) are added to the Official Bankruptcy Forms to provide uniform, plain English explanations to parties as to the procedures they must follow to respond to certain motions or objections that are frequently filed in bankruptcy cases.

GAP Report: These forms were revised after publication to: (1) include the address of the clerk where papers should be filed; (2) add a statement to the committee note to clarify that this notice will be sent by the movant unless a local rule provides for some other entity to give notice; and (3) substantially reformat them.

Exhibit A

OFFICIAL FORMS AS AMENDED
(including amendments made after publication)

FORM B1

United States Bankruptcy Court

District of _____

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle):	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):
Soc. Sec./Tax I.D. No. (if more than one, state all):	Soc. Sec./Tax I.D. No. (if more than one, state all):
Street Address of Debtor (No. & Street, City, State & Zip Code):	Street Address of Joint Debtor (No. & Street, City, State & Zip Code):
County of Residence or of the Principal Place of Business:	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
Location of Principal Assets of Business Debtor (if different from street address above):	

Information Regarding the Debtor (Check the Applicable Boxes)

Venue (Check any applicable box)

- Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Type of Debtor (Check all boxes that apply)

- Individual(s) Railroad
- Corporation Stockbroker
- Partnership Commodity Broker
- Other _____

Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)

- Chapter 7 Chapter 11 Chapter 13
- Chapter 9 Chapter 12
- Sec. 304 - Case ancillary to foreign proceeding

Nature of Debts (Check one box)

- Consumer/Non-Business Business

Chapter 11 Small Business (Check all boxes that apply)

- Debtor is a small business as defined in 11 U.S.C. § 101.
- Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

Filing Fee (Check one box)

- Full Filing Fee attached
- Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.

Statistical/Administrative Information (Estimates only)

- Debtor estimates that funds will be available for distribution to unsecured creditors.
- Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors	1-15	16-49	50-99	100-199	200-999	1000-over
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Assets	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Debts	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THIS SPACE IS FOR COURT USE ONLY

Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

FORM B1, Page 2

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)Location
Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

Case Number:

Date Filed:

District:

Relationship:

Judge:

Signatures**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Debtor

X

Signature of Joint Debtor_____
Telephone Number (If not represented by attorney)_____
Date**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual_____
Printed Name of Authorized Individual_____
Title of Authorized Individual_____
Date**Signature of Attorney**

X

Signature of Attorney for Debtor(s)_____
Printed Name of Attorney for Debtor(s)_____
Firm Name_____
Address_____
Telephone Number_____
Date**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer_____
Social Security Number_____
Address_____
Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

 Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X

Signature of Attorney for Debtor(s)_____
Date

X

Signature of Bankruptcy Petition Preparer_____
Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Exhibit "A"

[If debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11 of the Bankruptcy Code, this Exhibit "A" shall be completed and attached to the petition.]

[Caption as in Form 16B]

Exhibit "A" to Voluntary Petition

1. If any of debtor's securities are registered under section 12 of the Securities and Exchange Act of 1934, the SEC file number is _____.

2. The following financial data is the latest available information and refers to the debtor's condition on _____.

a. Total assets \$ _____

b. Total debts (including debts listed in 2.c., below) \$ _____

			Approximate number of holders	
c. Debt securities held by more than 500 holders.				
secured //	unsecured //	subordinated //	\$ _____	_____
secured //	unsecured //	subordinated //	\$ _____	_____
secured //	unsecured //	subordinated //	\$ _____	_____
secured //	unsecured //	subordinated //	\$ _____	_____
secured //	unsecured //	subordinated //	\$ _____	_____

d. Number of shares of preferred stock _____

e. Number of shares common stock _____

Comments, if any: _____

3. Brief description of debtor's business: _____

4. List the names of any person who directly or indirectly owns, controls, or holds, with power to vote 5% or more of the voting securities of debtor:

COMMITTEE NOTE

The form has been substantially amended to simplify its format and make the form easier to complete correctly. The Latin phrase "In re" has been deleted as unnecessary. The amount of information requested in the boxes labeled "Type of Debtor" and "Nature of Debt" has been reduced, and the reporting by a corporation of whether it is a publicly held entity has been moved to Exhibit "A" of the petition. The box labeled "Representation by Attorney" has been deleted; the information it contained is requested in the signature boxes on the second page of the form.

In the statistical information section, the labels on the ranges of estimated assets and liabilities have been rewritten to improve the accuracy of reporting. The asset/liability range of \$10 million to \$100 million has been divided into two categories to promote better statistical reporting of business cases. Requests for information in chapter 11 and chapter 12 cases concerning the number of the debtor's employees and equity security holders have been deleted.

The second page of the form has been simplified so that a debtor need only sign the petition once. The request for information concerning the filing of a plan has been deleted.

Exhibit "A" has been simplified. In addition, the category of chapter 11 debtors required to file Exhibit "A" is modified to include a corporation, partnership, or other entity, but only if the debtor has issued publicly-traded equity securities or debt instruments. Most small corporations will not be required to file Exhibit "A."

Form 3. APPLICATION AND ORDER TO PAY FILING FEE IN INSTALLMENTS

[Caption as in Form 16B.]

APPLICATION TO PAY FILING FEE IN INSTALLMENTS

1. In accordance with Fed. R. Bankr. P. 1006, I apply for permission to pay the Filing Fee amounting to \$ _____ in installments.
2. I certify that I am unable to pay the Filing Fee except in installments.
3. I further certify that I have not paid any money or transferred any property to an attorney for services in connection with this case and that I will neither make any payment nor transfer any property for services in connection with this case until the filing fee is paid in full.
4. I propose the following terms for the payment of the Filing Fee.*

\$ _____ Check one With the filing of the petition, or
 On or before _____
 \$ _____ on or before _____
 \$ _____ on or before _____
 \$ _____ on or before _____
- * The number of installments proposed shall not exceed four (4), and the final installment shall be payable not later than 120 days after filing the petition. For cause shown, the court may extend the time of any installment, provided the last installment is paid not later than 180 days after filing the petition. Fed. R. Bankr. P. 1006(b)(2).
5. I understand that if I fail to pay any installment when due my bankruptcy case may be dismissed and I may not receive a discharge of my debts.

Signature of Attorney Date

Signature of Debtor Date
(In a joint case, both spouses must sign.)

Name of Attorney

Signature of Joint Debtor (if any) Date

CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document. I also certify that I will not accept money or any other property from the debtor before the filing fee is paid in full.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

x _____
Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF _____

In re _____,
Debtor.

Case No. _____

Chapter _____

ORDER APPROVING PAYMENT OF FILING FEE IN INSTALLMENTS

IT IS ORDERED that the debtor(s) may pay the filing fee in installments on the terms proposed in the foregoing application.

IT IS FURTHER ORDERED that until the filing fee is paid in full the debtor shall not pay any money for services in connection with this case, and the debtor shall not relinquish any property as payment for services in connection with this case.

BY THE COURT

Date: _____

United States Bankruptcy Judge

COMMITTEE NOTE

The form has been reorganized and the paragraphs numbered. The debtor's certification concerning payment for services in the case has been placed ahead of the statement of proposed terms for installment payment of court fees. Acknowledgement by the debtor of the potential consequences of failure to pay any installment when due has been added. (See 11 U.S.C. § 707(a)(2).) The language of the form also has been changed to conform to Rule 1006 and to clarify that a debtor is not disqualified from paying the filing fee in installments because the debtor has paid money to a bankruptcy petition preparer.

In re _____, Debtor

Case No. _____ (If known)

SCHEDULE F—CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H—Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community maybe liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured non priority claims to report on this Schedule F.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						

_____ continuation sheets attached

Subtotal ▶ \$
Total ▶ \$

(Report total also on Summary of Schedules)

Form 6

COMMITTEE NOTE

The form is amended to add to the column labels a reference to community liability for claims. The amendment is technical and corrects an editorial oversight.

Form 8. INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION
[Caption as in Form 16B]

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.

2. I intend to do the following with respect to the property of the estate which secures those consumer debts:

a. *Property to Be Surrendered.*

Description of Property

Creditor's name

b. *Property to Be Retained*

[Check any applicable statement.]

Description of Property	Creditor's Name	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)

Date: _____

Signature of Debtor

CERTIFICATION OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.

Address

Names and Social Security Numbers of all other individuals who prepared or assisted in preparing this document.

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X _____
Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Form 8

COMMITTEE NOTE

The form is amended to conform more closely to the language of the Bankruptcy Code. The amendments also make clear that the form is not intended to take a position regarding whether the options stated on the form are the only choices available to the debtor. Compare Lowry Federal Credit Union v. West, 882 F.2d 1543 (10th Cir. 1989), with In re Taylor, 3 F.3d 1512 (11th Cir. 1993).

EXPLANATIONS

FORM B9A

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

UNITED STATES BANKRUPTCY COURT _____ District of _____

**Notice of
Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines**

[A chapter 7 bankruptcy case concerning the debtor [corporation] or [partnership] listed below was filed on _____ (date).]
or [A bankruptcy case concerning the debtor [corporation] or [partnership] listed below was originally filed under chapter _____ on _____ (date) and was converted to a case under chapter 7 on _____.]

You may be a creditor of the debtor. You may want to consult an attorney to protect your rights.
All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor (name(s) and address):	Case Number:
	Taxpayer ID Nos.:
Attorney for Debtor (name and address):	Bankruptcy Trustee (name and address):
Telephone number:	Telephone number:

Meeting of Creditors:

Date: / / Time: () A.M. Location:
 () P.M.

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Please Do Not File A Proof of Claim Unless You Receive a Notice To Do So.

Address of the Bankruptcy Clerk's Office:	For the Court:
	Clerk of the Bankruptcy Court:
Telephone number:	Date:
Hours Open:	

EXPLANATIONS

FORM B9B

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

UNITED STATES BANKRUPTCY COURT _____ District of _____

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

[A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on _____ (date).]
or [A bankruptcy case concerning the debtor(s) listed below was originally filed under chapter _____ on _____ (date) and was converted to a case under chapter 7 on _____.]

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.
NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor(s) (name(s) and address):	Case Number: Social Security/Taxpayer ID Nos.:
Attorney for Debtor(s) (name and address): Telephone number:	Bankruptcy Trustee (name and address): Telephone number:

Meeting of Creditors:

Date: / / Time: () A.M. Location:
 () P.M.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit):

For a governmental unit:

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office: Telephone number:	For the Court: Clerk of the Bankruptcy Court:
Hours Open:	Date:

EXPLANATIONS

FORM B9C

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Liquidation of the Debtor's Property and Payment of Creditors' Claims	The bankruptcy trustee listed on the front of this notice will collect and sell the debtor's property that is not exempt. If the trustee can collect enough money, creditors may be paid some or all of the debts owed to them, in the order specified by the Bankruptcy Code. To make sure you receive any share of that money, you must file a Proof of Claim, as described above.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

EXPLANATIONS

FORM B9D

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor listed on the front side, and an order for relief has been entered.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.
Liquidation of the Debtor's Property and Payment of Creditors' Claims	The bankruptcy trustee listed on the front of this notice will collect and sell the debtor's property. If the trustee can collect enough money, creditors may be paid some or all of the debts owed to them, in the order specified by the Bankruptcy Code. To make sure you receive any share of that money, you must file a Proof of Claim, as described above.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

EXPLANATIONS

FORM B9E

Filing of Chapter 11 Bankruptcy Case	A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is <i>not</i> listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim or you might not be paid any money on your claim against the debtor in the bankruptcy case. The court has not yet set a deadline to file a Proof of Claim. If a deadline is set, you will be sent another notice.
Discharge of Debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor except as provided in the plan. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 1141(d)(3), you must file a complaint with the required filing fee in the bankruptcy clerk's office not later than the first date set for the hearing on confirmation of the plan. You will be sent another notice informing you of that date.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

EXPLANATIONS

FORM B9E (Alt.)

Filing of Chapter 11 Bankruptcy Case	A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is <i>not</i> listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, or you might not be paid any money on your claim against the debtor in the bankruptcy case.
Discharge of Debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor except as provided in the plan. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 1141(d)(3), you must file a complaint with the required filing fee in the bankruptcy clerk's office not later than the first date set for the hearing on confirmation of the plan. You will be sent another notice informing you of that date.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

EXPLANATIONS

FORM B9F

Filing of Chapter 11 Bankruptcy Case

A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business.

Creditors May Not Take Certain Actions

Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures.

Meeting of Creditors

A meeting of creditors is scheduled for the date, time and location listed on the front side. *The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.* Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.

Claims

A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is *not* listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim or you might not be paid any money on your claim against the debtor in the bankruptcy case. The court has not yet set a deadline to file a Proof of Claim. If a deadline is set, you will be sent another notice.

Discharge of Debts

Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan.

Bankruptcy Clerk's Office

Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts at the bankruptcy clerk's office.

Legal Advice

The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.

—Refer To Other Side For Important Deadlines and Notices—

EXPLANATIONS

FORM B9F (Alt.)

Filing of Chapter 11 Bankruptcy Case

A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business.

Creditors May Not Take Certain Actions

Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures.

Meeting of Creditors

A meeting of creditors is scheduled for the date, time and location listed on the front side. *The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.* Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.

Claims

A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is *not* listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, or you might not be paid any money on your claim against the debtor in the bankruptcy case.

Discharge of Debts

Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan.

Bankruptcy Clerk's Office

Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts, at the bankruptcy clerk's office.

Legal Advice

The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.

—Refer To Other Side For Important Deadlines and Notices—

UNITED STATES BANKRUPTCY COURT _____ District of _____

Notice of Chapter 12 Bankruptcy Case, Meeting of Creditors, & Deadlines

[The debtor(s) listed below filed a chapter 12 bankruptcy case on _____ (date).]
 or [A bankruptcy case concerning the debtor(s) listed below was originally filed under chapter _____ on _____ (date) and was converted to a case under chapter 12 on _____.]

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor(s) (name(s) and address):	Case Number:
	Social Security/Taxpayer ID Nos.:
Attorney for Debtor(s) (name and address):	Bankruptcy Trustee (name and address):
Telephone number:	Telephone number:

Meeting of Creditors

Date: ___ / ___ / ___ Time: () A.M. () P.M. Location: _____

Deadlines

Papers must be received by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): _____ For a governmental unit: _____

Deadline to File a Complaint to Determine Dischargeability of Certain Debts:

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Filing of Plan, Hearing on Confirmation of Plan

[The debtor has filed a plan. The plan or a summary of the plan is enclosed. The hearing on confirmation will be held:
 Date: _____ Time: _____ Location: _____]
 or [The debtor has filed a plan. The plan or a summary of the plan and notice of confirmation hearing will be sent separately.]
 or [The debtor has not filed a plan as of this date. You will be sent separate notice of the hearing on confirmation of the plan.]

Creditors May Not Take Certain Actions

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor, the debtor's property, and certain codebtors. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office:	For the Court:
	Clerk of the Bankruptcy Court:
Telephone number:	
Hours Open:	Date:

EXPLANATIONS

FORM B9G

Filing of Chapter 12 Bankruptcy Case	A bankruptcy case under chapter 12 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 12 allows family farmers to adjust their debts pursuant to a plan. A plan is not effective unless confirmed by the court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan [is included with this notice] <i>or</i> [will be sent to you later], and [the confirmation hearing will be held on the date indicated on the front of this notice] <i>or</i> [you will be sent notice of the confirmation hearing]. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business unless the court orders otherwise.
Creditors May Not Take Certain Actions	Prohibited collection actions against the debtor and certain codebtors are listed in Bankruptcy Code § 362 and § 1201. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

EXPLANATIONS

FORM B9H

Filing of Chapter 12 Bankruptcy Case	A bankruptcy case under chapter 12 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor listed on the front side, and an order for relief has been entered. Chapter 12 allows family farmers to adjust their debts pursuant to a plan. A plan is not effective unless confirmed by the court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan [is included with this notice] <i>or</i> [will be sent to you later], and [the confirmation hearing will be held on the date indicated on the front of this notice] <i>or</i> [you will be sent notice of the confirmation hearing]. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business unless the court orders otherwise.
Creditors May Not Take Certain Actions	Prohibited collection actions against the debtor and certain codebtors are listed in Bankruptcy Code § 362 and § 1201. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

EXPLANATIONS

FORM B91

Filing of Chapter 13 Bankruptcy Case	A bankruptcy case under chapter 13 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts pursuant to a plan. A plan is not effective unless confirmed by the bankruptcy court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan [is included with this notice] or [will be sent to you later], and [the confirmation hearing will be held on the date indicated on the front of this notice] or [you will be sent notice of the confirmation hearing]. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business, if any, unless the court orders otherwise.
Creditors May Not Take Certain Actions	Prohibited collection actions against the debtor and certain codebtors are listed in Bankruptcy Code § 362 and § 1301. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

COMMITTEE NOTE

Forms 9A - 9I (and the alternate versions of Forms 9E and 9F) have been amended, redesigned, and rewritten. Minor conforming changes have been made to respond to amendments made in the Bankruptcy Reform Act of 1994: the longer claims filing period for governmental units in section 502(b)(9) of the Code (see Forms 9C, 9D, 9E(Alt.), 9F(Alt.), 9G, 9H, and 9I); and a reference to dischargeability actions under section 523(a)(15) (see Forms 9A, 9C, 9E, and 9E(Alt.), 9G, and 9H). All of the forms have been substantially revised to make them easier to read and understand. The titles have been simplified. Recipients are told why they are receiving the notice. Explanations are provided on the back of the form and are set in larger type. Plain English is used. Deadlines are highlighted on the front of the form. Recipients are told that papers must be received by the bankruptcy clerk's office by the applicable deadline. The box for the trustee has been deleted from the chapter 11 notices (Forms 9E and 9F and the alternates). Various alternatives are set out in brackets in many of the forms, permitting each bankruptcy clerk's office to tailor the forms even more precisely to fit the needs of a particular case. The court may use blank spaces on the form to include additional information applicable to the particular district.

UNITED STATES BANKRUPTCY COURT _____ DISTRICT OF _____		PROOF OF CLAIM
Name of Debtor _____		Case Number _____
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (The person or other entity to whom the debtor owes money or property): _____		THIS SPACE IS FOR COURT USE ONLY
Name and address where notices should be sent: _____		
Telephone number: _____		
Account or other number by which creditor identifies debtor: _____		<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.
1. Basis for Claim <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other _____		<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (fill out below) Your SS #: _____ Unpaid compensation for services performed from _____ (date) to _____ (date)
2. Date debt was incurred: _____		3. If court judgment, date obtained: _____
4. Total Amount of Claim at Time Case Filed: \$ _____		
<input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.		
5. Secured Claim. <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____ Value of Collateral: \$ _____ Amount of arrearage and other charges <u>at time case filed</u> included in secured claim, if any: \$ _____		6. Unsecured Priority Claim. <input type="checkbox"/> Check this box if you have an unsecured priority claim. Amount entitled to priority \$ _____ Specify the priority of the claim: <input type="checkbox"/> Wages, salaries, or commissions (up to \$4000)* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Up to \$1,800* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6). <input type="checkbox"/> Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____). <small>*Amounts are subject to adjustment on 4/1/98 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>
7. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.		THIS SPACE IS FOR COURT USE ONLY
8. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.		
9. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.		
Date _____	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): _____	

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

DEFINITIONS

Debtor

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

Creditor

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*.)

Unsecured Claim

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

Unsecured Priority Claim

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

Items to be completed in Proof of Claim form (if not already filled in)

Court, Name of Debtor and Case Number:

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

Information about Creditor:

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

1. Basis for Claim:

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

2. Date debt incurred:

Fill in the date when the debt first was owed by the debtor.

3. Court judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

4. Total Amount of Claim at Time Case Filed:

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

5. Secured Claim:

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

6. Unsecured Priority Claim:

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

7. Credits:

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

8. Supporting documents:

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

COMMITTEE NOTE

Numbered sections 4. and 5. of the form have been reformatted to eliminate redundant information and make it easier to complete the form correctly. A creditor will report the total amount of the claim first, and will report only that amount unless the claim is secured by collateral or entitled to a priority under § 507 of the Code.

Explanatory definitions and instructions for completing the form also have been added.

Form 14. BALLOT FOR ACCEPTING OR REJECTING A PLAN

[Caption as in Form 16A]

**CLASS [] BALLOT FOR ACCEPTING OR REJECTING
PLAN OF REORGANIZATION**

[Proponent] filed a plan of reorganization dated *[Date]* (the "Plan") for the Debtor in this case. The Court has *[conditionally]* approved a disclosure statement with respect to the Plan (the "Disclosure Statement"). The Disclosure Statement provides information to assist you in deciding how to vote your ballot. If you do not have a Disclosure Statement, you may obtain a copy from *[name, address, telephone number and telecopy number of proponent/proponent's attorney.]* Court approval of the disclosure statement does not indicate approval of the Plan by the Court.

You should review the Disclosure Statement and the Plan before you vote. You may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan. Your *[claim] [equity interest]* has been placed in class [] under the Plan. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

If your ballot is not received by *[name and address of proponent's attorney or other appropriate address]* on or before *[date]*, and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court it will be binding on you whether or not you vote.

ACCEPTANCE OR REJECTION OF THE PLAN

[At this point the ballot should provide for voting by the particular class of creditors or equity holders receiving the ballot using one of the following alternatives;]

[If the voter is the holder of a secured, priority, or unsecured nonpriority claim:]

The undersigned, the holder of a Class [] claim against the Debtor in the unpaid amount of _____ Dollars (\$ _____)

[or, if the voter is the holder of a bond, debenture, or other debt security:]

The undersigned, the holder of a Class [] claim against the Debtor, consisting of Dollars (\$ _____) principal amount of *[describe bond, debenture, or other debt security]* of the Debtor (For purposes of this Ballot, it is not necessary and you should not adjust the principal amount for any accrued or unmaturing interest.)

[or, if the voter is the holder of an equity interest:]

The undersigned, the holder of Class [] equity interest in the Debtor, consisting of _____ shares or other interests of *[describe equity interest]* in the Debtor

[In each case, the following language should be included:]

(Check one box only)

ACCEPTS THE PLAN

REJECTS THE PLAN

Dated: _____

Print or type name: _____

Signature: _____

Title (if corporation or partnership) _____

Address: _____

RETURN THIS BALLOT TO:

[Name and address of proponent's attorney or other appropriate address]

COMMITTEE NOTE

The form has been substantially amended to simplify its format and make it easier to complete correctly.

Directions or blanks for proponent to complete the text of the ballot are in italics and enclosed within brackets. A ballot should include only the applicable language from the alternatives shown on this form and should be adapted to the particular requirements of the case.

If the plan provides for creditors in a class to have the right to reduce their claims so as to qualify for treatment given to creditors whose claims do not exceed a specified amount, the ballot should make provisions for the exercise of that right. See section 1122(b) of the Code.

If debt or equity securities are held in the name of a broker/dealer or nominee, the ballot should require the furnishing of sufficient information to assure that duplicate ballots are not submitted and counted and that ballots submitted by a broker/dealer or nominee reflect the votes of the beneficial holders of such securities. See Rule 3017(e).

In the event that more than one plan of reorganization is to be voted upon, the form of ballot will need to be adapted to permit holders of claims or equity interests (a) to accept or reject each plan being proposed, and (b) to indicate preferences among the competing plans. See section 1129(c) of the Code.

**FORM 17. NOTICE OF APPEAL UNDER 28 U.S.C. § 158(a) or (b)
FROM A JUDGMENT, ORDER, OR DECREE OF A
BANKRUPTCY JUDGE**

[Caption as in Form 16A, 16B, or 16D, as appropriate]

NOTICE OF APPEAL

_____, the plaintiff [or defendant or other party] appeals under 28 U.S.C. § 158(a) or (b) from the judgment, order, or decree of the bankruptcy judge (describe) entered in this adversary proceeding [or other proceeding, describe type] on the _____ day of _____, (year)_____.

The names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Dated: _____

Signed: _____
Attorney for Appellant (or Appellant, if not represented by
an Attorney)

Attorney Name: _____

Address: _____

Telephone No: _____

If a Bankruptcy Appellate Panel Service is authorized to hear this appeal, each party has a right to have the appeal heard by the district court. The appellant may exercise this right only by filing a separate statement of election at the time of the filing of this notice of appeal. Any other party may elect, within the time provided in 28 U.S.C. § 158(c), to have the appeal heard by the district court.

COMMITTEE NOTE

The form has been amended to conform to Rule 8001(a), which requires the notice to contain the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their respective attorneys. A party filing a notice of appeal pro se should provide equivalent information.

**Form 18. DISCHARGE OF DEBTOR
IN A CHAPTER 7 CASE**

[Caption as in Form 16A]

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

Dated: _____

BY THE COURT

United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

COMMITTEE NOTE

The discharge order has been simplified by deleting paragraphs which had detailed some, but not all, of the effects of the discharge. These paragraphs have been replaced with a plain English explanation of the discharge. This explanation is to be printed on the reverse of the order, to increase understanding of the bankruptcy discharge among creditors and debtors. The bracketed sentence in the second paragraph should be included when the case involves community property.

EXPLANATION OF BANKRUPTCY DISCHARGE
IN A CHAPTER 7 CASE

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

Collection of Discharged Debts Prohibited

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. *[In a case involving community property:]* [There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

Debts That are Discharged

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

Debts that are Not Discharged.

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts that are in the nature of alimony, maintenance, or support;
- c. Debts for most student loans;
- d. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- e. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle while intoxicated;
- f. Some debts which were not properly listed by the debtor;
- g. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- h. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.

Form 20A. Notice of Motion or Objection

[Caption as in Form 16A.]

NOTICE OF [MOTION TO] [OBJECTION TO]

_____ has filed papers with the court to [relief sought in motion or objection].

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to [relief sought in motion or objection], or if you want the court to consider your views on the [motion] [objection], then on or before (date), you or your attorney must:

[File with the court a written request for a hearing {or, if the court requires a written response, an answer, explaining your position} at:

{address of the bankruptcy clerk's office}

If you mail your {request} {response} to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to:

{movant's attorney's name and address}

{names and addresses of others to be served}]

[Attend the hearing scheduled to be held on (date), (year), at _____ a.m./p.m. in Courtroom _____, United States Bankruptcy Court, {address}.]

[Other steps required to oppose a motion or objection under local rule or court order.]

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: _____

Signature: _____

Name:

Address:

Form 20B. Notice of Objection to Claim

[Caption as in Form 16A.]

NOTICE OF OBJECTION TO CLAIM

_____ has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to eliminate or change your claim, then on or before (date), you or your lawyer must:

{If required by local rule or court order.}

[File with the court a written response to the objection, explaining your position, at:

{address of the bankruptcy clerk's office}

If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the date stated above.

You must also mail a copy to:

{objector's attorney's name and address}

{names and addresses of others to be served}]

Attend the hearing on the objection, scheduled to be held on (date), (year), at _____ a.m./p.m. in Courtroom _____, United States Bankruptcy Court, {address}.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Date: _____

Signature: _____

Name:

Address:

COMMITTEE NOTE

These forms are new. They are intended to provide uniform, plain English explanations to parties regarding what they must do to respond in certain contested matters which occur frequently in bankruptcy cases. Such explanations have been given better in some courts than in others. The forms are intended to make bankruptcy proceedings more fair, equitable, and efficient, by aiding parties, who sometimes do not have counsel, in understanding the applicable rules. It is hoped that use of these forms also will decrease the number of inquiries to bankruptcy clerks' offices.

These notices will be sent by the movant unless local rules provide for some other entity to give notice.

These forms are not intended to dictate the specific procedures to be used by different bankruptcy courts. The forms contain optional language that can be used or adapted, depending on local procedures. Similarly, the signature line will be adapted to identify the actual sender of the notice in each circumstance. All adaptations of the form should carry out the intent to give notice of applicable procedures in easily understood language.

B. Preliminary Draft of Proposed Amendments to Bankruptcy Rules 1017, 1019, 2002, 2003, 3020, 3021, 4001, 4004, 4007, 6004, 6006, 7001, 7004, 7062, 9006, and 9014 Submitted for Approval to Publish.

1. *Synopsis of Proposed Amendments:*

(a) Rule 1017 is amended to specify the parties entitled to notice of a United States trustee's motion to dismiss a voluntary chapter 7 or chapter 13 case based on the debtor's failure to file a list of creditors, schedules, and statement of financial affairs. Currently, all creditors are entitled to notice of a hearing on the motion if it is a chapter 7 case. To avoid the expense of sending notice to all creditors, the proposed amendments provide that the debtor, the trustee, and any other entities specified by the court, are the only parties entitled to notice. The rule is amended further to provide that a motion to suspend all proceedings in a case or to dismiss a case for substantial abuse of chapter 7 is governed by Rule 9014. Other amendments are stylistic or designed to delete redundant provisions that are covered by other rules.

(b) Rule 1019 is amended (1) to clarify that a motion for an extension of time to file a statement of intention regarding collateral must be filed or made orally before the time expires; (2) to provide that the holder of a postpetition, preconversion administrative expense claim is required to file a request for payment under § 503(a) of the Code, rather than a proof of claim; and (3) to conform the rule to the 1994 amendment to § 502(b)(9) and to the 1996 amendment to Rule 3002(c)(1) regarding the 180-day period for filing a claim of a governmental unit. Other amendments are stylistic.

(c) Rule 2002(a)(4) is amended to delete the requirement that notice of a hearing on dismissal of a chapter 7 case based on the debtor's failure to file required lists, schedules, and statements, must be sent to all creditors. This amendment conforms to the proposed amendments to Rule 1017 which requires that the notice be sent only to certain parties. This subdivision is amended further to delete the requirement that notice of a hearing on dismissal of the case based on the debtor's failure to pay the filing fee must be sent to all creditors. Rule 2002(f) is amended to provided for notice of the suspension of proceedings under § 305 of the Code.

(d) Rule 2003(d) is amended to require the United States trustee to mail a copy of the report of a disputed election for a chapter 7 trustee to any party in interest that has requested a copy of it. Also, the amended gives a party in interest ten days from the filing of the report, rather than from the date of the meeting of creditors, to file a motion to resolve the dispute. These amendments and other stylistic revisions are designed to conform to proposed amendments to Rule 2007.1(b)(3) on the election of a trustee in a chapter 11 case.

(e) Rule 3020(e) is added to automatically stay for ten days an order confirming a chapter 9 or chapter 11 plan so that parties will have sufficient time to request a stay pending appeal.

(f) Rule 3021 is amended to conform to the amendments to Rule 3020 regarding the ten-day stay of an order confirming a plan in a chapter 9 or chapter 11 case. The other amendments are stylistic.

(g) Rule 4001(a)(3) is added to automatically stay for ten days an order granting relief from an automatic stay so that parties will have sufficient time to request a stay pending appeal.

(h) Rule 4004(a) is amended to clarify that the deadline for filing a complaint objecting to discharge under § 727(a) is 60 days after the first date set for the meeting of creditors, whether or not the meeting is held on that date. Rule 4004(b) is amended to clarify that a motion for an extension of time for filing a complaint objecting to discharge must be filed before the time has expired. Other amendments are stylistic.

(i) Rule 4007 is amended to clarify that the deadline for filing a complaint to determine dischargeability of a debt under § 523(c) of the Code is 60 days after the first date set for the meeting of creditors, whether or not the meeting is held on that date. This rule is amended further to clarify that a motion for an extension of time for filing a complaint must be filed before the time has expired. Other amendments are stylistic.

(j) Rule 6004(g) is added to automatically stay for ten days an order authorizing the use, sale, or lease of property, other than cash collateral, so that parties will have sufficient time to request a stay pending appeal.

(k) Rule 6006(d) is added to automatically stay for ten days an order authorizing the trustee to assign an executory contract or unexpired lease under § 365(f) so that parties will have sufficient time to request a stay pending appeal.

(l) Rule 7001 is amended to recognize that an adversary proceeding is not necessary to obtain injunctive or other equitable relief when the relief is provided for in a chapter 9, chapter 11, chapter 12, or chapter 13 plan. Other amendments are stylistic.

(m) Rule 7004(e) is amended to provide that the ten-day time limit for service of a summons does not apply if the summons is served in a foreign country.

(n) Rule 7062 is amended to delete the additional exceptions to Rule 62(a) F.R. Civ. P. The deletion of these exceptions -- which are orders issued in contested matters rather than adversary proceedings -- is consistent with the amendment to Rule 9014 that renders Rule 7062 inapplicable to contested matters. For proposed amendments that provide a new automatic ten-day stay of certain orders, see the amendments to Rules 3020, 3021, 4001, 6004, and 6006.

(o) Rule 9006(c)(2) is amended to prohibit the reduction of time fixed under Rule 1019(6) for filing a request for payment of an administrative expense incurred after the commencement of a case and before conversion of the case to chapter 7.

(p) Rule 9014 is amended to delete Rule 7062 from the list of Part VII rules that automatically apply in a contested matter. Rule 7062, which provides that Rule 62 F.R.Civ.P. is applicable in adversary proceedings, is not appropriate for most orders granting or denying motions governed by Rule 9014. For proposed amendments that provide a new automatic ten-day stay of certain orders to that parties will have sufficient time to obtain a stay pending appeal, see the amendments to Rules 3020, 3021, 4001, 6004, and 6006.

2. *Text of Proposed Amendments:*

**PROPOSED AMENDMENTS TO THE BANKRUPTCY RULES
SUBMITTED FOR APPROVAL TO PUBLISH**

Rule 1017. Dismissal or Conversion of Case; Suspension

1 (a) VOLUNTARY DISMISSAL; DISMISSAL FOR WANT OF
2 PROSECUTION OR OTHER CAUSE. Except as provided in §§
3 707(a)(3), 707(b), 1208(b), and 1307(b) of the Code, and in
4 Rule 1017(b), (c), and (e), a case shall not be dismissed on
5 motion of the petitioner, ~~or~~ for want of prosecution or
6 other cause, ~~or by consent of the parties, before~~ prior to a
7 hearing on notice as provided in Rule 2002. For ~~such the~~ the
8 purpose of the notice, the debtor shall file a list of all
9 creditors with their addresses within the time fixed by the
10 court unless the list was previously filed. If the debtor
11 fails to file the list, the court may order the debtor or
12 another entity to prepare and file it ~~the preparing and~~
13 ~~filing by the debtor or other entity.~~

14 (b) DISMISSAL FOR FAILURE TO PAY FILING FEE.

15 (1) ~~For failure to pay any installment of the~~
16 ~~filing fee, If any installment of the filing fee has~~
17 not been paid, the court may, after a hearing on notice
18 to the debtor and the trustee, dismiss the case.

19 (2) If the case is dismissed or ~~the case~~ closed
20 without full payment of the filing fee, the
21 installments collected shall be distributed in the same
22 manner and proportions as if the filing fee had been

23 paid in full.

24 ~~(3) Notice of dismissal for failure to pay the~~
25 ~~filing fee shall be given within 30 days after the~~
26 ~~dismissal to creditors appearing on the list of~~
27 ~~creditors and to those who have filed claims, in the~~
28 ~~manner provided in Rule 2002.~~

29 (c) DISMISSAL OF VOLUNTARY CHAPTER 7 OR CHAPTER 13 CASE
30 FOR FAILURE TO TIMELY FILE LIST OF CREDITORS, SCHEDULES, AND
31 STATEMENT OF FINANCIAL AFFAIRS. The court may dismiss a
32 voluntary chapter 7 or chapter 13 case under § 707(a)(3) or
33 § 1307(c)(9) after a hearing on notice served by the United
34 States trustee on the debtor, the trustee, and any other
35 entities as the court directs, .

36 ~~(e) (d) SUSPENSION. The court shall not dismiss a case~~
37 ~~or suspend proceedings under § 305 before A case shall not~~
38 ~~be dismissed or proceedings suspended pursuant to § 305 of~~
39 ~~the Code prior to a hearing on notice as provided in Rule~~
40 ~~2002(a).~~

41 ~~(d) PROCEDURE FOR DISMISSAL OR CONVERSION. A proceeding~~
42 ~~to dismiss a case or convert a case to another chapter,~~
43 ~~except pursuant to §§706(a), 707(b), 1112(a), 1208(a) or~~
44 ~~(b), or 1307(a) or (b) of the Code, is governed by Rule~~
45 ~~9014. Conversion or dismissal pursuant to §§706(a), 1112(a),~~
46 ~~1208(b), or 1307(b) shall be on motion filed and served as~~
47 ~~required by Rule 9013. A chapter 12 or chapter 13 case~~
48 ~~shall be converted without court order on the filing by the~~

49 ~~debtor of a notice of conversion pursuant to §§1208(a) or~~
50 ~~1307(a), and the filing date of the notice shall be deemed~~
51 ~~the date of the conversion order for the purposes of~~
52 ~~applying §348(c) of the Code and Rule 1019. The clerk shall~~
53 ~~forthwith transmit to the United States trustee a copy of~~
54 ~~the notice.~~

55 (e) DISMISSAL OF INDIVIDUAL DEBTOR'S CHAPTER 7 CASE
56 FOR SUBSTANTIAL ABUSE. An individual debtor's case may be
57 dismissed for substantial abuse ~~pursuant to~~ under § 707(b)
58 only on motion by the United States trustee or on the
59 court's own motion and after a hearing on notice to the
60 debtor, the trustee, the United States trustee, and ~~such any~~
61 ~~other parties in interest~~ entities as the court directs.

62 (1) A motion by the United States trustee shall
63 be filed ~~not~~ no later than 60 days ~~following~~ after the
64 first date set for the meeting of creditors held
65 ~~pursuant to~~ under § 341(a), unless, before such time
66 has expired, the court for cause extends the time for
67 filing the motion. The motion shall ~~advise the debtor~~
68 ~~of~~ set forth all matters to be submitted to the court
69 for its consideration at the hearing.

70 (2) If the hearing is on the court's own motion,
71 notice ~~thereof~~ of the hearing shall be served on the
72 debtor ~~not~~ no later than 60 days ~~following~~ after the
73 first date set for the meeting of creditors ~~pursuant to~~
74 under § 341(a). The notice shall ~~advise the debtor of~~

75 set forth all matters to be considered by the court at
76 the hearing.

77 (f) PROCEDURE FOR DISMISSAL, CONVERSION, OR SUSPENSION.

78 (1) A proceeding to dismiss or suspend a case, or
79 to convert a case to another chapter, except under
80 §§706(a), 1112(a), 1208(a) or (b), or 1307(a) or (b),
81 is governed by Rule 9014.

82 (2) Conversion or dismissal under §§706(a),
83 1112(a), 1208(b), or 1307(b) shall be on motion filed
84 and served as required by Rule 9013.

85 (3) A chapter 12 or chapter 13 case shall be
86 converted without court order when the debtor files a
87 notice of conversion under §§1208(a) or 1307(a). The
88 filing date of the notice shall be deemed the date of
89 the conversion order for the purposes of applying
90 §348(c) and Rule 1019. The clerk shall forthwith
91 transmit a copy of the notice to the United States
92 trustee.

COMMITTEE NOTE

Subdivision (b) (3), which provides that notice of dismissal for failure to pay the filing fee shall be sent to all creditors within 30 days after the dismissal, is deleted as unnecessary. Rule 2002(f) provides for notice to creditors of the dismissal of a case.

Rule 2002(a) and this rule currently require notice to all creditors of a hearing on dismissal a voluntary chapter 7 case for the debtor's failure to file a list of creditors, schedules, and statement of financial affairs within the time provided in § 707(a)(3) of the Code. A new subdivision (c) is added to provide that the United States trustee, who is

the only entity with standing to file a motion to dismiss under § 707(a)(3) or § 1307(c)(9), is required to serve the motion on only the debtor, the trustee, and any other entities as the court directs. This amendment, and the amendment to Rule 2002, will have the effect of avoiding the expense of sending notices of the motion to all creditors in a chapter 7 case.

New subdivision (f) is the same as current subdivision (d), except that it provides that a motion to suspend all proceedings in a case or to dismiss a case for substantial abuse of chapter 7 under § 707(b) is governed by Rule 9014.

Other amendments to this rule are stylistic or for clarification.

Rule 1019. Conversion of a Chapter 11 Reorganization Case, Chapter 12 Family Farmer's Debt Adjustment Case, or Chapter 13 Individual's Debt Adjustment Case to a Chapter 7 Liquidation Case

1 When a chapter 11, chapter 12, or chapter 13 case has
 2 been converted or reconverted to a chapter 7 case:

3 (1) FILING OF LISTS, INVENTORIES, SCHEDULES,
 4 STATEMENTS.

5 * * * * *

6 (B) If a statement of intention is required, it The
 7 ~~statement of intention, if required,~~ shall be filed
 8 within 30 days ~~following~~ after entry of the order of
 9 conversion or before the first date set for the meeting
 10 of creditors, whichever is earlier. The court may grant
 11 an ~~An~~ extension of time ~~may be granted~~ for cause only on
 12 written motion filed, or oral request made during a
 13 hearing, motion ~~made~~ before the time has expired. Notice
 14 of an extension shall be given to the United States
 15 trustee and to any committee, trustee, or other party as

16 the court may direct.

17 * * * * *

18 (6) ~~FILING~~ OF POSTPETITION CLAIMS; PRECONVERSION
19 ADMINISTRATIVE EXPENSES; NOTICE. A request for payment of an
20 administrative expense incurred before conversion of the case
21 is timely filed under § 503(a) of the Code if it is filed
22 before conversion or within 90 days after the first date set
23 for the meeting of creditors under § 341 called after
24 conversion of the case. If the request is filed by a
25 governmental unit, it is timely if it is filed before
26 conversion or within 180 days after the date of the
27 conversion. A claim of a kind specified in § 348(d) may be
28 filed in accordance with Rules 3001(a)-(d) and 3002. ~~On~~ Upon
29 the filing of the schedule of unpaid debts incurred after
30 commencement of the case and before conversion, the clerk, or
31 some other person as the court may direct, shall give notice
32 to those entities listed on the schedule of the time for
33 filing a request for payment of an administrative expense and,
34 unless a notice of insufficient assets to pay a dividend is
35 mailed in accordance with Rule 2002(e), the time for filing a
36 claim of a kind specified in § 348(d). ~~notice to those~~
37 entities, including the United States, any state, or any
38 subdivision thereof, that their claims may be filed pursuant
39 to Rules 3001(a) (d) and 3002. Unless a notice of
40 insufficient assets to pay a dividend is mailed pursuant to
41 Rule 2002(e), the court shall fix the time for filing claims

42 ~~arising from the rejection of executory contracts or unexpired~~
 43 ~~leases under §§ 348(c) and 365(d) of the Code.~~

COMMITTEE NOTE

Paragraph (1)(B) is amended to clarify that a motion for an extension of time to file a statement of intention must be made by written motion filed before the time expires, or by oral request made at a hearing before the time expires.

Subdivision (6) is amended to provide that a holder of an administrative expense claim incurred after the commencement of the case, but before conversion to chapter 7, is required to file a request for payment under § 503(a) within the specified time, rather than a proof of claim under § 501 and Rules 3001(a)-(d) and 3002. The 180-day period applicable to governmental units is intended to conform to § 502(b)(9) of the Code and Rule 3002(c)(1). The time for filing a request for payment of an administrative expense may be enlarged as provided in Rule 9006(b), but may not be reduced. See Rule 9006(c)(2). If an administrative expense claimant fails to timely file the request, it may be tardily filed under § 503(a) if permitted by the court for cause.

The final sentence of Rule 1019(6) is deleted because it is unnecessary in view of the other amendments to this paragraph. If a party has entered into a postpetition contract or lease with the trustee or debtor that constitutes an administrative expense, a timely request for payment must be filed in accordance with this paragraph and § 503(b) of the Code. The time for filing a proof of claim in connection with the rejection of any other executory contract or unexpired lease is governed by Rule 3002(c)(4).

The phrase "including the United States, any state, or any subdivision thereof" is deleted as unnecessary. Other amendments to this rule are stylistic.

**Rule 2002. Notices to Creditors, Equity Security
 Holders, United States, and
 United States Trustee**

1 (a) TWENTY-DAY NOTICES TO PARTIES IN INTEREST. Except
 2 as provided in subdivisions (h), (i), and (l) of this rule,

3 the clerk, or some other person as the court may direct,
4 shall give the debtor, the trustee, all creditors and
5 indenture trustees at least 20 days' notice by mail of:

6 (1) the meeting of creditors under § 341 or § 1104(b)
7 of the Code;

8 * * * * *

9 (4) in a chapter 7 liquidation, a chapter 11
10 reorganization case, or and a chapter 12 family farmer
11 debt adjustment case, the hearing on the dismissal of
12 the case or the conversion of the case to another
13 chapter, unless the hearing is under § 707(a)(3) or §
14 707(b) ~~of the Code~~ or is on dismissal of the case for
15 failure to pay the filing fee, or the conversion of the
16 case to another chapter;

17 ****

18 (f) OTHER NOTICES. Except as provided in subdivision (1)
19 of this rule, the clerk, or some other person as the court
20 may direct, shall give the debtor, all creditors, and
21 indenture trustees notice by mail of:

22 ****

23 (2) the dismissal or the conversion of the case to
24 another chapter, or the suspension of proceedings under
25 § 305;

COMMITTEE NOTE

Paragraph (a) (4) is amended to conform to the amendments to Rule 1017. If the United States trustee

files a motion to dismiss a case for the debtor's failure to file the list of creditors, schedules, or the statement of financial affairs within the time specified in § 707(a)(3), the amendments to this rule and to Rule 1017 eliminate the requirement that all creditors receive notice of the hearing.

Paragraph (a)(4) is amended further to conform to Rule 1017(b), which requires that notice of the hearing on dismissal of a case for failure to pay the filing fee be served on only the debtor and the trustee.

Paragraph (f)(2) is amended to provide for notice of the suspension of proceedings under § 305.

**Rule 2003. Meeting of Creditors or Equity
Security Holders**

* * * * *

1 (d) REPORT OF ELECTION AND RESOLUTION OF
2 DISPUTES IN A CHAPTER 7 CASE TO THE COURT.

3 (1) Report of Undisputed Election. In a
4 chapter 7 case, if the election of a trustee or a
5 member of a creditors' committee is not disputed,
6 the United States trustee shall promptly file a
7 report of the election, including the name and
8 address of the person or entity elected and a
9 statement that the election is undisputed.

10 (2) Disputed Election. If the election is
11 disputed, the United States trustee shall promptly
12 file a report stating that the election is
13 disputed, informing the court of the nature of the
14 dispute, and listing the name and address of any
15 candidate elected under any alternative presented
16 by the dispute. No later than the date on which

17 the report is filed, the United States trustee
18 shall mail a copy of the report to any party in
19 interest that has made a request to receive a copy
20 of the report. ~~The presiding officer shall~~
21 ~~transmit to the court the name and address of any~~
22 ~~person elected trustee or entity elected a member~~
23 ~~of a creditors' committee. If an election is~~
24 ~~disputed, the presiding officer shall promptly~~
25 ~~inform the court in writing that a dispute exists.~~
26 Pending disposition by the court of a disputed
27 election for trustee, the interim trustee shall
28 continue in office. ~~If no motion for the~~
29 ~~resolution of such election dispute is made to the~~
30 ~~court within 10 days after the date of the~~
31 ~~creditors' meeting,~~ Unless a motion for the
32 resolution of the dispute is filed no later than
33 10 days after the United States trustee files a
34 report of a disputed election for trustee, the
35 interim trustee shall serve as trustee in the
36 case.

* * * * *

COMMITTEE NOTE

Subdivision (d) is amended to require the United States trustee to mail a copy of a report of a disputed election to any party in interest that has requested a copy of it. Also, if the election is for a trustee, the rule as amended will give a party in interest ten days from the filing of the report, rather than from the date of the meeting of creditors, to file a motion to

resolve the dispute.

The substitution of "United States trustee" for "presiding officer" is stylistic. Section 341(a) of the Code provides that the United States trustee shall preside at the meeting of creditors. Other amendments are designed to conform to the style of Rule 2007.1(b)(3) regarding the election of a trustee in a chapter 11 case.

**Rule 3020. Deposit; Confirmation of Plan in a
Chapter 9 Municipality or a
Chapter 11 Reorganization Case**

1 (e) STAY OF CONFIRMATION ORDER. An order
2 confirming a plan is stayed until the expiration
3 of 10 days after the entry of the order, unless
4 the court orders otherwise.

COMMITTEE NOTE

Subdivision (e) is added to provide sufficient time for a party to request a stay pending appeal of an order confirming a plan under chapter 9 or chapter 11 of the Code before the plan is implemented and an appeal becomes moot. Unless the court orders otherwise, any transfer of assets, issuance of securities, and cash distributions provided for in the plan may not be made before the expiration of the 10-day period. The stay of the confirmation order under subdivision (e) does not affect the time for filing a notice of appeal from the confirmation order in accordance with Rule 8002.

The court may, in its discretion, order that Rule 3020(e) is not applicable so that the plan may be implemented and distributions may be made immediately. Alternatively, the court may order that the stay under Rule 3020(e) is for a fixed period less than 10 days.

Rule 3021. Distribution Under Plan

1 Except as provided in Rule 3020(e),
 2 ~~After confirmation of a plan~~ after a plan is
 3 confirmed, distribution shall be made to
 4 creditors whose claims have been allowed, to
 5 interest holders whose interests have not
 6 been disallowed, and to indenture trustees
 7 who have filed claims ~~pursuant to~~ under Rule
 8 3003(c)(5) that have been allowed. For ~~the~~
 9 ~~purpose~~ purposes of this rule, creditors
 10 include holders of bonds, debentures, notes,
 11 and other debt securities, and interest
 12 holders include the holders of stock and
 13 other equity securities, of record at the
 14 time of commencement of distribution, unless
 15 a different time is fixed by the plan or the
 16 order confirming the plan.

COMMITTEE NOTE

This amendment is to conform to the amendments to Rule 3020 regarding the ten-day stay of an order confirming a plan in a chapter 9 or chapter 11 case. The other amendments are stylistic.

**Rule 4001. Relief from Automatic Stay; Prohibiting
 or Conditioning the Use, Sale, or Lease of
 Property; Use of Cash Collateral;
 Obtaining Credit; Agreements**

1 (a) RELIEF FROM STAY; PROHIBITING OR
 2 CONDITIONING THE USE, SALE, OR LEASE OF PROPERTY

3
4 (3) STAY OF ORDER. An order granting a
5 motion for relief from an automatic stay
6 made in accordance with Rule 4001(a) (1) is
7 stayed until the expiration of 10 days after
8 the entry of the order, unless the court
9 orders otherwise.

COMMITTEE NOTE

Paragraph (a)(3) is added to provide sufficient time for a party to request a stay pending appeal of an order granting relief from an automatic stay before the order is enforced or implemented. The stay under paragraph (a)(3) is not applicable to orders granted ex parte in accordance with Rule 4001(a)(2).

The stay of the order does not affect the time for filing a notice of appeal in accordance with Rule 8002. While the enforcement and implementation of an order granting relief from the automatic stay is temporarily stayed under paragraph (a)(3), the automatic stay continues to protect the debtor, and the moving party may not foreclose on collateral or take any other steps that would violate the automatic stay.

The court may, in its discretion, order that Rule 4001(a)(3) is not applicable so that the prevailing party may immediately enforce and implement the order granting relief from the automatic stay. Alternatively, the court may order that the stay under Rule 4001(a)(3) is for a fixed period less than 10 days.

Rule 4004. Grant or Denial of Discharge

1 (a) TIME FOR FILING COMPLAINT OBJECTING TO
2 DISCHARGE; NOTICE OF TIME FIXED. In a chapter 7

3 liquidation case a complaint objecting to the
4 debtor's discharge under § 727(a) of the Code
5 shall be filed ~~not~~ no later than 60 days ~~following~~
6 after the first date set for the meeting of
7 creditors ~~held pursuant to~~ under § 341(a). In a
8 chapter 11 reorganization case, ~~such~~ the complaint
9 shall be filed ~~not~~ no later than the first date
10 set for the hearing on confirmation. ~~Not less~~
11 ~~than 25 days~~ At least 25 days' notice of the time
12 so fixed shall be given to the United States
13 trustee and all creditors as provided in Rule
14 2002(f) and (k), and to the trustee and the
15 trustee's attorney.

16 (b) EXTENSION OF TIME. On motion of any
17 party in interest, after hearing on notice, the
18 court may ~~extend~~ for cause extend the time to file
19 ~~for filing~~ a complaint objecting to discharge.
20 The motion shall be ~~made~~ filed before ~~such~~ the
21 time has expired.

COMMITTEE NOTE

Subdivision (a) is amended to clarify that, in a chapter 7 case, the deadline for filing a complaint objecting to discharge under § 727(a) is 60 days after the first date set for the meeting of creditors, whether or not the meeting is held on that date. The time for filing the complaint is not affected by any delay in the commencement or conclusion of the meeting of creditors. This amendment does not affect

the right of any party in interest to file a motion for an extension of time to file a complaint objecting to discharge in accordance with Rule 4004(b).

The substitution of the word "filed" for "made" in subdivision (b) is intended to avoid confusion regarding the time when a motion is "made" for the purpose of applying these rules. See, e.g., In re Coggin, 30 F.3d 1443 (11th Cir. 1994). As amended, this rule requires that a motion for an extension of time for filing a complaint objecting to discharge be *filed* before the time has expired.

Other amendments to this rule are stylistic.

**Rule 4007. Determination of
Dischargeability of a Debt**

1 (c) TIME FOR FILING COMPLAINT UNDER §
2 523(c) IN A CHAPTER 7 LIQUIDATION, CHAPTER 11
3 REORGANIZATION, OR ~~AND~~ CHAPTER 12 FAMILY
4 FARMER'S DEBT ADJUSTMENT ~~CASES~~ CASE; NOTICE OF
5 TIME FIXED. A complaint to determine the
6 dischargeability of ~~any~~ a debt ~~pursuant to~~ under
7 § 523(c) ~~of the Code~~ shall be filed ~~not~~ no later
8 than 60 days ~~following~~ after the first date set
9 for the meeting of creditors ~~held pursuant to~~
10 under § 341(a). The court shall give all
11 creditors ~~not~~ no less than 30 ~~days~~ days' notice
12 of the time so fixed in the manner provided in
13 Rule 2002. On motion of ~~any~~ a party in interest,
14 after hearing on notice, the court may for cause

15 extend the time fixed under this subdivision.
16 The motion shall be ~~made~~ filed before the time
17 has expired.

18 (d) TIME FOR FILING COMPLAINT UNDER § 523(c)
19 IN CHAPTER 13 INDIVIDUAL'S DEBT ADJUSTMENT
20 CASES; NOTICE OF TIME FIXED. On motion by a
21 debtor for a discharge under § 1328(b), the
22 court shall enter an order fixing ~~a time for the~~
23 ~~filing of~~ the time to file a complaint to
24 determine the dischargeability of any debt
25 ~~pursuant to~~ under § 523(c) and shall give ~~not~~ no
26 less than 30 ~~days~~ days' notice of the time fixed
27 to all creditors in the manner provided in Rule
28 2002. On motion of any party in interest, after
29 hearing on notice, the court may for cause
30 extend the time fixed under this subdivision.
31 The motion shall be ~~made~~ filed before the time
32 has expired.

COMMITTEE NOTE

Subdivision (c) is amended to clarify that the deadline for filing a complaint to determine the dischargeability of a debt under § 523(c) of the Code is 60 days after the first date set for the meeting of creditors, whether or not the meeting is held on that date. The time for filing the complaint is not affected by any delay in the commencement or conclusion of the meeting of creditors. This amendment does not affect the right of any party in interest to file a motion for an extension of time to file a complaint to determine the dischargeability of a debt in

accordance with this rule.

The substitution of the word "filed" for "made" in the final sentences of subdivisions (c) and (d) is intended to avoid confusion regarding the time when a motion is "made" for the purpose of applying these rules. See, e.g., In re Coggin, 30 F.3d 1443 (11th Cir. 1994). As amended, these subdivisions require that a motion for an extension of time be *filed* before the time has expired.

The other amendments to this rule are stylistic.

Rule 6004. Use, Sale, or Lease of Property

1 (g) STAY OF ORDER AUTHORIZING USE, SALE, OR
 2 LEASE OF PROPERTY. An order authorizing the
 3 use, sale, or lease of property other than cash
 4 collateral is stayed until the expiration of 10
 5 days after entry of the order, unless the court
 6 orders otherwise.

COMMITTEE NOTE

Subdivision (g) is added to provide sufficient time for a party to request a stay pending appeal of an order authorizing the use, sale, or lease of property under § 363(b) of the Code before the order is implemented. It does not affect the time for filing a notice of appeal in accordance with Rule 8002.

Rule 6004(g) does not apply to orders regarding the use of cash collateral and does not affect the trustee's right to use, sell, or lease property without a court order to the extent permitted under § 363 of the Code.

The court may, in its discretion, order that Rule 6004(g) is not applicable so that the property may be used, sold, or leased immediately in accordance with the order entered by the court.

Alternatively, the court may order that the stay under Rule 6004(g) is for a fixed period less than 10 days.

Rule 6006. Assumption, Rejection and or Assignment of an Executory Contracts and Contract or and Unexpired Leases Lease

1 (d) STAY OF ORDER AUTHORIZING ASSIGNMENT. An
 2 order authorizing the trustee to assign an
 3 executory contract or unexpired lease under
 4 § 365(f) is stayed until the expiration of 10
 5 days after the entry of the order, unless the
 6 court orders otherwise.

COMMITTEE NOTE

Subdivision (d) is added to provide sufficient time for a party to request a stay pending appeal of an order authorizing the assignment of an executory contract or unexpired lease under § 365(f) of the Code before the assignment is consummated. The stay under subdivision (d) does not affect the time for filing a notice of appeal in accordance with Rule 8002.

The court may, in its discretion, order that Rule 6006(d) is not applicable so that the executory contract or unexpired lease may be assigned immediately in accordance with the order entered by the court. Alternatively, the court may order that the stay under Rule 6006(d) is for a fixed period less than 10 days.

Rule 7001. Scope of Rules of Part VII

1 An adversary proceeding is governed by the
 2 rules of this Part VII. ~~It is a proceeding~~ Any

3 of the following is an adversary proceeding:

- 4 (1) a proceeding to recover money or
5 property, ~~except other than~~ a
6 proceeding to compel the debtor to
7 deliver property to the trustee, or a
8 proceeding under § 554(b) or § 725 of
9 the Code, Rule 2017, or Rule 6002_{7i}
- 10 (2) a proceeding to determine the validity,
11 priority, or extent of a lien or other
12 interest in property, other than a
13 proceeding under Rule 4003(d)_{7i}
- 14 (3) a proceeding to obtain approval under
15 § 363(h) for the sale of both the
16 interest of the estate and of a
17 co-owner in property_{7i}
- 18 (4) a proceeding to object to or revoke a
19 discharge_{7i}
- 20 (5) a proceeding to revoke an order of
21 confirmation of a chapter 11, chapter
22 12, or chapter 13 plan_{7i}
- 23 (6) a proceeding to determine the
24 dischargeability of a debt_{7i}
- 25 (7) a proceeding to obtain an injunction or
26 other equitable relief, except when a
27 chapter 9, chapter 11, chapter 12, or
28 chapter 13 plan provides for the

- 29 relief;
- 30 (8) a proceeding to subordinate any allowed
- 31 claim or interest, except when a
- 32 chapter 9, chapter 11, chapter 12, or
- 33 chapter 13 plan provides for
- 34 subordination ~~is provided in a chapter~~
- 35 ~~9, 11, 12, or 13 plan;~~
- 36 (9) a proceeding to obtain a declaratory
- 37 judgment relating to any of the
- 38 foregoing; or
- 39 (10) a proceeding to determine a claim or
- 40 cause of action removed under 28 U.S.C.
- 41 § 1452.

COMMITTEE NOTE

This rule is amended to recognize that an adversary proceeding is not necessary to obtain injunctive or other equitable relief that is provided for in a plan under circumstances in which substantive law permits the relief. Other amendments are stylistic.

Rule 7004. Process, Service of Summons, Complaint

- 1 (e) SUMMONS; TIME LIMIT FOR SERVICE WITHIN
- 2 THE UNITED STATES. ~~If service is made pursuant~~
- 3 ~~to Rule 4(e) (j)~~ Service made under Rule 4(e),
- 4 (g), (h) (1), (i), or (j) (2) F.R.Civ.P. it shall
- 5 be ~~made~~ by delivery of the summons and complaint
- 6 within 10 days after the summons is issued

7 ~~following issuance of the summons.~~ If service
8 is made by any authorized form of mail, the
9 summons and complaint shall be deposited in the
10 mail within 10 days after the summons is issued
11 ~~following issuance of the summons.~~ If a summons
12 is not timely delivered or mailed, another
13 summons shall be issued and served. This
14 subdivision does not apply to service in a
15 foreign country.

COMMITTEE NOTE

Subdivision (e) is amended so that the ten-day time limit for service of a summons does not apply if the summons is served in a foreign country.

Rule 7062. Stay of Proceedings to Enforce a Judgment

1 Rule 62 F.R.Civ.P. applies in adversary
2 proceedings. ~~An order granting relief from an~~
3 ~~automatic stay provided by § 362, § 922, § 1201,~~
4 ~~or § 1301 of the Code, an order authorizing or~~
5 ~~prohibiting the use of cash collateral or the~~
6 ~~use, sale or lease of property of the estate~~
7 ~~under § 363, an order authorizing the trustee to~~
8 ~~obtain credit pursuant to § 364, and an order~~
9 ~~authorizing the assumption or assignment of an~~
10 ~~executory contract or unexpired lease pursuant~~

11 ~~to § 365 shall be additional exceptions to Rule~~
 12 ~~62(a).~~

COMMITTEE NOTE

The additional exceptions to Rule 62(a) consist of orders that are issued in contested matters. These exceptions are deleted from this rule because of the amendment to Rule 9014 that renders this rule inapplicable in contested matters unless the court orders otherwise. See also the amendments to Rules 3020, 3021, 4001, 6004, and 6006 that delay the implementation of certain types of orders for a period of ten days unless the court otherwise directs.

Rule 9006. Time

(c) REDUCTION.

(2) REDUCTION NOT PERMITTED. The court may not reduce the time for taking action ~~pursuant to~~ under Rules 1019(6), 2002(a)(7), 2003(a), 3002(c), 3014, 3015, 4001(b)(2), (c)(2), 4003(a), 4004(a), 4007(c), 8002, and 9033(b).

COMMITTEE NOTE

Subdivision (c)(2) is amended to add a reference to Rule 1019(6), which fixes the time for filing a request for payment of an administrative expense incurred after the commencement of the case but before conversion of the case to chapter 7.

Rule 9014. Contested Matters

1 In a contested matter in a case under the

2 Code not otherwise governed by these rules, relief
3 shall be requested by motion, and reasonable
4 notice and opportunity for hearing shall be
5 afforded the party against whom relief is sought.
6 No response is required under this rule unless the
7 court orders an answer to a motion. The motion
8 shall be served in the manner provided for service
9 of a summons and complaint by Rule 7004, and,
10 unless the court otherwise directs, the following
11 rules shall apply: 7021, 7025, 7026, 7028-7037,
12 7041, 7042, 7052, 7054-7056, ~~7062~~, 7064, 7069, and
13 7071. The court may at any stage in a particular
14 matter direct that one or more of the other rules
15 in Part VII shall apply. An entity that desires
16 to perpetuate testimony may proceed in the same
17 manner as provided in Rule 7027 for the taking of
18 a deposition before an adversary proceeding. The
19 clerk shall give notice to the parties of the
20 entry of any order directing that additional rules
21 of Part VII are applicable or that certain of the
22 rules of Part VII are not applicable. The notice
23 shall be given within such time as is necessary to
24 afford the parties a reasonable opportunity to
25 comply with the procedures made applicable by the
26 order.

COMMITTEE NOTE

This rule is amended to delete Rule 7062 from the list of Part VII rules that automatically apply in a contested matter.

Rule 7062 provides that Rule 62 F.R.Civ.P., which governs stays of proceedings to enforce a judgment, is applicable in adversary proceedings. The provisions of Rule 62, including the ten-day automatic stay of the enforcement of a judgment provided by Rule 62(a) and the stay as a matter of right by posting a supersedeas bond provided in Rule 62(d), are not appropriate for most orders granting or denying motions governed by Rule 9014.

Although Rule 7062 will not apply automatically in contested matters, the amended rule permits the court, in its discretion, to order that Rule 7062 apply in a particular matter, and Rule 8005 gives the court discretion to issue a stay or any other appropriate order during the pendency of an appeal on such terms as will protect the rights of all parties in interest. In addition, amendments to Rules 3020, 4001, 6004, and 6006 automatically stay certain types of orders for a period of ten days, unless the court orders otherwise.

III. Information Items

- A. The Subcommittee on Litigation has continued its work on proposed amendments that would substantially revise the rules governing litigation in bankruptcy cases, including substantial revisions to the rules on contested matters and applications. Preliminary drafts of proposed amendments to Bankruptcy Rules 9013 (motions) and 9014 (contested matters) were presented as works-in-progress to the Advisory Committee at its September 1996 meeting. After a lengthy discussion, the Advisory Committee encouraged the subcommittee to continue its work, to consider comments and issues raised by the Advisory Committee at the meeting, and to present revised drafts of proposed amendments at the March 1997 meeting. The subcommittee met in Tucson on January

- 8, 1997, and presented a revised package of proposed amendments to the Advisory Committee at its March meeting. The Advisory Committee considered, revised, and adopted in principle proposed amendments to Rules 9013 and 9014. These proposed amendments, as well as related amendments to other rules, will be on the agenda for the September 1997 meeting of the Advisory Committee.
- B. The Subcommittee on Rule 2014 Disclosure Requirements is continuing its work on revising the rule that requires professionals seeking to be retained in a case to disclose all connections with parties in interest. The subcommittee presented to the Advisory Committee at its September 1996 meeting a preliminary draft of proposed amendments to Rule 2014. The Advisory Committee gave the subcommittee further direction regarding the draft and it is expected that the subcommittee will present a revised draft at the September 1997 meeting.
- C. Proposals for improving the effectiveness of notices to governmental units have been presented to the Advisory Committee. The Department of Justice, through its ex officio member, has presented six proposals for amendments to several rules and official forms. These amendments are designed to improve the addressing of notices to the government, and to give notice of the bankruptcy case to federal, state, and local governmental agencies regarding environmental, tax, and regulatory matters. A member of the bar presented proposed amendments to the official forms to help disclose environmental claims and to notify environmental agencies. The National Bankruptcy Review Commission, which had been asked to consider recommendations to improve notices to governmental units, has recommended that such proposals be considered by the Advisory Committee on Bankruptcy Rules. After the Advisory Committee discussed the Justice Department's proposals at its March meeting, the Chairman appointed a new subcommittee to consider all proposals relating to the improvement of notices to governmental agencies and to report to the Advisory Committee at the September 1997 meeting.
- D. The Advisory Committee has been considering alternative proposals to amend Rule 2004 on examinations of the debtor or another entity. A

subcommittee on Rule 2004 has been formed and is studying these proposals.

Attachments:

- (1) Exhibit A - A "clean copy" of the Official Forms as amended (including amendments made after publication);
- (2) Exhibit B - Preliminary Draft of the Proposed Amendments to the Official Forms, marked to show the changes made after publication;
- (3) Exhibit C - List of Commentators;
- (4) Exhibit D - Summary of Comments and Recommendations of the Forms Subcommittee.
- (5) Exhibit E - The current Official Forms that will be amended.
- (6) Draft of minutes of Advisory Committee meeting of March 13-14, 1997.

Enclosures:

- (1) Booklet containing the Preliminary Draft of the Proposed Amendments to the Official Bankruptcy Forms, published in August 1996.

Exhibit B

Preliminary Draft of Official Forms

MARKED to show changes made after publication

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)

Location
Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

Case Number:

Date:

Relationship:

District:

Judge:

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the provisions of Chapter 7, 11, 12 or 13 of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number
Date:

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

See attached, reformatted, form which Advisory Committee recommends adopting with the correction shown.

X _____
Signature of Attorney

Printed Name of Attorney

Firm Name

Address

Telephone Number
Date:

Petition Preparer

Signature of Petition Preparer - as defined in 11 U.S.C. § 1101, and that I have read the petition, and that I have read it.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X _____
Signature of Attorney for Debtor(s) Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document: If more than one person prepared this document, attach additional signed sheets conforming to the appropriate official form for each person.

X _____
Signature of Bankruptcy Petition Preparer
Date:

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

de

de ← (no hole marks)

FORM B1		United States Bankruptcy Court District of _____		Voluntary Petition																
Name of Debtor (if individual, enter Last, First, Middle): <i>i</i>			Name of Joint Debtor (Spouse) (Last, First, Middle):																	
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names): <i>i</i>			All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): <i>i</i>																	
Soc. Sec. FAX I.D. No. (if more than one, state all): <i>Tax</i> <i>i</i> <i>A</i>			Soc. Sec. FAX I.D. No. (if more than one, state all): <i>Tax</i> <i>i</i> <i>A</i>																	
Street Address of Debtor (No., Street, City, State, & Zip Code): <i>de and</i>			Street Address of Joint Debtor (No., Street, City, State, & Zip Code): <i>de and</i>																	
County of Residence or of the Principal Place of Business:			County of Residence or of the Principal Place of Business:																	
Mailing Address of Debtor (if different from street address): <i>i</i>			Mailing Address of Joint Debtor (if different from street address): <i>i</i>																	
Location of Principal Assets of Business Debtor (if different from street address above): <i>i</i>																				
Information Regarding the Debtor (Check the Applicable Boxes)																				
Venue (Check any applicable box)																				
<input type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.																				
Type of Debtor (Check any applicable box)			Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)																	
<input type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other _____			<input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding																	
Nature of Debts (Check one box)			Full Filing Fee (Check one box)																	
<input type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business			<input type="checkbox"/> Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.																	
Chapter 11 Small Business (Check any applicable box)																				
<input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)																				
Statistical/Administrative Information (Estimates only)					THIS SPACE IS FOR COURT USE ONLY															
<input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.																				
Estimated Number of Creditors																				
<table border="0"> <tr> <td>1-15</td> <td>16-49</td> <td>50-99</td> <td>100-199</td> <td>200-999</td> <td>1000-over</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>						1-15	16-49	50-99	100-199	200-999	1000-over	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
1-15	16-49	50-99	100-199	200-999	1000-over															
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>															
Estimated Assets																				
<table border="0"> <tr> <td>\$0 to \$50,000</td> <td>\$50,001 to \$100,000</td> <td>\$100,001 to \$500,000</td> <td>\$500,001 to \$1 million</td> <td>\$1,000,001 to \$10 million</td> <td>\$10,000,001 to \$50 million</td> <td>\$50,000,001 to \$100 million</td> <td>More than \$100 million</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>					\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million													
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>													
Estimated Debts																				
<table border="0"> <tr> <td>\$0 to \$50,000</td> <td>\$50,001 to \$100,000</td> <td>\$100,001 to \$500,000</td> <td>\$500,001 to \$1 million</td> <td>\$1,000,001 to \$10 million</td> <td>\$10,000,001 to \$50 million</td> <td>\$50,000,001 to \$100 million</td> <td>More than \$100 million</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>					\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million													
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>													

all boxes that apply

all boxes that apply

Voluntary Petition
(This page must be completed and filed in every case)

Name of Debtor(s):

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)

Location Where Filed: Case Number: Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor: Case Number: Date Filed:

District: Relationship: Judge:

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor
X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Attorney

X _____
Signature of Attorney for Debtor(s)

Printed Name of Attorney for Debtor(s)

Firm Name

Address

Telephone Number

Date

Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X _____
Signature of Attorney for Debtor(s) Date

X _____
Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110, 18 U.S.C. § 156

Exhibit "A"

[If debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11 of the Code, this Exhibit "A" shall be completed and attached to the petition.]

Bankruptcy

[Caption as in Form 16B]

Exhibit "A" to Voluntary Petition

1. If any of the debtor's securities are registered under Section 12 of the Securities Exchange Act of 1934, the SEC file number is _____

2. The following financial data is the latest available information and refers to the debtor's condition on _____

a. Total assets \$ _____

b. Total debts (including debts listed in 2.c. below) \$ _____

c. Debt securities held by more than 500 holders.

				Approximate number of holders
secured / /	unsecured / /	subordinated / /	\$ _____	_____
secured / /	unsecured / /	subordinated / /	\$ _____	_____
secured / /	unsecured / /	subordinated / /	\$ _____	_____
secured / /	unsecured / /	subordinated / /	\$ _____	_____
secured / /	unsecured / /	subordinated / /	\$ _____	_____

d. Number of shares of preferred stock _____

e. Number of shares common stock _____

Comments, if any: _____

3. Brief description of debtor's business: _____

4. List the names of any person who directly or indirectly owns, controls, or holds, with power to vote, 5% or more of the voting securities of debtor:

Form 3. APPLICATION AND ORDER TO PAY FILING FEE IN INSTALLMENTS

[Caption as in Form 16B]

APPLICATION TO PAY FILING FEES IN INSTALLMENTS

1. In accordance with Fed. R. Bankr. P. 1006, I apply for permission to pay the Filing Fee amounting to \$ _____ in installments.
2. I certify that I am unable to pay the Filing Fees except in installments.
3. I further certify that I have not paid any money or transferred any property to an attorney for services in connection with this case and that I will neither make any payment nor transfer any property for services in connection with this case until the filing fee is paid in full.

4. I propose the following terms for the payment of the Filing Fees.*

\$ _____ Check one: With the filing of the petition, or
 On or before _____
 \$ _____ On or before _____
 \$ _____ On or before _____
 \$ _____ On or before _____

* The number of installments proposed shall not exceed four (4), and the final installment shall be payable not later than 120 days after filing the petition. For cause shown, the court may extend the time of any installment, provided the last installment is paid not later than 180 days after filing the petition. Fed. R. Bankr. P. 1006(b)(2).

5. I understand that if I fail to pay any installment when due my bankruptcy case may be dismissed and I may not receive a discharge of my debts.

Signature of Attorney Date

[Signature]
Signature of Applicant(s) Debtor Date
(In a joint case, both spouses must sign.)

Name of Attorney

Signature of Joint Debtor (if any) Date

CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document. I also certify that I will not accept money or any other property from the debtor before the filing fee is paid in full.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X _____
Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF _____

In re _____
Debtor

Case No. _____

Chapter _____

ORDER APPROVING PAYMENT OF
FILING FEE IN INSTALLMENTS

IT IS ORDERED that the debtor(s) may pay the filing fee in installments on the terms proposed in the foregoing application.

IT IS FURTHER ORDERED that until the filing fee is paid in full the debtor shall not pay any money for services in connection with this case, and the debtor shall not relinquish any property as payment for services in connection with this case.

BY THE COURT

Date: _____

United States Bankruptcy Judge

In re _____ Debtor

Case No. _____ (If known)

SCHEDULE F—CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H—Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						
Subtotal ▶						\$
Total ▶						\$

_____ continuation sheets attached

Subtotal ▶ \$

Total ▶ \$

(Report total also on Summary of Schedules)

Form 8. INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION
[Caption as in Form 16B]

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:

a. *Property to Be Surrendered.*

Description of Property

Creditor's name

b. *Property to Be Retained.*

[Check any applicable statement.]

Description of Property	Creditor's name	Property is claimed as exempt	Property will be redeemed pursuant to § 722	Debt will be reaffirmed pursuant to § 524(c)
			11 U.S.C.	11 U.S.C.

Date: _____

Signature of Debtor

CERTIFICATION OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.

Address

Names and Social Security Numbers of all other individuals who prepared or assisted in preparing this document.

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X _____
Signature of Bankruptcy Petition Preparer

Date

[A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedures may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.]

Make Times Roman italic and larger

EXPLANATIONS

FORM B9A

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case must ^{should} be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

EXPLANATIONS

FORM B9B

**Filing of Chapter 7
Bankruptcy Case**

A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor listed on the front side, and an order for relief has been entered.

**Creditors May Not Take
Certain Actions**

Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures.

Meeting of Creditors

A meeting of creditors is scheduled for the date, time and location listed on the front side. *The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.* Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.

**Do Not File a Proof of
Claim at This Time**

There does not appear to be any property available to the trustee to pay creditors. *You therefore should not file a proof of claim at this time.* If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim.

**Bankruptcy Clerk's
Office**

Any paper that you file in this bankruptcy case ~~must~~ ^{should} be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts, at the bankruptcy clerk's office.

Legal Advice

The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.

—Refer To Other Side For Important Deadlines and Notices—

Chapter 7

UNITED STATES BANKRUPTCY COURT _____ District of _____

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

[A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on _____ (date).] or [A bankruptcy case concerning the debtor(s) listed below was originally filed under chapter _____ on _____ (date) and was converted to a case under chapter 7 on _____.]

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor(s) (name(s) and address):	Case Number:
	Social Security/Taxpayer ID Nos.:
Attorney for Debtor(s) (name and address):	Bankruptcy Trustee (name and address):
Telephone number:	Telephone number:

Meeting of Creditors:

Date: ____/____/____ Time: () A.M. Location: _____ () P.M.

Deadlines:

Papers must be received by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): _____ For a governmental unit: _____

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:

Deadline to Object to Exemptions:

Thirty (30) days after the conclusion of the meeting of creditors.

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office:	For the Court:
	Clerk of the Bankruptcy Court:
Telephone number:	
Hours Open:	Date:

EXPLANATIONS

FORM B9C

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Liquidation of the Debtor's Property and Payment of Creditors' Claims	The bankruptcy trustee listed on the front of this notice will collect and sell the debtor's property that is not exempt. If the trustee can collect enough money, creditors may be paid some or all of the debts owed to them, in the order specified by the Bankruptcy Code. To make sure you receive any share of that money, you must file a Proof of Claim, as described above.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case must ^{should} be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

EXPLANATIONS

FORM B9D

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor listed on the front side, and an order for relief has been entered.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.
Liquidation of the Debtor's Property and Payment of Creditors' Claims	The bankruptcy trustee listed on the front of this notice will collect and sell the debtor's property, that is not exempt . If the trustee can collect enough money, creditors may be paid some or all of the debts owed to them, in the order specified by the Bankruptcy Code. To make sure you receive any share of that money, you must file a Proof of Claim, as described above.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case must ^{should} be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

EXPLANATIONS

FORM B9E

Filing of Chapter 11 Bankruptcy Case	A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. The debtor will remain in possession of its property and may continue to operate any business unless a trustee is serving ^{the debtor's}
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is <i>not</i> listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all <i>or</i> if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim or you might not be paid any money on your claim against the debtor in the bankruptcy case. The court has not yet set a deadline to file a Proof of Claim. If a deadline is set, you will be sent another notice.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. ^{Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d).} except as provided in the plan A discharge means that you may never try to collect the debt from the debtor. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 1141(d)(3), you must file a complaint with the required filing fee in the bankruptcy clerk's office not later than the first date set for the hearing on confirmation of the plan. You will be sent another notice informing you of that date.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case must ^{should} be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.

—Refer To Other Side For Important Deadlines and Notices—

UNITED STATES BANKRUPTCY COURT _____ District of _____

Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors, & Deadlines

[A chapter 11 bankruptcy case concerning the debtor(s) listed below was filed on _____ (date).]
or [A bankruptcy case concerning the debtor(s) listed below was originally filed under chapter _____ on _____ (date) and was converted to a case under chapter 11 on _____.]

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.
NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor(s) (name(s) and address):	Case Number:
	Social Security/Taxpayer ID Nos.:
Attorney for Debtor(s) (name and address):	Telephone number:

Meeting of Creditors:

Date: ____ / ____ / ____ Time: () A.M. Location: _____
() P.M.

Deadlines:

→ Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): _____ For a governmental unit: _____

Deadline to File a Complaint to Determine Dischargeability of Certain Debts:

Deadline to File a Complaint Objecting to Discharge of the Debtor:

First date set for hearing on confirmation of plan.

Notice of that date will be sent at a later time.

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office: Telephone number:	For the Court:
	Clerk of the Bankruptcy Court:
Hours Open:	Date:

EXPLANATIONS

FORM B9E (Att.)

**Filing of Chapter 11
Bankruptcy Case**

A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. ~~The debtor will remain in possession of its property and may continue to operate any business unless a trustee is serving~~ ^{↑ the debtor's}

**Creditors May Not Take
Certain Actions**

Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.

Meeting of Creditors

A meeting of creditors is scheduled for the date, time and location listed on the front side. *The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.* Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.

Claims

A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is *not* listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all *or* if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, or you might not be paid any money on your claim against the debtor in the bankruptcy case.

Discharge of Debts

Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d).

~~The debtor is seeking a discharge of most debts, which may include your debt.~~ ^{except as provided in the plan} A discharge means that you may never try to collect the debt from the debtor. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 1141(d)(3), you must file a complaint with the required filing fee in the bankruptcy clerk's office not later than the first date set for the hearing on confirmation of the plan. You will be sent another notice informing you of that date.

Exempt Property

The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.

**Bankruptcy Clerk's
Office**

Any paper that you file in this bankruptcy case ~~must~~ ^{should} be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.

Legal Advice

The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.

—Refer To Other Side For Important Deadlines and Notices—

UNITED STATES BANKRUPTCY COURT _____ District of _____

**Notice of ^{[corporation] or [partnership]}
Chapter 11 Bankruptcy Case, Meeting of Creditors, & Deadlines**

[A chapter 11 bankruptcy case concerning the debtor listed below was filed on _____ (date).]
or [A bankruptcy case concerning the debtor listed below was originally filed under chapter _____ on _____ (date) and was converted to a case under chapter 11 on _____.]

You may be a creditor of the debtor. This notice lists important deadlines. You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.
NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor (name(s) and address):	Case Number:
	Taxpayer ID Nos.:
Attorney for Debtor (name and address):	Telephone number:

Meeting of Creditors:

Date: / / Time: () A.M. Location: () P.M.

Deadlines to File a Proof of Claim

Proof of Claim Papers must be received by the bankruptcy clerk's office by the following deadline:
Deadline to File a Proof of Claim: *2*
Notice of deadline will be sent at a later time.

Deadline to File a Complaint Objecting to Discharge of the Debtor:

First date set for hearing on confirmation of plan.
Notice of that date will be sent at a later time.

Delete box

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office:	For the Court:
	Clerk of the Bankruptcy Court:
Telephone number:	
Hours Open:	Date:

EXPLANATIONS

FORM B9F

Filing of Chapter 11 Bankruptcy Case

A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. ~~The debtor will remain in possession of its property and may continue to operate any business.~~ Unless a trustee is serving, the debtors

Creditors May Not Take Certain Actions

Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures.

Meeting of Creditors

A meeting of creditors is scheduled for the date, time and location listed on the front side. *The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.* Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.

Claims

A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is *not* listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim or you might not be paid any money on your claim against the debtor in the bankruptcy case. The court has not yet set a deadline to file a Proof of Claim. If a deadline is set, you will be sent another notice.

Discharge of Debts

~~The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 1141(d)(3), you must file a complaint with the required filing fee in the bankruptcy clerk's office not later than the first date set for the hearing on confirmation of the plan. You will be sent another notice informing you of that date.~~

Bankruptcy Clerk's Office

Any paper that you file in this bankruptcy case ~~must~~ ^{should} be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.

Legal Advice

The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.

—Refer To Other Side For Important Deadlines and Notices—

Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan.

UNITED STATES BANKRUPTCY COURT _____ District of _____

Notice of ^[corporation] or ^[partnership] Chapter 11 Bankruptcy Case, Meeting of Creditors, & Deadlines

[A chapter 11 bankruptcy case concerning the debtor 3 listed below was filed on _____ (date).]
or [A bankruptcy case concerning the debtor 3 listed below was originally filed under chapter _____ on _____ (date) and was converted to a case under chapter 11 on _____.]

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor (name(s) and address):	Case Number:
	Taxpayer ID Nos.:
Attorney for Debtor (name and address):	Telephone number:

Meeting of Creditors:

Date: / / Time: () A.M. () P.M. Location:

Deadlines to File a Proof of Claim

Proof of Claim Papers must be received by the bankruptcy clerk's office by the following deadlines:
~~Deadline to File Proof of Claim:~~

For all creditors (except a governmental unit): For a governmental unit:

Deadline to File a Complaint Objecting to Discharge of the Debtor:

First date set for hearing on confirmation of plan. Notice of that date will be sent at a later time.

Delete box

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office:	For the Court:
	Clerk of the Bankruptcy Court:
Telephone number:	
Hours Open:	Date:

EXPLANATIONS

FORM B9F (Alt.)

Filing of Chapter 11 Bankruptcy Case	A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to recognize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. <u>Unless a trustee is serving,</u> the debtor will remain in possession of its property and may continue to operate <u>the debtor's</u> any business.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is <i>not</i> listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all or if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, or you might not be paid any money on your claim against the debtor in the bankruptcy case.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 1141(d)(3), you must file a complaint with the required filing fee in the bankruptcy clerk's office not later than the first date set for the hearing on confirmation of the plan. You will be sent another notice informing you of that date.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case must ^{should} be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	
Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan.	

UNITED STATES BANKRUPTCY COURT _____ District of _____

Notice of Chapter 12 Bankruptcy Case, Meeting of Creditors, & Deadlines

[The debtor(s) listed below filed a chapter 12 bankruptcy case on _____ (date).]
or [A bankruptcy case concerning the debtor(s) listed below was originally filed under chapter _____ on _____ (date) and was converted to a case under chapter 12 on _____.]

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.
NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

~~FORM B9G (A11)~~

See Reverse Side For Important Explanations.

Debtor(s) (name(s) and address):	Case Number:
	Social Security/Taxpayer ID Nos.:
Attorney for Debtor(s) (name and address):	Bankruptcy Trustee (name and address):
Telephone number:	Telephone number:

Meeting of Creditors:

Date: / / Time: () A.M. () P.M. Location:

Deadlines:

→ Papers must be received by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): For a governmental unit:

Deadline to File a Complaint to Determine Dischargeability of Certain Debts:

Deadline to Object to Exemptions:

Thirty (30) days after the conclusion of the meeting of creditors.

Filing of Plan, Hearing on Confirmation of Plan

[The debtor has filed a plan. The plan or a summary of the plan is enclosed. The hearing on confirmation will be held:

Date: _____ Time: _____ Location: _____

or [The debtor has filed a plan. The plan or a summary of the plan and notice of confirmation hearing will be sent separately.]

or [The debtor has not filed a plan as of this date. You will be sent separate notice of the hearing on confirmation of the plan.]

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office:	For the Court:
	Clerk of the Bankruptcy Court:
Telephone number:	and certain codebtors
Hours Open:	

EXPLANATIONS

FORM B9G

Filing of Chapter 12 Bankruptcy Case

A bankruptcy case under chapter 12 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 12 allows family farmers to adjust their debts pursuant to a plan. A plan is not effective unless confirmed by the court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan [is included with this notice] *or* [will be sent to you later], and [the confirmation hearing will be held on the date indicated on the front of this notice] *or* [you will be sent notice of the confirmation hearing]. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business unless a trustee is serving.

Creditors May Not Take Certain Actions

Prohibited collection actions ^{against the debtor and certain codebtors} are listed in Bankruptcy Code § 362 and § 1201. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.

Meeting of Creditors

A meeting of creditors is scheduled for the date, time and location listed on the front side. *The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.* Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.

Claims

A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.

Discharge of Debts

The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.

Exempt Property

The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.

Bankruptcy Clerk's Office

Any paper that you file in this bankruptcy case ~~must~~ ^{should} be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.

Legal Advice

The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.

—Refer To Other Side For Important Deadlines and Notices—

UNITED STATES BANKRUPTCY COURT _____ District of _____

Notice of Chapter 12 Bankruptcy Case, Meeting of Creditors, & Deadlines

[The debtor [corporation] *or* [partnership] listed below filed a chapter 12 bankruptcy case on _____ (date).]
or [A bankruptcy case concerning the debtor [corporation] *or* [partnership] listed below was originally filed under chapter ____ on _____ (date) and was converted to a case under chapter 12 on _____.]

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.
 NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor (name and address):	Case Number:
	Social Security/Taxpayer ID Nos.:
Attorney for Debtor (name and address):	Bankruptcy Trustee (name and address):
Telephone number:	Telephone number:

Meeting of Creditors:

Date: ____ / ____ / ____ Time: () A.M. Location: _____
 () P.M.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:
Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): _____ For a governmental unit: _____

Deadline to File a Complaint to Determine Dischargeability of Certain Debts:

Filing of Plan, Hearing on Confirmation of Plan

[The debtor has filed a plan. The plan or a summary of the plan is enclosed. The hearing on confirmation will be held:
 Date: _____ Time: _____ Location: _____]
or [The debtor has filed a plan. The plan or a summary of the plan and notice of confirmation hearing will be sent separately.]
or [The debtor has not filed a plan as of this date. You will be sent separate notice of the hearing on confirmation of the plan.]

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor ~~and~~ the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office:	For the Court:
	Clerk of the Bankruptcy Court:
Telephone number:	Date:
Hours Open:	

and certain codebtors

EXPLANATIONS

FORM B9H

Filing of Chapter 12 Bankruptcy Case	A bankruptcy case under chapter 12 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor listed on the front side, and an order for relief has been entered. Chapter 12 allows family farmers to adjust their debts pursuant to a plan. A plan is not effective unless confirmed by the court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan [is included with this notice] <i>or</i> [will be sent to you later], and [the confirmation hearing will be held on the date indicated with this notice] <i>or</i> [you will be sent notice of the confirmation hearing]. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business unless a trustee is serving.
Creditors May Not Take Certain Actions	Prohibited collection actions ^{against the debtor and certain codebtors} are listed in Bankruptcy Code § 362 and § 1201. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case must ^{should} be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
—Refer To Other Side For Important Deadlines and Notices—	

UNITED STATES BANKRUPTCY COURT _____ District of _____

Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, & Deadlines

[The debtor(s) listed below filed a chapter 13 bankruptcy case on _____ (date).]
 or [A bankruptcy case concerning the debtor(s) listed below was originally filed under chapter _____ on _____ (date) and was converted to a case under chapter 13 on _____.]

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.
 NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor(s) (name(s) and address):	Case Number:
	Social Security/Taxpayer ID Nos.:
Attorney for Debtor(s) (name and address):	Bankruptcy Trustee (name and address):
Telephone number:	Telephone number:

Meeting of Creditors:

Date: ____ / ____ / ____ Time: () A.M. Location: _____
 () P.M.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): _____ For a governmental unit: _____

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Filing of Plan, Hearing on Confirmation of Plan

[The debtor has filed a plan. The plan or a summary of the plan is enclosed. The hearing on confirmation will be held:

Date: _____ Time: _____ Location: _____

or [The debtor has filed a plan. The plan or a summary of the plan and notice of confirmation hearing will be sent separately.]

or [The debtor has not filed a plan as of this date. You will be sent separate notice of the hearing on confirmation of the plan.]

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor ~~and~~ the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office:	For the Court:
	Clerk of the Bankruptcy Court:
Telephone number:	Date:
Hours Open:	

, and certain codebtors

EXPLANATIONS

FORM B91

Filing of Chapter 13 Bankruptcy Case	<p>A bankruptcy case under chapter 13 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 13 allows an individual with regular income and debts below a specified amount to adjust their^o debts pursuant to a plan. A plan is not effective unless confirmed by the bankruptcy court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan [is included with this notice] <i>or</i> [will be sent to you later], and [the confirmation hearing will be held on the date indicated on the front of this notice] <i>or</i> [you will be sent notice of the confirmation hearing]. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business, if any, unless the court orders otherwise.</p>
Creditors May Not Take Certain Actions	<p>Prohibited collection actions ^{against the debtor and certain creditors} are listed in Bankruptcy Code § 362 and § 1701³. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.</p>
Meeting of Creditors	<p>A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.</p>
Claims	<p>A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.</p>
Discharge of Debts	<p>The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.</p>
Exempt Property	<p>The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.</p>
Bankruptcy Clerk's Office	<p>Any paper that you file in this bankruptcy case ^{should} must be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.</p>
Legal Advice	<p>The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.</p>
—Refer To Other Side For Important Deadlines and Notices—	

Name of Debtor

Case Number

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (The person or other entity to whom the debtor owes money or property):

- Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
Check box if you have never received any notices from the bankruptcy court in this case.
Check box if the address differs from the address on the envelope sent to you by the court.

Name and address where notices should be sent:

Telephone number:

THIS SPACE IS FOR COURT USE ONLY

Account or other number by which creditor identifies debtor:

Check here if this claim replaces or amends a previously filed claim, dated:

1. Basis for Claim

- Goods sold
Services performed
Money loaned
Personal injury/wrongful death
Taxes
Other

- Retiree benefits as defined in 11 U.S.C. § 114(a)
Wages, salaries, and compensation (fill out below)
Your SS #:
Unpaid compensation for services performed from to

2. Date debt was incurred:

3. If court judgment, date obtained:

4. Classification of Claim. Under the Bankruptcy Code all claims are classified as one or more of the following:

- (a) Secured, (b) Unsecured nonpriority, (c) Unsecured priority. It is possible for a claim to be in one category and part in another. Check the appropriate box or boxes that best describe your claim and state the amount of the claim at time case filed:

- 4c. Unsecured priority Claim \$
Specify the priority of the claim:
Wages, salaries, or commissions (up to \$4000) * earned not more than 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3).
Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4).
Up to \$1,800* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6).
Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7).
Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).
Other - Specify applicable paragraph of 11 U.S.C. § 507(a)().

See Attached

- 4a. Secured Claim \$
Brief Description of Collateral:
Real Estate Motor Vehicle Other
Amount of arrearage and other charges at time case filed included in secured claim above, if any \$
4b. Unsecured nonpriority claim \$
A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim or to the extent that the value of such property is less than the amount of the claim.

5. Total Amount of Claim at Time Case Filed:

Amounts in (Unsecured Nonpriority), (Secured), (Unsecured Priority), and (Total) columns.

Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

6. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

THIS SPACE IS FOR COURT USE ONLY

7. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. If the documents are not available, explain. If the documents are voluminous, attach a summary.

DO NOT SEND ORIGINAL DOCUMENTS.

8. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

Date Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):

If all or part of your claim is secured or entitled to priority, also complete Item 5, or 6., below.

4. Total Amount of Claim at Time Case Filed: \$ _____.

Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

5. Secured Claim.

Check this box if your claim is secured by collateral (including a right of setoff).

Brief Description of Collateral: _____

Real Estate Motor Vehicle

Other _____

Value of Collateral: \$ _____

Amount of arrearage and other charges

at time case filed included in secured claim,

if any: \$ _____

6. Unsecured Priority Claim.

Check this box if you have an unsecured priority claim.

Amount entitled to priority \$ _____

Specify the priority of the claim: _____

Wages, salaries, or commissions (up to \$4000), * earned ^{within} ~~within~~ 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3).

Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4).

Up to \$1,800* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6).

Alimony, maintenance, or support, owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7).

Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(_____).

* Amounts are subject to adjustment on 4/1/98 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

DEFINITIONS

Debtor

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

Creditor

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

Proof of Claim

~~A form filed with the clerk of the bankruptcy court where the bankruptcy case was filed to tell the bankruptcy court how much the debtor owed a creditor when the bankruptcy case was filed (the amount of the creditor's claim).~~

See substitute language, attached.

Secured Claim

A claim is a secured claim ^{to the extent that} if the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor ^{also} owes money to the debtor, the creditor's claim ^{may be a} is a secured claim. (See also *Unsecured Claim* below.)

Unsecured Claim

If a claim is not a secured claim, it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

Unsecured Priority Claim

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

(has a right of setoff)

Items to be completed in Proof of Claim form (if not already filled in)

1. Court, Name of Debtor and Case Number:

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

2. Information about Creditor:

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

3. Basis for Claim:

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

4. Date debt incurred:

Fill in the date when the debt first was owed by the debtor.

5. Court judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

6. Classification of Claim:

Check the appropriate place to state whether the claim is a secured claim, an unsecured priority claim, or an unsecured nonpriority claim, and state the amount. If the claim is a secured claim, you must state the type of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above.) A claim may also be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. For partly secured claims or partly priority claims, state the amount of each part in the applicable separate designated section of the form.

7. Total Amount of Claim:

Fill in the total amount of each type of claim included in the proof of claim and the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

8. Credits:

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

9. Supporting documents:

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

SUBSTITUTE LANGUAGE, FORM B10

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

Form 14. BALLOT FOR ACCEPTING OR REJECTING A PLAN

[Caption as in Form 16A]

**CLASS [] BALLOT FOR ACCEPTING OR REJECTING
PLAN OF REORGANIZATION**

[Proponent] filed a plan of reorganization dated *[Date]* (the "Plan") for the Debtor in this case. The Court has *[conditionally]* approved a disclosure statement with respect to the Plan (the "Disclosure Statement"). The Disclosure Statement provides information to assist you in deciding how to vote your ballot. If you do not have a Disclosure Statement, you may obtain a copy from *[name, address, telephone number and telecopy number of proponent/proponent's attorney.]* Court approval of the disclosure statement does not indicate approval of the Plan by the Court.

You should review the Disclosure Statement and the Plan before you vote. You may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan. Your *[claim] [equity interest]* has been placed in class [] under the Plan. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

If your ballot is not received by *[name and address of proponent's attorney or other appropriate address]* on or before *[date]*, and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan. If the Plan is confirmed by the Bankruptcy Court it will be binding on you whether or not you vote.

ACCEPTANCE OR REJECTION OF THE PLAN

[At this point the ballot should provide for voting by the particular class of creditors or equity holders receiving the ballot using one of the following alternatives:]

[If the voter is the holder of a secured, priority or unsecured nonpriority claim:]

The undersigned, the holder of a Class [] claim against the Debtor in the unpaid amount of _____ Dollars (\$ _____)

[or, if the voter is the holder of a bond, debenture or other debt security:]

The undersigned, the holder of a Class [] claim against the Debtor, consisting of Dollars (\$ _____) principal amount of *[describe bond, debenture or other debt security]* of the Debtor (For purposes of this Ballot, it is not necessary and you should not adjust the principal amount for any accrued or unmatured interest.)

[or, if the voter is the holder of an equity interest:]

The undersigned, the holder of Class [] equity interest in the Debtor, consisting of _____ shares or other interests of *[describe equity interest]* in the Debtor

[In each case, the following language should be included:]

(Check one box only)

ACCEPTS THE PLAN

REJECTS THE PLAN

Dated: _____

Print or type name: _____

Signature: _____

Title (if corporation or partnership) _____

Address: _____

RETURN THIS BALLOT TO:

[Name and address of proponent's attorney or other appropriate address]

**FORM 17. NOTICE OF APPEAL UNDER 28 U.S.C. § 158(a) or (b)
FROM A JUDGMENT, ORDER, OR DECREE OF A
BANKRUPTCY ~~COURT~~ JUDGE**

[Caption as in Form 16A, 16B, or 16D, as appropriate]

NOTICE OF APPEAL

_____, the plaintiff ^{judge} [or defendant or other party] appeals under 28 U.S.C. § 158(a) or (b) from the judgment, order, or decree of the bankruptcy ~~court~~ (describe) entered in this adversary proceeding [or other proceeding, describe type] on the _____ day of _____, (year).

The names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Dated: _____

Signed: _____

← Attorney for Appellant (or Appellant, if not represented by an attorney)

Attorney Name: _____

(and Identification No., if required)

Address: _____

^{phone}
Tel No: _____

If a Bankruptcy Appellate Panel Service is authorized to hear this appeal, each party has a right to have the appeal heard by the district court. The appellant may exercise this right only by filing a separate statement of election at the time of the filing of this notice of appeal. Any other party may elect, within the time provided in 28 U.S.C. § 158(c), to have the appeal heard by the district court.

Form 18

**Form 18. DISCHARGE OF DEBTOR
IN A CHAPTER 7 CASE**

[Caption as in Form 16A]

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

Dated: _____

BY THE COURT

United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

EXPLANATION OF BANKRUPTCY DISCHARGE
IN A CHAPTER 7 CASE

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

Collection of Discharged Debts Prohibited

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. [In a case involving community property:] [There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

Debts That are Discharged

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.) Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

*Debts
not are
Not Discharged*

- a. Debts for most taxes;
- b. Debts that are in the nature of alimony, maintenance, or support;
- c. Debts for most student loans;
- g.d. Debts that the bankruptcy court specifically ~~decides~~ *has decided or will decide in this* during the bankruptcy case, are not discharged;
- d.f. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- e.f. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle while intoxicated;
- f.f. Some debts which were not properly listed by the debtor;
- h. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.

This information is only a general summary of the bankruptcy discharge and there are exceptions to these general rules. The law is complicated, so you may want to consult an attorney to determine the exact effect of the discharge in this case.

Because

Form 20A. Notice of Motion or Objection

[Caption as in Form 16A.]

NOTICE OF [MOTION TO] [OBJECTION TO]

_____ has filed papers with the court to [relief sought in motion or objection] ¹¹ Your rights may be affected. You should read these papers carefully and discuss them with your ~~attorney~~ ^{attorney}, if you have one in this bankruptcy case. (If you do not have a ~~attorney~~ ^{attorney}, you may wish to consult one.)

Make separate A. Bold

Bold

If you do not want the court to [relief sought in motion or objection], or if you want the court to consider your views on the [motion] [objection], then ~~by~~ ^{on or before} (date), you or your ~~attorney~~ ^{attorney} must:

[File with the court a written request for a hearing {or, if the court requires a written response, an answer explaining your position}, and mail a copy to

{movant's attorney's name and address}

{names and addresses of others to be served}

See attached substitute

If you mail your {request} {response} to the court for filing, you must mail it early enough so the court will receive it by the date stated above.]

[Attend the hearing scheduled to be held on (date), (year), at _____ a.m./p.m. in Courtroom _____, United States Bankruptcy Court, {address}.]

→ Indent

[Other steps required to oppose a motion or objection under local rule or court order.]

If you or your ~~lawyer~~ ^{attorney} do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: _____

Signature: _____

Name:

Business Address:

Form 20A (Substitute Paragraphs 3-5)

Indent
→

[File with the court a written request for a hearing $\{$ OR, if the court requires a written response, an answer, explaining your position $\}$ at:

$\{$ address of the bankruptcy clerk's office $\}$

If you mail your $\{$ request $\}$ $\{$ response $\}$ to the court for filing, you must mail it early enough so the court will receive_{bold} it on or before the date stated above.

You must also mail a copy to:

$\{$ movant's attorney's name and address $\}$

$\{$ names and addresses of others to be served $\}$

Form 20B. Notice of Objection to Claim

[Caption as in Form 16A.]

NOTICE OF OBJECTION TO CLAIM

Make separate fl. Bold

_____ has filed an objection to your claim in this bankruptcy case. ~~fl~~ Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your ~~attorney~~ ^{attorney} if you have one.

Bold

If you do not want the court to eliminate or change your claim, ^(on or before) ~~it~~ (date) _____, you or your ~~attorney~~ ^{attorney} must:

~~{If required by local rule or court order.} [File with the court a written response to the objection, explaining your position, and mail a copy to {objector's attorney's name and address} {names and addresses of others to be served} If you mail your response to the court for filing, you must mail it early enough so that the court will receive it by the date stated above.]~~

See attached substitute

→ Indent

Attend the hearing on the objection, scheduled to be held on _____ (date) _____ (year) _____, at _____ a.m./p.m. in Courtroom _____, United States Bankruptcy Court, {address}.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim. ^ <

Date: _____

Signature: _____

Name:

Business Address:

Form 20B

(Substitute Paragraphs 3-5)

Indent



{ If required by local rule or court order. }

[File with the court a written response to the objection, explaining your position, at:

{ Address of the bankruptcy clerk's office }

If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the date stated above. ^{bold}

You must also mail a copy to:

{ objector's attorney's name and address }

{ names and addresses of others to be served }

Exhibit C

PRELIMINARY DRAFT OF PROPOSED AMENDMENTS
TO THE OFFICIAL BANKRUPTCY FORMS

LIST OF COMMENTATORS¹

Ms. Brenda K. Argoe (#4 and #26)
Clerk of Court
United States Bankruptcy Court
1100 Laurel Street
Post Office Box 1448
Columbia, South Carolina 29202

Honorable Louise DeCarl Adler (#7)
United States Bankruptcy Court
Jacob Weinberger United States Courthouse
325 West "F" Street
San Diego, CA 92101-6989

Honorable William V. Altenberger (#16)
Chief Judge, United States Bankruptcy Court
131 Federal Building
Peoria, Illinois 61602-1003

Mr. David Axler (#24)
National Integrated Bankruptcy System
Program Development
22409 U.S. Courthouse
601 Market Street
Philadelphia, Pennsylvania 19106

Andrea E. Celli (#35)
Chapter 13 Trustee
350 Northern Boulevard
Albany, New York 12204

¹ The number in parenthesis following the name of each commentator indicates the docket number assigned by the Rules Committee Support Office to the letter received from the commentator.

Debera F. Conlon (#22)
Assistant United States Trustee
Room 625, Federal Building
200 Granby Street
Norfolk, Virginia 23510

Professors Marianne B. Culhane and Michaela M. White (#25)
Creighton University School of Law
California at 24th Street
Omaha, Nebraska 68178

Sara H. Davis, Esquire (#15)
Westall, Gray & Connolly, P.A.
81 Central Avenue
Asheville, North Carolina 28801

Honorable E. Stephen Derby (#5)
United States Bankruptcy Court
909 U.S. Courthouse
101 W. Lombard Street
Baltimore, MD 21201

Ms. Karen Eddy (#23, #28)
Clerk of Court
United States Bankruptcy Court
51 S. W. First Avenue
Federal Building, Room 1401
Miami, Florida 33130-1669

Peter C. Fessenden (#12)
Chapter 13 Trustee
20 Federal Street
Post Office Box 429
Brunswick, ME 04011-0429

Professor Bruce Comly French (#6)
Ohio Northern University
Ada, OH 45810-1599

Honorable William H. Gindin (#30)
Chief Judge
United States Bankruptcy Court
402 East State Street
Trenton, New Jersey 08608

Honorable Marvin A. Holland (#2)
United States Bankruptcy Court
75 Clinton Street
Brooklyn, NY 11201

Honorable Karen S. Jennemann (#13)
United States Bankruptcy Court
135 West Central Boulevard
Suite 950
Orlando, Florida 32801

Kenneth N. Klee, Esquire (#17)
Stutman, Treister & Glatt
3699 Wilshire Boulevard, Suite 900
Los Angeles, California 90010-2739
(Comments of Mr. Klee's Paralegals)

Donald E. Klein, Esquire (#18)
Sipser, Weinstock, Harper & Dorn, L.L.P.
275 Madison Avenue, Suite 1416
New York, New York 10016

Gary Klein, Esquire (#32)
John Rao, Esquire
Staff Attorneys, National Consumer Law Center
18 Tremont Street
Suite 400
Boston, MA 02108-2336

Thomas J. King (#11)
Chapter 13 Trustee
504 Algoma Boulevard
P.O. Box 3170
Oshkosh, Wisconsin 54903-3170

**George W. Ledford (#10)
Chapter 13 Trustee
9 W. National Road
P.O. Box 69
Englewood, OH 45322**

**Ms. Cecelia G. Morris (#27)
Clerk of Court
United States Bankruptcy Court
Alexander Hamilton Custom House
One Bowling Green, Room 615-A
New York, New York 10004-1408**

**Honorable Geraldine Mund (#19)
Chief Judge
United States Bankruptcy Court
21041 Burbank Boulevard
Woodland Hills, California 91367**

**Glen K. Palman (#29)
Chief, Bankruptcy Court Administration Division
Administrative Office of United States Courts
Washington, D.C. 20544**

**Jerry Patchan, Esq. (#34)
Director, Executive Office for
United States Trustees
U.S. Department of Justice
Washington, DC 20530**

**Carol Ann Robinson, Clerk of Court (#20)
United States Bankruptcy Court
One Metropolitan Square
211 North Broadway, Seventh Floor
St. Louis, Missouri 63102-2734**

**Mr. Frederick D. Rogovy (#21)
New Hope Software
P.O. Box 1306
Mercer Island, Washington 98040**

Frank J. Santoro (#3)
Chapter 13 Trustee
P.O. Box 1455
Portsmouth, Virginia 23705

Honorable Leslie Tchaikovsky (#1)
United States Bankruptcy Court
1300 Clay
P.O. Box 2070
Oakland, CA 94612

George A. Vannah, Clerk (#9)
United States Bankruptcy Court
Norris Cotton Federal Building
275 Chestnut Street
Manchester, NH 03101

Honorable Sidney C. Volinn (#8)
United States Bankruptcy Appellate Panel
U.S. Court of Appeals Building
125 S. Grand Avenue
Pasadena, CA 91105

Michael D. Webb (#31)
President, National Conference of
Bankruptcy Clerks
120 West Third Street
Dayton, OH 45402

Honorable James E. Yacos (#14)
United States Bankruptcy Court
4th Floor, Federal Building
275 Chestnut Street
Manchester, NH 03101

Jack M. Zackin, Esq. (#33)
Chair, Bankruptcy Law Section
New Jersey State Bar Association
c/o Sills, Cummis, Zuckerman, Radin,
Tischman, Epstein & Gross
One Riverfront Plaza
Newark, NJ 07102

Exhibit D

PRELIMINARY DRAFT OF PROPOSED AMENDMENTS
TO THE OFFICIAL BANKRUPTCY FORMS

SUMMARY OF COMMENTS AND
RECOMMENDATIONS OF FORMS SUBCOMMITTEE

March 3, 1997

General Comments Applicable to All or Several Forms:

1. Judge Derby (#5):

Comment: With respect to Form 1, Form 3, and Form 14, these have case specific information on both sides. Since most court papers are fastened at the top, it is difficult to read the back unless the back is printed in reverse direction. He suggests an instruction to this effect be included, especially with respect to Form 1 (voluntary petition) which he consults often.

Subcommittee Recommendation: No action.

2. Judge Jennemann (#13):

Comment: Overall reaction of clerk in her court is that proposed amendments are great improvements that should be implemented as expeditiously as possible. Has two specific suggestions discussed below (regarding Forms 9A to 9I).

3. Ms. Davis (#15):

Comment: Except for Form 8 (discussed below), the proposed amendments are an improvement.

4. Judge Altenberger (#16):

Comment: The bankruptcy judges in the Central District of Illinois agree that most of the changes will be beneficial, except for specific suggestions regarding forms 3, 8, 14 and 20B (discussed below).

5. Ms. Robinson (#20):

Comments:

- (a) include "revision dates" on all forms;
- (b) excellent that form numbers are included on each of the committee notes (otherwise hard to match);
- (c) will all official forms be produced and made available electronically?

Subcommittee Recommendations: (a) revision dates should be included on each form, and (b) official forms should be produced and made available electronically. These recommendations should be referred to the Administrative Office for implementation.

6. Mr. Rogovy (#21):

Comment: "Delighted about the direction taken in the new official forms... especially happy to see professional graphics designers involved in the process." But, explains the difficulty with using certain fonts and margins that are not compatible with printers that most lawyers have. For example, no form should have any element closer than one half inch from the edge (Form 1's border is just 3/8" and will not print on many low end printers typically used by bankruptcy lawyers). In addition, thought should be given to reducing paper. Adding statements of bankruptcy petition preparers adds paper "especially resented by attorneys who do not need to file this statement." Includes other examples where paper volume could be reduced.

Mr. Rogovy later submitted Addendum I and Addendum II to his letter setting forth additional formatting, font, and technology concerns, and which include his re-formatted Form 1 (discussed below).

Subcommittee Recommendation: Technical formatting suggestions (such as margin size, etc.) should be referred to the Administrative Office. See below for the Subcommittee's recommendation regarding Form 1.

7. Ms. Eddy (on behalf of Bankruptcy Noticing User Group) (#23):

Comment: the proposed changes to the § 341 meeting notice (Form 9), Proof of Claim (Form 10), and Discharge of Debtor (Form 18), because of the increase in pages, will increase the annual cost of bankruptcy noticing - at least by \$1.4 million, without counting additional expenses for postage, envelopes and storage (assuming 1.2 million petitions). The letter breaks down these cost estimates. "The need for revisions must be balanced against prudent use of judicial resources."

Subcommittee Recommendation: The Subcommittee is aware of increased costs and the need to use judicial resources prudently. The Subcommittee believes that the benefits of the revised forms outweigh these costs.

8. Mr. Axler (NIBS Dev. and Support Center) (#24):

Comment: Provides a summary of computerized-system effects of the proposed form modifications which will require special

activities on the part of NIBS Development & Support Center staff, and probably by those who maintain BANCAP. These activities could be time-consuming. He goes through a form-by-form description of the activities needed to implement the form changes.

Subcommittee Recommendation: No action. See recommendation to #7 above.

9. Ms. Argoe (#26):

Comment: The forms are more user friendly, but they are greater in length and number of pages which will result in greater costs. These changes should be discussed with Cordant Inc., the Bankruptcy Noticing Center contractor who mails the notices of meetings and proof of claim forms.

Subcommittee Recommendation: No action. See recommendation to #7 above.

10. Mr. Klein and Mr. Rao (#32):

Comment: Commenting on behalf of the National Consumer Law Center, Inc.:

(a) the N.C.L.C. approves these changes in general, especially new Forms 20A and 20B which improve notice practice. With few exceptions noted below (with respect to particular forms), "we do not find the other changes problematic;"

(b) The new forms should have a long implementation period with expanded protection for use of substantially similar forms. Because of the extensive formatting associated with the forms, changes are expensive for practitioners and participants in the bankruptcy system. Existing computer programs will have to be re-tooled at considerable expense, with costs passed on to debtors and other parties;

(c) The new forms should be posted on the internet in downloadable format and otherwise distributed freely to those requesting originals that may be reproduced.

Subcommittee Recommendation: The implementation period should be approximately 3 months. Based on information gathered to date from several software companies, the revised forms should be available to lawyers within that time period. If the proposed amendments to the Forms are promulgated by the Judicial Conference in September of this year, the effective date should be January 1, 1998 (this recommendation is subject to change based on additional information that is being gathered by the Administrative Office regarding technical matters in implementing the revised forms).

The Subcommittee recommends that, until the January 1

effective date, lawyers and parties should be permitted to use either the existing forms or the revised forms. This will result in a three-month period in which both sets of forms will be acceptable.

The Subcommittee also agrees that the forms should be available on the internet in downloadable format and that this suggestion should be referred to the Administrative Office for implementation.

Form 1 (Voluntary Petition)

1. Mr. Fessenden (#12):

Comment: Should include a space to disclose municipalities or counties in which real estate is located so the trustee can record the petition. Substantial delays are caused if the trustee has to wait for schedules to be filed.

Subcommittee Recommendation: No action.

2. Mr. Klee's paralegals (#17):

Comments: (a) Present format for new section, "Small Business (Chapter 11 only)", could create problems when debtors do not bother to check the definitions under § 101 and 1121(e). Should something like "consult your attorney" be added?

(b) On Exhibit "A" under 2.b. (Total debts), mark to indicate whether the amounts, if any, listed under 2.c are included in the total.

(c) Committee note indicates that partnerships now have to file Exhibit "A". The top of form should include mention to the effect that "corporations, partnerships or other entities" etc. must complete the form.

(d) The petition does not provide a space for the name and address of the law firm or attorney representing the debtor.

(e) Section 2C to Exhibit "A" is unclear.

Subcommittee Recommendation: No action.

3. Judge Mund (#19):

Comment: Suggests that the upper part of Exhibit "A" be completed by all debtors (not just publicly held corporations) and, if so, that the Exhibit start with what is currently para. 2, 2A and 2B (current para. 1 should be followed by current para. 2C, 2D, etc.). Also, the debts should be divided into secured, unsecured and priority. This will allow anyone gathering statistical data to do a quick cross-check against the estimated assets and liabilities.

Subcommittee Recommendation: No action.

4. Ms. Robinson (#20):

Comment: (a) "Type of business" section is removed, but BANCAP requires this information. This means clerks will have to

make an educated guess, looking to Exhibit "A" to determine if a corporation is private or publicly held. The information in the petition should conform to BANCAP data requirements.

(b) Signature block for the attorney should include a space for the "Bar Number" immediately after the phone number. This would serve as a reminder for attorneys to supply such numbers to the court which may be used to verify admission to the bar.

(c) Signature block for the debtor is confusing. The second sentence should be replaced with the following: "I am aware that I may proceed in accordance with Title 11, United States Code, under chapter 7, 11, 12, or 13. I understand the relief available under each such chapter, and choose to proceed under Chapter ___."

Subcommittee Recommendation: No action.

5. Mr. Rogovy (#21):

Mr. Rogovy submitted an alternative re-formatted Form 1, and a chart explaining the differences between the published version and his version.

Subcommittee Recommendation: The Subcommittee suggests adoption of Mr. Rogovy's reformatted version of Form 1 (Voluntary Petition), with certain modifications as marked on the attached. See the attached form and the accompanying chart explaining the differences between the published version and Mr. Rogovy's version.

6. Mr. Axler (NIBS Dev. and Support Center) (#24):

Comments: (a) "Type of Debtor" section should have a check box for joint petitions (although this is indicated by two names in the box, it would be helpful to the court staff to have check box.

(b) "Type of Debtor" also should have a check box for municipality.

(c) On page 2, debtor's signature box, second sentence is a lengthy run-on sentence, and should be changed to: "I am aware that I may proceed under any of chapters 7, 11, 12, or 13 of title 11, United States Code, and I understand the relief available under each such chapter. I choose to proceed under chapter 7."

(d) There is a new section for "Signature of Non-Attorney Petition Preparer." The form and committee note are silent on whether this information will be used for any future statistical analysis or tracking. If so, the NDSC and the courts will need additional information as to the accumulation or tracking of information.

(e) The note indicates that "In re" is deleted. "We

recommend that this be clearly stated as applicable to all forms."

Subcommittee Recommendation: No action.

7. Professors Culhane and White (#25):

Comment: Debtors should have to disclose their gender and date of birth, and perhaps their ethnic background. This information would be helpful for statistical research, and the age and gender information would help trustees and creditors assess the reasonableness of expenses and exemption claims.

Subcommittee Recommendation: No action.

8. Ms. Morris (#27):

Comment: In "Statistical/Administrative Information (Estimates Only)" section, add a box for "Plan filed with the Petition" This check would be helpful information in chapter 11, 12, and 13 cases.

Subcommittee Recommendation: No action.

9. Ms. Eddy (#28):

Comment: This form is rarely used for § 304 cases ancillary to a foreign proceeding because it does not accommodate the signature of the party filing (usually a trustee). Most use a narrative form. Perhaps an alternate Form 1 could be developed for this purpose.

Subcommittee Recommendation: No action.

10. Judge Gindin (#30):

Comment: (a) Under section entitled "Filing Fee", change "Filing Fee is attached" to "Full Filing Fee is attached." This will make it clear that the debtor should not check the box if only a partial deposit is made together with an installment payment application;

(b) Under "Signature of Attorney" section, include place for attorney's identification number; and

(c) Under section "Signature of Non-Attorney Petition Preparer", include a place for a telephone number.

Subcommittee Recommendation: Change "Filing Fee is attached" to "Full Filing fee is attached" for additional clarity, as suggested. The Subcommittee recommends no action with respect to comments (b) and (c) above.

11. Mr. Klein and Mr. Rao (#32):

Comment: The format changes make the petition easier to fill out. It is an improvement that the debtor has to sign in only one place. The same change could be made for the debtor's attorney by adding the Exhibit B language before the attorney signature line with the necessary qualifying language.

Subcommittee Recommendation: No action.

12. Mr. Zackin (# 33):

Comments: On behalf of the Bankruptcy Law Section of the N.J. State Bar Association --

(a) Center prominently the title of the document ("Voluntary Petition"), to clarify the identity of the document;

(b) On the second page, add a line for the date wherever the form requires a date to be inserted (the form has spaces for dates, but no lines);

(c) Require a bankruptcy petition preparer to a separate certification acknowledging that they have complied with § 110. "Such a certification might prove useful in preventing abuses by petition preparers."

Subcommittee Recommendation: Add a line wherever a date must be inserted, consistent with comment (b) above. The Subcommittee recommends no action with respect to the other comments.

13. Mr. Patchan (#34):

Comment: Should add a note below the petition preparer's signature that says: "11 USC § 110(h)(1) requires also a declaration under penalty of perjury to be filed within 10 days after the filing of a petition of fee received or charged. See Directors form # ___."

Subcommittee Recommendation: The proposed revisions to this form, as published, contain a statement warning that failure to comply with provisions of the Code and Rules (citing § 110 and 18 USC § 156) may result in fines or imprisonment or both. The Subcommittee believes that this warning is sufficient and does not recommend adding additional language regarding the need to comply with one particular requirement of § 110.

Form 3 (Application and Order to Pay Filing Fee in Installments)

1. Judge Tchaikovsky (#1):

Comment: Suggests that bankruptcy petition preparer's statement be clarified so that the person is certifying that he or she did not receive money or property from the debtor postpetition and will not in the future. The preparer should not be asked to certify that no money was received prepetition, in view of the statement in the committee note that the debtor is not disqualified from paying in installments merely because money was paid to a preparer.

Subcommittee Recommendation: No action.

2. Judge Derby (#5):

Comments: (a) Although the stated purpose in the committee note is "to clarify that a debtor is not disqualified from paying the fee in installments because the debtor has paid money to a bankruptcy petition preparer," the form itself does not contain such a statement. Judge Derby states that, without commenting on the wisdom of giving petition preparers priority over attorneys and court costs by failing to amend Rule 1006, "the form seems to suggest to the lay reader that no fees to anyone should have been paid."

(b) The Order should have a descriptive title to identify it for purposes of the docket entry ("Order Approving Payment of Filing Fee in Installments"), so the docket would be more informative and useful.

Subcommittee Recommendation: No action with respect to comment (a). With respect to comment (b), the Subcommittee recommends that the title of the order be changed to "Order Approving Payment of Filing Fee in Installments."

3. Judge Adler (#7):

Comments: (a) change language in paragraph 5 of the application to provide that the debtor acknowledges that failure to timely pay an installment when due may result in dismissal without further hearing; and

(b) the order should be changed to direct the clerk to dismiss the case without further hearing for failure to timely pay the filing fee installments unless otherwise directed by further court order.

Subcommittee Recommendation: No action.

4. Mr. Vannah (#9):

Comment: The form should have only 4 lines for installment payments, not 5, because the debtor is limited to only 4.

Subcommittee Recommendation: The form should be changed so that it says, immediately after the first line for a \$ amount, "Check one: With the filing of the petition, or on or before _____".

Then there should be three additional lines with dollar signs. This will clarify that there are only four payments to be made.

5. Judge Altenberger (#16):

Comment: Last sentence of committee note (debtor not disqualified if paid petition preparer prepetition) appears to be inconsistent with Rule 1006(b)(3) and with the certification of the bankruptcy petition preparer regarding payment of money by the debtor.

Subcommittee Recommendation: No action with respect to the form. Refer to the Advisory Committee the question of whether Rule 1006(b) should be amended.

6. Judge Mund (#19):

Comment: (a) Need to change form and Rule 1006 so that it is not okay for a debtor to pay a paralegal or petition preparer and to seek delay in paying filing fees. Para. 3 of this form, together with Rule 1006, should be changed accordingly. "There is a real problem to having this form certified by a non-attorney bankruptcy petition preparer because it does leave the impression that it's okay to have paid that person before the filing fee is paid."

(b) The order does not set forth a schedule of payments. What if the schedule the court wants to permit differs from the one in the application? Judge Mund encloses copies of forms used in her court.

Subcommittee Recommendation: With respect to comment (a), take no action regarding the form, but refer to Advisory Committee the question of whether Rule 1006(b) should be amended. The Subcommittee recommends no action regarding comment (b).

7. Ms. Robinson (#20):

Comment: The form should address payment to non-attorney petition preparers in para. 3. This appears to contradict the rules. The certification for petition preparers states that he or

she prepared the application for compensation, but then states that he or she will not accept money or any other property from the debtor before the filing fee is paid in full. Shouldn't this be included in para. 3 as well? This appears inconsistent.

Subcommittee Recommendation: No action.

8. Mr. Axler (NIBS Dev. and Support Center) (#24):

Comment: (a) All references to "filing fee" on this form should be changed to reflect the fact that, under certain chapters, there are fees other than the filing fee that may be paid in installments.

(b) The note says no more than 4 installments are permitted, but there are five lines on the form, indicating that there may be 4 installments in addition to the amount paid when the petition is filed. "This may cause confusion..."

Subcommittee Recommendation: With respect to comment (a), no action should be taken except that the first letter of the words "Filing Fee" should be capitalized wherever they appear in the form, and the title to the form should use the singular "Fee" rather than "Fees." With respect to comment (b), see Subcommittee Recommendation to Mr. Vannah's comment (item #4 above).

9. Ms. Morris (#27):

Comment: Does the Committee Note mean that a debtor can pay a petition preparer and not an attorney and still pay the filing fee in installments?

Subcommittee Recommendation: No action recommended in response to this comment. The answer to the question is yes, if the petition preparer was paid prepetition.

10. Ms. Eddy (#28):

Comment: There should be a signature line added to provide for a joint debtor's signature.

Subcommittee Recommendation: Add a signature line for a joint debtor's signature, as suggested.

11. Mr. Palman (#29):

Comment: Rule 1006(b) has an inconsistency: para. (b)(1) requires the application to provide that the applicant has not

paid an attorney for services in connection with the case. Para. (b) (3) requires the filing fee to be paid in full before the debtor may pay an attorney or any other person who renders service in connection with the case. The change in the form will conform the debtor's certification to (b) (1), but will be inconsistent with (b) (3). In addition, the petition preparer's certification on the form is inconsistent with the debtor's certification regarding payments to the petition preparer. Recommends that Form 3 continue to include in the debtor's certification that no money has been paid to "any other person."

Subcommittee Recommendation: Take no action regarding the form, but refer to the Advisory Committee the question of whether Rule 1006(b) should be amended.

12. Judge Gindin (#30):

Comment: (a) In line 4, limit the total number of payments to four. It is unclear as to how many installments can be made (4 or 5);

(b) Expand line 5 to indicate that the entire fee is still due even if the case is dismissed and, pursuant to § 523(a)(17), any unpaid portion would be nondischargeable. Putting this in the application and order would assist in the effort to make debtors aware of this; and

(c) For clarity, change "Signature(s) of Applicant(s)" to "Signature(s) of Debtor-Applicant(s)." "Petition preparers in the District of New Jersey have attempted to sign as "applicant."

Subcommittee Recommendation: With respect to comment (a), see Subcommittee Recommendation to Mr. Vannah's comment (item #4 above). Take no action with respect to comment (b). With respect to comment (c), make the suggested change so that "Applicant(s)" is changed to "Debtor-Applicant(s)" below the signature line.

13. Mr. Zackin: (#33)

Comments: (a) A line should be added under the signature of the applicant to provide a space for the signature of a codebtor; and

(b) Make the application and Order a two-sided document for simplicity.

Subcommittee Recommendation: Add a signature line for a codebtor, as suggested. Take no action regarding comment (b).

**Form 6 (Schedule F - Creditors Holding Unsecured
Nonpriority Claims**

1. Mr. Klee's paralegals (#17):

Comment: Should add to the instructions regarding the designation of a claim as "contingent", "unliquidated", or "disputed", a statement that no amount should be shown in the "Amount of Claim" column if the claim is "unliquidated".

Subcommittee Recommendation: No action.

2. Professors Culhane and White (#25):

Comment: (a) Eliminate request for "date claim was incurred" or moving it into a separate box similar to account number. Currently, this date is not given in most of the hundreds of chapter 7 cases the commentators reviewed.

(b) Consider defining the terms "contingent", "unliquidated", and "disputed". Pro se debtors, and even some represented by attorneys, "check these boxes with reckless abandon."

Subcommittee Recommendation: No action.

3. Judge Gindin (#30):

Comment: Typos: "contingent" appears as "contigent" twice.

Subcommittee Recommendation: Correct these mistakes.

4. Mr. Zackin (#33):

Comment: Divide the box for description of the claim to create a separate area for listing setoff information, similar to that for provision of a debtor's account number.

Subcommittee Recommendation: No action.

Form 8 (Individual Debtor's Statement of Intention)

1. Prof. French (#6):

Comment: Suggests adding language such as: "Counsel shall append to this Form copies of perfected security instruments regarding the property set forth on this form along with a current (within the past 60 days) statement from the secured creditor advising of the present balance due on the account, if any." This comment is based on his experience as a chapter 7 trustee in which the amount of debt stated reflected the amount on the original bond, not the current balance.

Subcommittee Recommendation: No action.

2. Judge Volinn (#8):

Comment: Despite statement in committee note that no position is taken on whether the options listed in the form are exclusive, the language appears to give no option to the debtor other than to surrender the property or retain the property by designated either of 3 choices (exemption, redemption, reaffirmation). He suggests an additional column entitled "Other: specify."

Subcommittee Recommendation: No action.

3. Ms. Davis (#15):

Comment: Although the stated intention is to clarify that debtors may not be limited to options stated in the form, the form does not appear to expand the options available and, in fact, further limits the options from those presently offered. The amendment eliminates the possibility of avoiding the lien and does not clarify that the debtor could simply retain the collateral and make regular payments. The phrase "check any applicable statement" confuses the issue. "Why not have a § 722 block, a § 524 block, a § 522(f) block, and an 'Other' block?"

Subcommittee Recommendation: No action.

4. Judge Altenberger (#16):

Comment: Committee note says no position is taken on whether the options are exclusive, but the Seventh Circuit held that these options are exclusive.

Subcommittee Recommendation: No action.

5. Judge Mund (#19):

Comment: The form does not seem to do what the note says: i.e., that the form is amended to make it clear that it is not taking a position regarding whether the options stated are the exclusive ones.

Subcommittee Recommendation: No action.

6. Mr. Axler (NIBS Dev. and Support Center) (#24):

Comment: The note at the bottom, beginning "A bankruptcy petition preparer's failure..." is in a different typeface than the remainder of the form.

Subcommittee Recommendation: Enlarge the size of the typeface, and correct the title of the Rules (change "Procedures" to "Procedure").

7. Professors Culhane and White (#25):

Comment: Suggests reinstating the language "Lien will be avoided pursuant to § 522(f)" before "Property will be claimed as exempt." This will better alert affected creditors as to the procedure required to effect the debtor's stated intention.

Subcommittee Recommendation: No action.

8. Mr. Klein and Mr. Rao (#32):

Comment: "The National Consumer Law Center agrees with the approach taken in this revised form."

9. Mr. Zackin (#33):

Comments: (a) Provide plain-English instructions to avoid the common confusion by pro se debtors and inexperienced counsel as to the circumstances under which this form must be prepared and filed. The instructions should include time periods set forth in § 521(2), which has been deleted in the amended form.

(b) At the end of paragraph 1, the phrase "as shown on Schedule D" should be added for clarity.

Subcommittee Recommendation: No action.

**Forms 9A - 9I (Notice of Chapter ___ Bankruptcy Case,
Meeting of Creditors, and Deadlines)
[General Comments Applicable to All or
Several Versions of Form 9]**

1. Judge Jennemann (#13):

Comment: (a) change heading to "Meeting of Creditors with the United States Trustee" and give information that the meeting is held under the auspices of the U.S. trustee. This will result in questions being directed to that office regarding the meeting; and

(b) in section headed "Exempt Property" on the back, include information to help parties locate the debtor's claim of exemptions (i.e., Schedule C). In particular, expand the explanation as follows: "The debtor must file a list of all property claimed as exempt labeled as Schedule C of the debtor's petition."

Subcommittee Recommendation: No action.

2. Mr. D. Klein (#18):

Comment: (a) To avoid inconvenience when creditors appear at a § 341 meeting only to find out it will not take place, he suggests that the last sentence of the standard paragraph be changed to read as follows: "Since the meeting may be adjourned, rescheduled, continued or concluded at a later date without further notice from the Court, you should contact the [attorney for the] Debtor to confirm scheduled meeting dates."

(b) Regarding "Discharge of Debts" section on the back, since it deals with separate concepts of "discharge of debts" and "discharge of the debtor," the word "Discharge" alone should suffice for the title; and

(c) As to the text, the use of the word "debt" at the end of the first sentence does not conform with the use of the word "claim" in the preceding "Explanation" for "Claims." The second sentence is misleading since it suggests that a creditor cannot pursue a payment required to be made as a result of the bankruptcy case. He suggests, for these reasons, that the first two sentences be revised as follows: "The debtor is seeking a discharge of most debts, which may include some or all of your claim. A discharge means that except through this bankruptcy case or one to which it may be converted, you may never try to collect your claim from the debtor or the debtor's property."

Subcommittee Recommendation: No action.

3. Judge Mund (#19):

Comment: Whenever referring to a Code section, use the format "the Bankruptcy Code, 11 U.S.C. § ___" so that it is easier for pro se creditors to find it in the library. "By using Title 11 only in the first explanation, you are making it much more difficult for them."

Subcommittee Recommendation: No action.

4. Ms. Conlon (#22):

Comment: Section on "Creditors May Not Take Certain Actions" on back of form does not adequately describe the potential penalties for violating the automatic stay. "You may be penalized" is not strong enough to deter an unknowing creditor from violations. Descriptions of contempt powers of bankruptcy courts and potential fines may help bolster the language of the section.

Subcommittee Recommendation: No action.

5. Mr. Axler (NIBS Dev. and Support Center) (#24):

Comment: (a) On forms that may be used for joint cases, space should be provided for separate address and attorney for the joint debtor. Matching changes should be made to the relevant box headings: "Debtor(s) (name(s) and address)" should be "Debtor(s) (name(s) and address(es))". "Attorney for Debtor(s) (name and address)" should be changed to "Attorney(s) for Debtor(s) (name(s) and address(es))." For additional clarity, the extra enclosing parentheses might be changed to brackets, such as "[name(s) and address(es)]."

(b) Many explanatory comments do not clearly reflect the situation of joint filings. Example: under "Creditors May Not Take Certain Actions", there are references to "the debtor." This should be changed to "a debtor." The section on "Meeting of Creditors" states that "the debtor (both spouses in a joint case) must be present. "Since it is common for debtors in a joint filing to be separated or divorced, the term 'spouses' is potentially inappropriate and should be replaced by "both debtors."

(c) The difference in usage between regular and alternate versions of 9E and 9F is not clear. It appears the only difference is whether a deadline for filing claims has been set. "Is this correct?"

Subcommittee Recommendation: No action. The response to

the question in comment (c) is "yes."

6. Ms. Eddy (#28):

Comment: (a) The introductory section does not accommodate notice that the case was filed as an involuntary case.

(b) In the introductory section, the "Note: The staff..." statement should be in BOLD, and the Legal Advice box of the Explanations section should be eliminated. This would provide a blank box in the explanations section for courts to provide local information (e.g., Pacer and VCIS telephone numbers).

(c) "Deadline to Object Exemptions" box on all forms that have it (9A, 9C, 9E, 9E(Alt.), 9G, 9I) should include the provisions of Rule 4003(b): "... or the filing of any amendment to the list or supplemental schedules..."

(d) The first sentence of the "Bankruptcy Clerk's Office" statement in the Explanations section is not appropriate. "This court, by local rule, allows papers to be filed in any divisional office in this district."

(e) The revisions will expand these forms to 2 pages, and printing the claim form on the back will not be possible. This will dramatically increase the cost of noticing, paper consumption and other valuable resources.

Subcommittee Recommendation: No action recommended regarding comments (a), (b), and (c). With respect to comment (d), change the word "must" to "should" so that the sentence reads: "Any paper that you file in this bankruptcy case *should* be filed at the bankruptcy clerk's office at the address listed on the front side." No action recommended with respect to comment (e) because the Subcommittee believes that the benefits of the revised forms outweigh these costs.

7. Ms. Argoe (# 4):

Comment: Suggests that Form 9 notices include setting a deadline for filing proofs of interest.

Subcommittee Recommendation: No action.

8. Mr. Palman (#29):

Comment: (a) On behalf of the BCAG (Bankruptcy Clerks' Advisory Group), suggests that the "speculative and possibly small benefit of greater comprehension of the forms is outweighed by the clear financial burden that would result if the form is expanded to 2 pages."

(b) The section describing the Bankruptcy Clerk's Office instructs that all papers must be filed at the address listed at the notice. But Rule 5005(a)(1) permits papers to be filed with the clerk in the district where the case is pending, which means that papers may be filed at any bankruptcy court within the district. Suggests that the language be changed to "should" instead of "must."

(c) Space should be provided for courts to include local information that is unique to a particular court.

Subcommittee Recommendations: No action with respect to comment (a).

With respect to comment (b), the word "must" should be changed to "should" as suggested (this Subcommittee recommendation is the same as that expressed in response to Ms. Eddy's comment in item # 6 above).

With respect to comment (c), the following should be added to the committee note: "The court may use blank spaces on the form to include additional information applicable to the particular district."

9. Judge Gindin (#30):

Comment: The "Explanations" section for "Meeting of Creditors" should include instructions to contact the trustee, whose name and telephone number appear on the notice, with questions regarding the meeting. Currently, the clerk's office receive enumerable calls that should or must be directed to the trustee.

Subcommittee Recommendation: No action.

10. Mr. Webb (#31):

Comment: On behalf of National Conference of Bankruptcy Clerks, he expresses concern that the explanations added to the form will produce more litigation and more work for the clerk's office. "Bankruptcy is a complicated legal procedure which is impossible to explain in a few short paragraphs." Of particular concern are the explanations for discharge and exempt property. "Our fear is that those explanations will encourage frivolous pro se responses to chapter 7 bankruptcies and also dramatically increase telephone traffic." Small creditors will grasp these explanations as a way to get paid or cause the debtor discomfort. The exempt property explanation would encourage unsophisticated creditors to file objections. "At the very least, Clerks' offices will be flooded with calls from irate creditors demanding their 'perceived' rights." If explanations will be included in these forms, it is suggested that they be tested in a few districts

first. The potential impact of these forms needs more study.

Subcommittee Recommendation: No action.

11. Mr. Klein and Mr. Rao (#32):

Comment: These forms are improved and some explanations on the back are better. But, under the "Creditors May Not Take Certain Actions" section, "we don't think that the definition of creditor should have been deleted and there is no longer a warning about penalties for stay violations."

Subcommittee Recommendation: No action.

**Form 9C (Notice of Chapter 7 Bankruptcy Case,
Meeting of Creditors, and Deadlines)**

1. Ms. Morris (#27):

Comment: In explanatory box labeled "Liquidation of the Debtor's Property..." on the back of the form, add the word "priority" in the sentence beginning: "If the trustee can collect..., in the priority order specified..."

Subcommittee Recommendation: No action.

2. Mr. Patchan (#34):

Comment: Under "Explanations" as to "Filing of Chapter 7 Bankruptcy Case", insert phrase ("for liquidation of the debtor's estate") that indicates the nature of a chapter 7 case, to be placed after the statutory citation. Similar types of phrases are used on other Form 9 versions for chapter 11, 12 or 13 cases. (This comment is also made regarding Form 9D).

Subcommittee Recommendation: No action.

**Form 9D (Notice of Chapter 7 Bankruptcy Case,
Meeting of Creditors, and Deadlines)**

1. Ms. Morris (#27):

Comment: In "Claims" section on page 2, change to read "Deadline to file a Proof of Claim." And query: where is the recitation on discharge of debts?

Subcommittee Recommendation: Change phrase to read "Deadline to file a Proof of Claim" on Forms 9C, 9D, and 9F (Alt.). These are typographical errors.

With respect to the query, there is no recitation on discharge of debts because this form applies only to corporations/partnerships in chapter 7, for which there is no discharge.

2. Ms. Eddy (#28):

Comment: Under "Meeting of Creditors" section, delete second period after p.m.

Subcommittee Recommendation: Make this correction.

Mr. Zackin (#33):

Comment: Modify instruction as to "Liquidation of the Debtor's Property" to eliminate the reference to exempt property since corporations and partnerships are not entitled to exempt any property.

Subcommittee Recommendation: Delete the words "that is not exempt" from the first sentence of the explanation under the box designated "Liquidation of the Debtor's Property and Payment of Creditors' Claims"

**Forms 9E and 9F (Notice of Chapter 11 Bankruptcy Case,
Meeting of Creditors, and Deadlines)**

1. Judge Holland (#2):

Comments: In last sentence of explanations in top box on page 2, move the phrase "unless a trustee is serving" to the beginning of the sentence to clarify that it applies to both clauses (this comment applies to all chapter 11 notices)

Subcommittee Recommendation: Change the last sentence in top box on page 2 to read as follows: "Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business."

2. Mr. Klee's paralegals (#17):

Comment: Require that a copy of any claim filed in a chapter 11 case be provided to the debtor's attorney whose name and address appears on the form. Although not conclusive as to the claims filed, it would give the attorney a better starting point in reviewing claims since the clerk's office does misplace or lose claims, if it is processing the claims at all.

Subcommittee Recommendation: No action.

3. Judge Mund (#19):

Comment: In "Filing of Chapter 11 Bankruptcy Case" box on back of form, change last word from "serving" to "appointed". The word "serving" indicates a present action, whereas a trustee may be appointed in the future.

Subcommittee Recommendation: No action.

4. Mr. Axler (NIBS Dev. and Support Center) (#24):

Comment: Form 9F and 9F(Alt.) do not include any mechanism to indicate whether the debtor is a corporation or a partnership.

Subcommittee Recommendation: Change the first sentence of Forms 9F and 9F(Alt.) to insert "[corporation] or [partnership]" after "debtor." This will conform this sentence to the first sentence of Forms 9B, 9D, and 9H to indicate whether the debtor is a corporation or a partnership.

5. Ms. Eddy (#28):

Comment: The "Filing of Chapter 11 Bankruptcy Case" box of the Explanations section refers to a confirmation hearing, but not to a disclosure statement hearing.

Subcommittee Recommendation: No action.

6. Ms. Eddy (#28):

Comment: (a) The first line of Form 9F does not contain the reference to "[corporation] or [partnership]" the way that Form 9B, 9D, and 9H do.

(b) Suggests that the section "Deadline to File a Complaint Objecting to Discharge of the Debtor" be deleted from Form 9F because it does not apply in chapter 11 corporate or partnership cases.

Subcommittee Recommendation: With respect to comment (a), see Subcommittee Recommendation to Mr. Axler' comment (item #4 above).

With respect to comment (b), the Subcommittee recommends the following changes:

(1) delete box headed "Deadline to File a Complaint Objecting to Discharge of the Debtor" from Form 9F and 9F(Alt.);

(2) The statement "Papers must be received..." in the "Deadlines" box on all Form 9 notices should be moved up to the shaded area;

(3) In Forms 9D, 9F, and 9F(Alt.): Change the heading (in the shaded area) "Deadlines" to "Deadline to File a Proof of Claim:", delete "Deadline to File a Proof of Claim" in the unshaded area, and change "Papers" to "Proof of Claim" in the sentence under the heading.

(4) On page 2 of Forms 9F and 9F(Alt.), replace the "Discharge of Debts" explanation with the following: "Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor."

(5) On page 2 of Forms 9E and 9E(Alt.), replace the first sentence of "Discharge of Debts" explanation with the following: "Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d)."

7. Judge Gindin (#30):

Comment: (a) On Form 9F(Alt.), there is a typo: The word "recognize" should be "reorganize" in the third line of the Explanations section for "Filing of Chapter 11 Bankruptcy Case."

(b) The "Explanations" section for "Discharge of Debts" should include "more explanation of discharge in a Chapter 11 plan and objections to the plan." The addition of discharge information in the chapter 11 notice for corporation/partnership cases may be confusing without greater explanation.

Subcommittee Recommendation: Correct the typo mentioned in comment (a) (change "recognize" to "reorganize").

With respect to comment (b), see Subcommittee Recommendations regarding Ms. Eddy's comments (item #6 above).

Form 9G and 9H (Notice of Chapter 12 Bankruptcy Case,
Meeting of Creditors and Deadlines)

1. Judge Holland (#2):

Comment: States that the explanation under "Discharge of Debts" is incorrect (this comment applies to both chapter 12 and 13 forms).

Subcommittee Recommendation: No action with respect to chapter 12.

2. Ms. Eddy (# 28):

Comment: (a) Remove printing error on Form 9G, immediately above "See Reverse Side For Important Explanations" box, where it says "Form B9F(Alt.)."

(b) Questions whether § 523 actions may be brought against a corporate chapter 12 debtor.

Subcommittee Recommendation: Make the correction suggested in comment (a). No action with respect to comment (b).

**Form 9I (Notice of Chapter 13 Bankruptcy Case,
Meeting of Creditors, and Deadlines)**

1. Judge Holland (#2):

Comment: The explanation under "Discharge of Debts" is incorrect (this comment applies to both chapter 12 and 13 forms).

Subcommittee Recommendation: Delete explanation under "Discharge of Debts," except for the first two sentences which should remain.

2. Mr. Santoro (#3):

Comment: Suggests that the note at top of the form be changed as follows: "The staff of the bankruptcy clerk's office and the Chapter 13 trustee's office cannot give legal advice." This will help eliminate many calls to the Chapter 13 trustee for legal advice.

Subcommittee Recommendation: No action.

3. Mr. Ledford (#10):

Comment: (a) caption is insufficient to fit the full title of his court (including the division as well as district);

(b) do not have shaded areas, because he is unable to print them, many printers cannot duplicate this shading, and it should not be necessary given the bold type used;

(c) phrase "an order for relief has been entered" should be deleted in first paragraph on back page because there is no separate order for relief entered and therefore the statement is incorrect;

(d) reference to "1201" should be "1301" in "Creditors May Not Take Certain Actions" section;

(e) discharge of debts explanation is incorrect in that § 523(a)(2), (4), (6), or (15) are not applicable under § 1328;

(f) Exempt Property explanation is inaccurate because in a chapter 7 case exempt property may be sold if the value exceeds the exemption; and

(g) in "legal advice" section, expand to include chapter 13 trustee (who may not give legal advice as per § 1302(b)(4)).

Subcommittee Recommendation: No action, except as follows:

(1) Correct typo by changing "1201" to "1301" in "Creditors May Not Take Certain Actions" explanation on page 2 of Form 9I;

(2) Same Subcommittee recommendation as expressed in response to Judge Holland's comment (item #1 above).

4. Mr. King (#11):

Comment: Should delete information on nondischargeability of debts arising under § 523(a)(2), (4), (6) and (15). These are dischargeable and, if § 1328(b) is applicable, a new deadline for objections is set.

Subcommittee Recommendation: Same recommendation as expressed in response to Judge Holland's comment (item #1 above).

5. Mr. Fessenden (#12):

Comment: (a) In favor of changes (especially approves the addition of the date of the original petition and conversion date), but he thinks the explanation on back (first box) ("Chapter 13 allows an individual with regular income and debts below a specified amount to adjust their debts pursuant to a plan") is not accurate in that not all debts are adjustable (for example, home mortgages may not be modified). Also suggests deleting the personal pronoun in that sentence. He suggests it read: "Chapter 13 allows an individual with regular income and debts below a specified amount to adjust certain debts pursuant to a plan."

(b) correct typo (§ 1201 should be § 1301) in second block on back;

(c) form should explain local variation as to whether proof of claim must be filed with chapter 13 trustee as well (or instead of) the clerk (as is the local rule in Maine);

(d) section on discharge of debts should not include references to § 523(a)(2), (4), (6), and (15) because these are dischargeable in chapter 13; and

(e) in box on clerk's office, indicate that proofs of claim may have to be filed with trustee pursuant to local rule -it might be wise to indicate that most papers filed should also be served on the trustee and/or debtor's counsel.

Subcommittee Recommendations:

(a) Delete the word "their" in second sentence of explanation at top of page 2 (sentence beginning "Chapter 13 allows ...");

(b) Correct typo ("1201" should be "1301") in "Creditors May Not Take Certain Actions" explanation on page 2.

(c) Add statement in committee note to indicate that courts may use blank spaces for local information (same as Subcommittee Recommendation with respect to Mr. Palman's comments under Forms 9A-9I, item #8).

(d) Reference to § 523 subsections should be deleted from explanation on discharge (same as Subcommittee recommendation in response to Judge Holland's comments in item #1 above).

(e) No action. Local information may be added in blank spaces.

6. Judge Mund (#19):

Comment: (a) There is alternative language (indicated in brackets) in the section on "Filing of Plan, Hearing on Confirmation" (page 1), and in "Filing of Chapter 13 Bankruptcy Case" section on page 2. Asks how the court will indicate this? Will the court have separate forms for each alternative, or should there be check off boxes?

(b) In "Creditors May Not Take Certain Actions" box on back, "1201" should read "1301".

(c) In "Discharge of Debts" box on back, reference to § 523(a)(2), etc. are not relevant in chapter 13.

Subcommittee Recommendation: No action with respect to comment (a). With respect to comment (b), this correction will be made (as indicated above). With respect to comment (c), reference to § 523(a) will be deleted as stated in the Subcommittee's recommendation in response to Judge Holland's comment (item #1 above).

7. Ms. Robinson (#20):

Comment: "Discharge of Debt" section on back should explain that discharges are not granted until completion of the chapter 13 plan, etc. The explanation of discharge is the same as for chapter 7, but should not be.

Subcommittee Recommendation: No action.

8. Ms. Argoe (#26):

Comment: The plan, or summary of the plan, should be served by debtor's counsel, and the form should so state (instead of saying that it is attached to the § 341 meeting notice). Realizes that this needs a rules change (Rule 3015(d)), and suggests that the Committee change the rule to accommodate this. "This court's local rule requires the debtor's attorney to serve the plan on all creditors and parties in interest and the notice of the chapter 13 bankruptcy case so advises and provides a very brief "summary." This is a more efficient way to handle chapter 13 notices and plans.

Subcommittee Recommendation: No action, except refer to Advisory Committee for consideration of whether the rule should be changed.

9. Ms. Eddy (#28):

Comment: (a) reference to "1201" should be "1301" in "Creditors May Not Take Certain Actions" section; and
(b) delete "Discharge of Debts" box.

Subcommittee Recommendation: (a) correction ("1201" changed to "1301") will be made as indicated above; (b) see Subcommittee recommendation in response to Judge Holland's comment (item #1 above).

10. Judge Gindin (#30):

Comment: (a) Include the deadline for objecting to confirmation of the plan. The Explanations section for "Filing of Chapter 13 Bankruptcy Case" refers to the confirmation hearing but does not provide a deadline for objecting.

(b) Clarify the Explanations section for "Discharge of Debts." It is misleading in that § 523(a)(2), (4), (6) and (15) do not apply in chapter 13 if the debtor completes payments under the plan.

Subcommittee Recommendation: No action regarding comment (a). With respect to comment (b), reference to § 523(a) will be deleted as stated above (see Subcommittee Recommendation in item #1 above).

11. Mr. Klein and Mr. Rao (#32):

Comment: (a) Under "Creditors May Not Take Certain Actions" section on the back, the form deletes the reference to possible protection for codebtors;

(b) Under "Discharge of Debts", there should not be any reference to § 523(a)(2), (4), (6) and (15).

Subcommittee Recommendation: With respect to comment (a), make the following changes:

(1) on page 2, the first sentence of the explanation under "Creditors May Not Take Certain Actions" should be changed to read as follows: "Prohibited collection actions against the debtor and certain codebtors are listed in Bankruptcy Code § 362 and § 1301." Also, make the same change on Form 9H, except use "1201" instead of "1301".

(2) on page 1, under "Creditors May Not Take Certain Actions" change "... against the debtor and the debtor's property..." to "... against the debtor, certain codebtors, and the debtor's property..." Make the same change on Form 9H.

With respect to comment (b), reference to § 523(a) will be deleted as stated above (see Subcommittee Recommendation in item #1 above).

Form 10 (Proof of Claim)

1. Judge Holland (#2):

Comment: Finds definition of "secured claim" confusing and suggests that "if" in the first line of the definition be changed to "to the extent that" to clarify that the claim may be partially secured.

Subcommittee Recommendation: On page 2, under "Secured Creditors" explanation, (1) delete "below" in last line; and (2) in first line, change "if" to "to the extent that".

2. Mr. Ledford (#10):

Comment: (a) Shading should be eliminated (not compatible with many printers and unnecessary);
(b) there is insufficient space for the amount of the claim;
(c) there is too much explanation concerning the claim: in section 4, it should be sufficient to have one line for a secured claim with brief collateral description and a line for unsecured nonpriority claim. Sees no need for detailed explanations in 4, 4a, and 4b. Section 4 and 5 are redundant (same dollar amount is shown twice). "My experience is that we will have different amounts in section 4 and 5 and will require me, as trustee, to take action to determine which number is the correct number."

Subcommittee Recommendation: No action with respect to comments (a) and (b). In response to comment (c), the Subcommittee recommends that boxes 4 and 5 be rewritten to avoid redundancy and to clarify these boxes. See revisions to these boxes marked on the enclosed marked forms.

3. Ms. Robinson (#20):

Comment: (a) Should include a space for the "chapter" (i.e., chapter 7) - should be placed immediately after or below the case number on the form.

(b) "Excellent idea to have instructions for preparation of proof of claim." But this could affect courts that are currently printing proof of claim form on back of § 341 notice, or that include it in template for Bankruptcy Noticing Center. Could affect number of pages to be sent out, additional noticing charges and/or postage. "Courts need to think about this."

Subcommittee Recommendation: No action.

4. Ms. Conlon (#22):

Comment: (a) The classification of claim section is "too cramped and difficult to read. It should be made larger and easier to read."

(b) The note regarding administrative expenses should refer to a specific procedure for filing administrative claims. Suggests a separate form for administrative expenses, such as a "§ 503(b) Request for Payment" form similar to the one the IRS uses (she attaches a sample).

Subcommittee Recommendation: With respect to comment (a), see Subcommittee Recommendation in response to Ms. Robinson's comment (item # 3 above). Take no action with respect to comment (b).

5. Mr. Axler (NIBS Dev. and Support Center) (#24):

Comment: (a) Should not eliminate area to indicate what chapter the case is under. This is useful information for most recipients of this form and should not be eliminated.

(b) In the section for referencing a previously-filed claim, the space for the date of the older claim is insufficient.

(c) Under "Basis of Claim", change "§ 114" to "1114" for retiree benefits (this is a typo).

(d) Under box 4 ("Classification of Claim"), in the sentence beginning "Check the appropriate box or boxes that best describe...", the first instance of the word "claim" is incorrectly superscripted with respect to the rest of the sentence.

(e) In section 4c, the phrase "not more than 90 days before" should be changed to "within 90 days before" to conform to § 507(a)(3). This "may lead to confusion on the part of the reader."

(f) In section 6, change "The amount of all payments" to "The total amount of all payments" for additional clarity.

(g) On page 2, the explanatory text for "Proof of Claim" uses a run-on sentence that should be changed to: "A form telling the bankruptcy court how much the debtor owed a creditor at the time when the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed."

(h) In the second explanatory paragraph for "Secured Claim", the first sentence ("Examples of liens...") should be clarified by changing "and" to "or" and adding a comma following "television set".

(i) In the explanatory section for "Unsecured Claim", the introductory clause "If a claim is not a secured claim" should be followed by a comma.

(j) In section on "Court, Name of Debtor and Case Number" on back, where the filer is asked to fill in the name of the

judicial district, it might prove useful to request not only the district, but also the divisional office where the case was filed.

Subcommittee Recommendation: No action, except as follows:

(1) With respect to comment (b), the space for the date of the older claim should be made larger.

(2) With respect to comment (c), the typo will be corrected (to read "1114").

(3) With respect to comment (e), change "not more than 90 days before" to "within 90 days" in section 4c.

(4) With respect to comment (g), under "Proof of Claim" on page 2, the explanatory text should be changed to: "A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed."

(5) With respect to comment (h), only add a comma following "television set" in the first sentence of second paragraph under "Secured Claim."

(6) With respect to comment (i), under "Unsecured Claim", the introductory clause "If a claim is not a secured claim" should be followed by a comma.

6. Ms. Morris (#27):

Comment: (a) In box "Check here if this is a claim" on right side, add a check box for "Results from a transfer."

(b) Item 7 (Supporting documents), change sentence to read "Attach copies only of supporting documents...", and also add to the end of this section: "DO NOT SEND ORIGINALS"

Subcommittee Recommendation: No action, except add "DO NOT SEND ORIGINALS" at end of item #7 (Supporting Documents) on page 1 of form.

7. Ms. Eddy (#28):

Comment: In item 8, remove the word "Time" and insert the word "Date."

Subcommittee Recommendation: As suggested, remove the word "Time" and insert the word "Date" in heading of item #8.

8. Mr. Klein and Mr. Rao (#32):

Comment: (a) It would be helpful for the proof of secured claim to include the total amount of the claim and the amount of any arrears with a breakdown of the ancillary charges for each;

(b) It would also be helpful, if the creditor agrees that the claim is undersecured, for the amount of the unsecured claim to be listed separately. A box format which parallels schedules D, E, and F might be a useful approach. Or, secured claims might be enumerated on the reverse of the claim form with the instructions moved to a separate page;

(c) A signature under penalty of perjury would cut down on fraudulent claims;

(d) there should be a box for a creditor to note that it is an insured depository institution to facilitate compliance with special service requirements under Rule 7004(h); and

(e) the creditor's address should be noted on the form even if notices are to be sent to someone other than the creditor. It should be possible for all parties and the court to find creditors, when necessary, to meet adversary proceeding service requirements under Rule 7004.

Subcommittee Recommendation: No action, except that the Subcommittee recommends that boxes 4 and 5 be rewritten to avoid redundancy and to clarify these boxes. See Subcommittee Recommendation in response to Mr. Ledford's comments (item #2 above).

9. Mr. Zackin (#33):

Comments: (a) Clarify the last sentence of the instructions for "Secured Claim." It is confusing; and

(b) The title of the document ("Proof of Claim") should be centered prominently.

Subcommittee Recommendations: Change the last sentence of the instructions for "Secured Claim" to read as follows: "In addition, to the extent a creditor *also* owes money to the debtor, the creditor's claim *may* be a secured claim." No action with respect to comment (b).

Form 14 (Ballot for Accepting or Rejecting a Plan)

1. Judge Altenberger (#16):

Comment: There are several blanks for the class of the claim to be filled in. It is unduly burdensome for the debtor to have to fill these in; the creditor can easily obtain this from the disclosure statement.

Subcommittee Recommendation: No action.

2. Mr. Zackin (#33):

Comments: (a) The last sentence of the first paragraph on the impact of court approval should be in bold and in its own paragraph for emphasis;

(b) Last sentence of third paragraph (on binding effect of the plan) should be in bold and in a separate paragraph for emphasis;

(c) The word "plan" should have a capital "P" wherever it appears.

Subcommittee Recommendation: No action with respect to comment (a).

With respect to comment (b), make the suggested change to emphasize the binding effect of the plan, even if for creditors who do not vote.

With respect to comment (c), capitalize "Plan" wherever it appears, as suggested.

Form 17 (Notice of Appeal)

1. Mr. Zackin (#33):

Comments: (a) A grid for addresses and telephone numbers should be added to emphasize that this is required information.

(b) Add another grid for names and addresses of other parties who should be noticed but who are not actual parties to the judgment appealed from.

(c) Insert a line in the second line of the first paragraph to provide space in which to describe the judgement. This is to assist the clerk in transmitting the record.

(d) Under the signature line, the phrase "or Pro Se Appellant" should be added next to "Attorney for Appellant."

Subcommittee Recommendations: No action with respect to comments (a), (b), or (c). With respect to comment (d), the Subcommittee recommends:

(1) adding immediately after "Attorney for Appellant" the following: "(or Appellant, if not represented by an attorney)."

(2) delete "(and Identification No. if required)" under the attorney signature line.

(3) Change "Tel No." to "Telephone No."

Form 18 (Discharge of Debtor in a Chapter 7 Case)

1. Judge Tchaikovsky (#1):

Comment: Suggests that the current notice, and the proposed amendments, are confusing to creditors with pending nondischargeability actions. Suggests (1) bold notice at the bottom of page 1 stating that the discharge does not apply to debts of the type listed on the back, (2) the title of the bottom section on the back should be "Scope of Discharge" or "Debts that are Not Discharged", (3) the first paragraph of bottom section on back should be the same as published, but the rest of it should be rewritten into 2 paragraphs, listing in one paragraph those debts that can be declared nondischargeable without legal action, and in a separate paragraph listing those for which an action must be timely commenced. Suggests specific language for this.

Subcommittee Recommendation:

(1) add a new heading, "Debts That are Not Discharged," immediately before the last sentence of the first paragraph under "Debts that are Discharged."

(2) Change para. d to read: "Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case, are not discharged;"

(3) Move para. d ("Debts that the bankruptcy court ...") so that it appears immediately after "g. Some debts which were not..." and re-letter the paragraphs accordingly.

2. Judge Holland (#2):

Comment: On back, under "Debts that are Discharged", paragraph (d) is confusing. The phrase "during the bankruptcy case" may mislead creditors into believing that there is no longer jurisdiction in any court to determine dischargeability for which no deadline is set in § 523, and could give the wrong impression that only the bankruptcy court has jurisdiction to determine nondischargeability of those debts.

Subcommittee Recommendation: See Subcommittee Recommendation in response to Judge Tchaikovsky (item #1 above).

3. Judge Yacos (#14):

Comment: (a) The body of the order, following "IT IS ORDERED:" should be changed to read as follows: "The debtor is granted a discharge under section 727(b) of title 11, United States Code, (the Bankruptcy Code), subject to any applicable exceptions under § 523 of the Bankruptcy Code that may be asserted by a creditor on a good faith and timely basis as to a particular debt. Creditors are barred from pursuing collection of

discharged debts of the debtor by the injunction included in § 524(a) of the Bankruptcy Code, subject to any exceptions under § 523 of the Code as referenced above." This is a more accurate and complete statement of what is happening when a discharge order is entered.

(b) strongly objects to anything printed on the back of a court order that at least impliedly would be a statement approved by the judge. This is bad practice. "I myself would not agree to a number of statements included on the reverse side of the form mostly stemming from the over-simplification inherent in the language "a debt that has been discharged." If an explanation is needed, a separate sheet can be given by the clerk that should be more comprehensive, including a discussion of the fact that creditors can in some instances pursue the debtor in post-bankruptcy litigation on debts as to which there is a bona fide contention that the debt is nondischargeable under § 523. "The proposed language gives no inkling of that possibility."

Subcommittee Recommendation: No action.

4. Mr. Axler (NIBS Dev. and Support Center) (#24):

Comment: (a) No new forms are shown to replace old B18J and B180 forms used for the discharge of both or one joint debtor. Should it be assumed these forms will be changed to match the changes to Form 18?

(b) Reference to "most student loans" in explanatory text is an overgeneralization; perhaps use terms such as "federally-supported" or "federally-funded" for clarity.

(c) Last sentence on back of form should be changed to "Because the law is complicated, you..." (for clarity).

Subcommittee Recommendation: With respect to comment (a), refer this to the Administrative Office. Take no action with respect to comment (b). With respect to comment (c), change the last paragraph on the back of form (in bold) to read as follows:
"This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case."

5. Ms. Argoe (#26):

Comments: The discharge lends itself to being more of a ministerial order that the clerk issues, rather than one signed by the judge. Realizes that this may take a Rule change or a local rule (which exists in her court).

Subcommittee Recommendation: No action.

6. Ms. Eddy (#28):

Comment: Suggests that Rule 4004(g) be deleted so as to eliminate the requirement to send notice of the discharge to all creditors.

Subcommittee Recommendation: No action.

7. Mr. Klein and Mr. Rao (#32):

Comment: (a) Prefers the language of the current form (paragraph 3) which makes it clear that creditors are "enjoined" from taking collection actions. Even though the back of the new form explains this, "the new form doesn't have the feel of a court order and may create problems in future discharge violation actions." Also, when the discharge is sent to a collection agency, the agency might fail to copy the reverse side when the order is forwarded to the creditor for its files;

(b) Disagrees with the language of the second paragraph under "Collection of Discharged Debts Prohibited". It suggests that a creditor might be able to enforce a lien even after discharge if the lien has not been "avoided or eliminated." This might imply that a lien can be enforced even if all current payments are being made and therefore seems to conflict with the changes to Form 8 (Debtor's Statement of Intention). Perhaps this can be addressed in a committee note to the proposed form; and

(c) The language under "Debts that are Discharged" on the back may not be helpful, is vaguely worded, and may create creditor confusion leading to possible discharge violations.

Subcommittee Recommendation: No action with respect to comments (a) and (b). With respect to comment (c), see the Subcommittee Recommendation in response to Judge Tchaikovsky (item #1).

8. Mr. Zackin (#33):

Comments: (a) The disclaimer at bottom of page 2 should be moved to the top and in all capital letters for emphasis.

(b) the instructions could give the impression that a creditor may determine if a debt is discharged. It should emphasize that the bankruptcy court makes these determinations.

(c) In last sentence of the first paragraph under "Debts that are Discharged", insert "usually" after "debts which are" so that the sentence reads: "Some of the common types of debts which are usually not discharged in a"

(d) Reference to "your case" should be changed to "this case" in the last sentence on page 2.

(e) In the second paragraph on page 2 describing the prohibition on collection, the word "may" should be underlined for emphasis ("a creditor may have the right to enforce a valid lien...")

(f) The word "most" in paragraphs a, c, and e on page 2, should be underlined for emphasis.

Subcommittee Recommendation: No action, except that the change ("your case" to "this case"): suggested in comment (d) should be made.

Form 20A (Notice of Motion or Objection)

1. Mr. Axler (NIBS Dev. and Support Center) (#24):

Comment: Space for entry of a date in second paragraph should have room for the time as well (or utilize the term "close of business"), since this is a deadline.

Subcommittee Recommendation: No action.

2. Mr. Klein and Mr. Rao (#32):

Comment: (a) Form seems fine (many courts have been using something like this for years), but some attention to formatting might be helpful (use of large bold type);

(b) Parties may have become familiar with similar kinds of forms under local rules. While uniformity is an important goal, perhaps a "phase in" period for jurisdictions with substantially similar local forms would make compliance more convenient for the affected parties.

Subcommittee Recommendations: With respect to comment (a), the Subcommittee recommends substantial re-formatting of Forms 20A and 20B as indicated on the enclosed draft of recommended post-publication revisions.

With respect to comment (b), see Subcommittee Recommendations in response to Mr. Klein and Mr. Rao's comments under "General Comments Applicable to All or Several Forms" (item # 10).

3. Mr. Zackin (#33):

Comments (applicable to both Forms 20A and 20B):

(a) the address for filing with the court should be provided.

(b) the word "receive" in the explanation as to mailing should be in bold for emphasis.

(c) Questions the intended purpose of Forms 20A and 20B. Are these intended to replace the notices filed by counsel under current local practice or are they forms that will be issued by the clerk when a motion or objection is filed? This should be clarified.

Subcommittee Recommendation: Make the changes suggested in comments (a) and (b). With respect to comment (c), add the following as a separate paragraph in the Committee Note:

"The Committee anticipates that these notices will be sent by the movant unless local rules provide for some other entity to give notice."

Form 20B (Notice of Objection to Claim)

1. Mr. King (#11):

Comment: The form should include a delineation of precisely which claim has caused the objection. Include the filing date of the claim, a blank for the claim, the dollar amount and the category of treatment (secured, priority, unsecured). Often there are duplicate claims filed and this information will clarify which claim is being challenged.

Subcommittee Recommendation: No action.

2. Judge Altenberger (#16):

Comment: Points out typographical error in the second paragraph (the second "or" should be "on").

Subcommittee Recommendation: Change the second "or" in the second paragraph, to read "then on or before."

3. Mr. Axler (NIBS Dev. and Support Center) (#24):

Comment: (a) It appears that language is left out at end of second line of second paragraph. Is this essentially the same as second paragraph of Form 20A? If so, then the comment for 20A is also applicable to 20B.

(b) The committee note for Forms 20A and 20B mentions that the "signature line will be adapted to identify the actual sender..." Does this imply that the court is not normally the sender? If so, is the court required to perform any type of tracking on the distribution and receipt of such notices?

Subcommittee Recommendation: With respect to comment (a), see Subcommittee recommendation in response to Judge Altenberger (item #2 above).

With respect to comment (b), clarify this in the Committee Note (see Subcommittee recommendation in response to Mr. Zackin's comment regarding Form 20A).

4. Judge Gindin (#30):

Comment: Change "or" to "by" immediately preceding the date in the second paragraph.

Subcommittee Recommendation: Correct this mistake by changing "or" to "then on or before", as the Subcommittee

recommended in response to Judge Altenberger (item #2) above.

5. Mr. Klein and Mr. Rao (#32):

Comment: (a) Form seems fine (many courts have been using something like this for years), but some attention to formatting might be helpful (use of large bold type);

(b) Parties may have become familiar with similar kinds of forms under local rules. While uniformity is an important goal, perhaps a "phase in" period for jurisdictions with substantially similar local forms would make compliance more convenient for the affected parties.

Subcommittee Recommendation: With respect to comment (a), the Subcommittee recommends substantial re-formatting as indicated on the enclosed drafts of post-publication revisions.

With respect to comment (b), the Subcommittee recommends phase-in period of approximately three months for the revised forms. See Subcommittee recommendation in response to Mr. Klein and Mr. Rao under "General Comments Applicable to All or Several Forms."

Exhibit E

The current Official Forms that will be amended

FORM 1. VOLUNTARY PETITION

United States Bankruptcy Court _____ District of _____		VOLUNTARY PETITION
IN RE (Name of debtor—If individual, enter Last, First, Middle)		NAME OF JOINT DEBTOR (Spouse) (Last, First, Middle)
ALL OTHER NAMES used by the debtor in the last 6 years (include married, maiden, and trade names.)		ALL OTHER NAMES used by the joint debtor in the last 6 years (include married, maiden, and trade names.)
SOC. SEC./TAX I.D. NO. (If more than one, state all.)		SOC. SEC./TAX I.D. NO (If more than one, state all.)
STREET ADDRESS OF DEBTOR (No. and street, city, state, and zip code)		STREET ADDRESS OF JOINT DEBTOR (No. and street, city, state, and zip code)
COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS		COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS
MAILING ADDRESS OF DEBTOR (If different from street address)		MAILING ADDRESS OF JOINT DEBTOR (If different from street address)
LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (If different from addresses listed above)		VENUE (Check one box) <input type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District
INFORMATION REGARDING DEBTOR (Check applicable boxes)		
TYPE OF DEBTOR (Check one box) <input type="checkbox"/> Individual <input type="checkbox"/> Joint (Husband & Wife) <input type="checkbox"/> Partnership <input type="checkbox"/> Other: _____ <input type="checkbox"/> Corporation Publicly Held <input type="checkbox"/> Corporation Not Publicly Held <input type="checkbox"/> Municipality		CHAPTER OR SECTION OF BANKRUPTCY CODE UNDER WHICH THE PETITION IS FILED (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Sec. 304—Case Ancillary to Foreign Proceeding
NATURE OF DEBT (Check one box) <input type="checkbox"/> Non-Business/Consumer <input type="checkbox"/> Business—Complete A & B below		SMALL BUSINESS (Chapter 11 only) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101. <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)
A. TYPE OF BUSINESS (Check one box) <input type="checkbox"/> Farming <input type="checkbox"/> Professional <input type="checkbox"/> Retail/Wholesale <input type="checkbox"/> Railroad <input type="checkbox"/> Transportation <input type="checkbox"/> Manufacturing/Mining <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Construction <input type="checkbox"/> Real Estate <input type="checkbox"/> Other Business		FILING FEE (Check one box) <input type="checkbox"/> Filing fee attached <input type="checkbox"/> Filing fee to be paid in installments. (Applicable to individuals only.) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments Rule 1006(b), see Official Form No. 3
B. BRIEFLY DESCRIBE NATURE OF BUSINESS		NAME AND ADDRESS OF LAW FIRM OR ATTORNEY Telephone No. _____
STATISTICAL/ADMINISTRATIVE INFORMATION (28 U.S.C. § 604) (Estimates only) (Check applicable boxes)		<input type="checkbox"/> Debtor is not represented by an attorney. Telephone No. of Debtor not represented by an attorney: ()
<input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE FOR COURT USE ONLY
ESTIMATED NUMBER OF CREDITORS 1-15 16-49 50-99 100-199 200-999 1000-Over <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
ESTIMATED ASSETS (in thousands of dollars) Under 50 50-99 100-499 500-999 1000-9999 10,000-99,000 100,000-over <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
ESTIMATED LIABILITIES (in thousands of dollars) Under 50 50-99 100-499 500-999 1000-9999 10,000-99,000 100,000-over <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
EST. NO. OF EMPLOYEES—CH 11 & 12 ONLY 0 1-19 20-99 100-999 1000-over <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
EST. NO. OF EQUITY SECURITY HOLDERS—CH 11 & 12 ONLY 0 1-19 20-99 100-999 1000-over <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		

Name of Debtor _____

Case No. _____

(Court use only)

FILING OF PLAN

For Chapter 9, 11, 12 and 13 cases only. Check appropriate box.

A copy of debtor's proposed plan dated _____ is attached.

Debtor intends to file a plan within the time allowed by statute, rule, or order of the court.

PRIOR BANKRUPTCY CASE FILED WITHIN LAST 6 YEARS (If more than one, attach additional sheet)

Location Where Filed	Case Number	Date Filed
----------------------	-------------	------------

PENDING BANKRUPTCY CASE FILED BY ANY SPOUSE, PARTNER, OR AFFILIATE OF THIS DEBTOR (If more than one, attach additional sheet.)

Name of Debtor	Case Number	Date
Relationship	District	Judge

REQUEST FOR RELIEF

Debtor is eligible for and requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

SIGNATURES

ATTORNEY

X _____
 Signature _____ Date _____

INDIVIDUAL/JOINT DEBTOR(S)

I declare under penalty of perjury that the information provided in this petition is true and correct.

X _____
 Signature of Debtor _____
 Date _____

X _____
 Signature of Joint Debtor _____
 Date _____

CORPORATE OR PARTNERSHIP DEBTOR

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

X _____
 Signature of Authorized Individual _____

 Print or Type Name of Authorized Individual

 Title of Individual Authorized by Debtor to File this Petition

 Date

If debtor is a corporation filing under chapter 11, Exhibit "A" is attached and made part of this petition.

TO BE COMPLETED BY INDIVIDUAL CHAPTER 7 DEBTOR WITH PRIMARILY CONSUMER DEBTS (See P.L. 98-353 § 322)

I am aware that I may proceed under chapter 7, 11, or 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7 of such title.

If I am represented by an attorney, exhibit "B" has been completed.

X _____
 Signature of Debtor _____ Date _____

X _____
 Signature of Joint Debtor _____ Date _____

CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

 Printed or Typed Name of Bankruptcy Petition Preparer

 Social Security Number

 Address _____ Tel. No. _____

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X _____
 Signature of Bankruptcy Petition Preparer

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110, 18 USC § 156.

EXHIBIT "B"

(To be completed by attorney for individual chapter 7 debtor(s) with primarily consumer debts.)

I, the attorney for the debtor(s) named in the foregoing petition, declare that I have informed the debtor(s) that (he, she, or they) may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under such chapter

X _____
 Signature of Attorney _____ Date _____

Exhibit "A"

[If debtor is a corporation filing under chapter 11 of the Code, this Exhibit "A" shall be completed and attached to the petition.]

[Caption as in Form 16B]

Exhibit "A" to Voluntary Petition

1. Debtor's employer identification number is _____.
2. If any of debtor's securities are registered under section 12 of the Securities and Exchange Act of 1934, the SEC file number is _____.
3. The following financial data is the latest available information and refers to debtor's condition on _____.

a. Total assets	\$ _____
b. Total liabilities	\$ _____

		Approximate number of holders
Fixed, liquidated secured debt	\$ _____	_____
Contingent secured debt	\$ _____	_____
Disputed secured claims	\$ _____	_____
Unliquidated secured debt	\$ _____	_____

Fixed, liquidated unsecured debt	\$ _____	_____
Contingent unsecured debt	\$ _____	_____
Disputed unsecured claims	\$ _____	_____
Unliquidated unsecured debt	\$ _____	_____

Number of shares of preferred stock	_____	_____
Number of shares of common stock	_____	_____

Exhibit "A" continued

Comments, if any: _____

4. Brief description of debtor's business: _____

5. List the name of any person who directly or indirectly owns, controls, or holds, with power to vote, 20% or more of the voting securities of debtor: _____

6. List the names of all corporations 20% or more of the outstanding voting securities of which are directly or indirectly owned, controlled, or held, with power to vote, by debtor: _____

Form 3. APPLICATION AND ORDER TO PAY FILING FEE IN INSTALLMENTS

[Caption as in Form 16B]

APPLICATION TO PAY FILING FEES IN INSTALLMENTS

In accordance with Fed. R. Bankr. P. 1006, application is made for permission to pay the filing fee on the following terms:

\$ _____ with the filing of the petition, and the balance of
 \$ _____ in _____ installments, as follows:
 \$ _____ on or before _____
 \$ _____ on or before _____
 \$ _____ on or before _____
 \$ _____ on or before _____

I certify that I am unable to pay the filing fee except in installments. I further certify that I have not paid any money or transferred any property to an attorney or any other person for services in connection with this case or in connection with any other pending bankruptcy case and that I will not make any payment or transfer any property for services in connection with the case until the filing fee is paid in full.

Date: _____

Applicant

Attorney for Applicant

CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X _____
Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

ORDER

IT IS ORDERED that the debtor pay the filing fee in installments on the terms set forth in the foregoing application.

IT IS FURTHER ORDERED that until the filing fee is paid in full the debtor shall not pay, and no person shall accept, any money for services in connection with this case, and the debtor shall not relinquish, and no person shall accept, any property as payment for services in connection with this case.

BY THE COURT

Date: _____

United States Bankruptcy Judge

In re _____ Debtor _____

Case No. _____
(If known)

SCHEDULE F—CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H—Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community maybe liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured non priority claims to report on this Schedule F.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR HUSBAND, WIFE, OR JOINT	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT UNLIQUIDATED DISPUTED			AMOUNT OF CLAIM
			CONTINGENT	UNLIQUIDATED	DISPUTED	
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						

_____ continuation sheets attached

Subtotal \$ _____
Total \$ _____
(Report total also on Summary of Schedules)

United States Bankruptcy Court

Case Number _____

District of _____

NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 7 OF THE BANKRUPTCY CODE. MEETING OF CREDITORS, AND FIXING DATES (Individual or Joint Debtor No Asset Case)

In re (Name of Debtor)	Address of Debtor	Soc. Sec./Tax Id. Nos.
	Date Case Filed (or Converted)	

Name and Address of Attorney for Debtor	Name and Address of Trustee
Telephone Number	Telephone Number

This is a converted case originally filed under chapter _____ on _____ (date).

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

DISCHARGE OF DEBTS

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Types of Debts:

AT THIS TIME THERE APPEAR TO BE NO ASSETS AVAILABLE FROM WHICH PAYMENT MAY BE MADE TO UNSECURED CREDITORS. DO NOT FILE A PROOF OF CLAIM UNTIL YOU RECEIVE NOTICE TO DO SO.

COMMENCEMENT OF CASE. A petition for liquidation under chapter 7 of the Bankruptcy Code has been filed in this court by or against the person or persons named above as the debtor, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property, debts, and property claimed as exempt are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions, repossessions, or wage deductions. If unauthorized actions are taken by a creditor against a debtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor should review 362 of the Bankruptcy Code and may wish to seek legal advice. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor (both husband and wife in a joint case) is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may elect a trustee other than the one named above, elect a committee of creditors, examine the debtor, and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to creditors.

LIQUIDATION OF THE DEBTOR'S PROPERTY. The trustee will collect the debtor's property and turn any that is not exempt into money. At this time, however, it appears from the schedules of the debtor that there are no assets from which any distribution can be paid to creditors. If at a later date it appears that there are assets from which a distribution may be paid, the creditors will be notified and given an opportunity to file claims.

EXEMPT PROPERTY. Under state and federal law, the debtor is permitted to keep certain money or property as exempt. If a creditor believes that an exemption of money or property is not authorized by law, the creditor may file an objection. An objection must be filed not later than 30 days after the conclusion of the meeting of creditors.

DISCHARGE OF DEBTS. The debtor is seeking discharge of debts. A discharge means that certain debts are made unenforceable against the debtor personally. Creditors whose claims against the debtor are discharged may never take action against the debtor to collect the discharged debts. If a creditor believes that the debtor should not receive any discharge of debts under § 727 of the Bankruptcy Code or that a debt owed to the creditor is not dischargeable under § 523(a) (2), (4), (6), or (15) of the Bankruptcy Code, timely action must be taken in the bankruptcy court by the deadline set forth above in the box labeled "Discharge of Debts." Creditors considering taking such action may wish to seek legal advice.

DO NOT FILE A PROOF OF CLAIM UNLESS YOU RECEIVE A COURT NOTICE TO DO SO

Address of the Clerk of the Bankruptcy Court	For the Court:
	<i>Clerk of the Bankruptcy Court</i>
	Date

United States Bankruptcy Court

Case Number

_____ District of _____
**NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 7 OF THE BANKRUPTCY CODE,
MEETING OF CREDITORS, AND FIXING OF DATES**
(Corporation/Partnership No Asset Case)

In re (Name of Debtor)	Address of Debtor	Soc. Sec./Tax Id. Nos.
	Date Case Filed (or Converted)	

Corporation Partnership

Name and Address of Attorney for Debtor	Name and Address of Trustee
Telephone Number	Telephone Number

This is a converted case originally filed under chapter _____ on _____ (date)

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

AT THIS TIME THERE APPEAR TO BE NO ASSETS AVAILABLE FROM WHICH PAYMENT MAY BE MADE TO UNSECURED CREDITORS. DO NOT FILE A PROOF OF CLAIM UNTIL YOU RECEIVE NOTICE TO DO SO.

COMMENCEMENT OF CASE. A petition for liquidation under chapter 7 of the Bankruptcy Code has been filed in this court by or against the debtor named above, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property and debts, are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions or repossessions. If unauthorized actions are taken by a creditor against a debtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor should review § 362 of the Bankruptcy Code and may wish to seek legal advice. If the debtor is a partnership, remedies otherwise available against general partners are not necessarily affected by the commencement of this partnership case. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor's representative, as specified in Bankruptcy Rule 9001(5), is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may elect a trustee other than the one named above, elect a committee of creditors, examine the debtor, and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to the creditors.

LIQUIDATION OF THE DEBTOR'S PROPERTY. The trustee will collect the debtor's property, if any, and turn it into money. At this time, however, it appears from the schedules of the debtor that there are no assets from which any distribution can be paid to the creditors. If at a later date it appears that there are assets from which a distribution may be paid, the creditors will be notified and given an opportunity to file claims.

DO NOT FILE A PROOF OF CLAIM UNLESS YOU RECEIVE A COURT NOTICE TO DO SO

Address of the Clerk of the Bankruptcy Court	For the Court:
	<i>Clerk of the Bankruptcy Court</i>
	<i>Date</i>

United States Bankruptcy Court

Case Number _____

District of _____

NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 7 OF THE BANKRUPTCY CODE. MEETING OF CREDITORS, AND FIXING DATES (Individual or Joint Asset Case)

In re (Name of Debtor)	Address of Debtor	Soc. Sec./Tax Id. Nos.
	Date Case Filed (or Converted)	
Name and Address of Attorney for Debtor	Name and Address of Trustee	
Telephone Number	Telephone Number	

This is a converted case originally filed under chapter _____ on _____ (date).

DEADLINE TO FILE A PROOF OF CLAIM

For creditors other than governmental units:

For governmental units:

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

DISCHARGE OF DEBTS

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Types of Debts:

COMMENCEMENT OF CASE: A petition for liquidation under chapter 7 of the Bankruptcy Code has been filed in this court by or against the person or persons named above as the debtor, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property, debts, and property claimed as exempt are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS: A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions, repossessions, or wage deductions. If unauthorized actions are taken by a creditor against a debtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor should review § 362 of the Bankruptcy Code and may wish to seek legal advice. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS: The debtor (both husband and wife in a joint case) is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may elect a trustee other than the one named above, elected a committee of creditors, examine the debtor, and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to creditors.

LIQUIDATION OF THE DEBTOR'S PROPERTY: The trustee will collect the debtor's property and turn any that is not exempt into money. If the trustee can collect enough money and property from the debtor, creditors may be paid some or all of the debts owed to them.

EXEMPT PROPERTY: Under state and federal law, the debtor is permitted to keep certain money or property as exempt. If a creditor believes that an exemption of money or property is not authorized by law, the creditor may file an objection. An objection must be filed not later than 30 days after the conclusion of the meeting of creditors.

DISCHARGE OF DEBTS: The debtor is seeking a discharge of debts. A discharge means that certain debts are made unenforceable against the debtor personally. Creditors whose claims against the debtor are discharged may never take action against the debtor to collect the discharged debts. If a creditor believes that the debtor should not receive any discharge of debts under § 727 of the Bankruptcy Code or that a debt owed to the creditor is not dischargeable under § 523(a)(2), (4), (6), or (15) of the Bankruptcy Code, timely action must be taken in the bankruptcy court by the deadline set forth above in the box labeled "Discharge of Debts." Creditors considering taking such action may wish to seek legal advice.

PROOF OF CLAIM: Except as otherwise provided by law, in order to share in any payment from the estate, a creditor must file a proof of claim by the date set forth above in the box labeled "Deadline to File a Proof of Claim." The place to file the proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. Proof of claim forms are available in the clerk's office of any bankruptcy court.

Address of the Clerk of the Bankruptcy Court	For the Court:
	Clerk of the Bankruptcy Court
	Date

United States Bankruptcy Court

Case Number _____

District of _____

NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 7 OF THE BANKRUPTCY CODE. MEETING OF CREDITORS, AND FIXING OF DATES (Corporation/Partnership Asset Case)

In re (Name of Debtor)	Address of Debtor	Soc Sec /Tax Id. Nos.
	Date Case Filed (or Converted)	

Corporation

Partnership

Name and Address of Attorney for Debtor	Name and Address of Trustee
Telephone Number	Telephone Number

This is a converted case originally filed under chapter _____ on _____ (date)

DEADLINE TO FILE A PROOF OF CLAIM

For creditors other than governmental units:

For governmental units.

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

COMMENCEMENT OF CASE. A petition for liquidation under chapter 7 of the Bankruptcy Code has been filed in this court by or against the debtor named above, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property and debts, are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions or repossessions. If unauthorized actions are taken by a creditor against a debtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor should review § 362 of the Bankruptcy Code and may wish to seek legal advice. If the debtor is a partnership, remedies otherwise available against general partners are not necessarily affected by the commencement of this partnership case. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor's representative, as specified in Bankruptcy Rule 9001(5), is required to appear at the meeting of the creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may elect a trustee other than the one named above, elect a committee of creditors, examine the debtor, and transact such as other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to the creditors.

LIQUIDATION OF THE DEBTOR'S PROPERTY. The trustee will collect the debtor's property, if any, and turn it into money. If the trustee can collect enough money and property from the debtor, creditors may be paid some or all of the debts owed to them.

PROOF OF CLAIM. Except as otherwise provided by law, in order to share in any payment from the estate, a creditor must file a proof of claim by the date set forth above in the box labeled "Deadline to File a Proof of Claim." The place to file the proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. Proof of claim forms are available in the clerk's office of any bankruptcy court.

Address of the Clerk of the Bankruptcy Court	For the Court:
	<i>Clerk of the Bankruptcy Court</i>
	<i>Date</i>

United States Bankruptcy Court

Case Number _____

District of _____

NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 11 OF THE BANKRUPTCY CODE. MEETING OF CREDITORS, AND FIXING DATES (Individual or Joint Debtor Case)

In re (Name of Debtor)	Address of Debtor	Soc. Sec./Tax Id. Nos.
	Date Case Filed (or Converted)	
Name and Address of Attorney for Debtor	Name and Address of Trustee	
Telephone Number	Telephone Number	

This is a converted case originally filed under chapter _____ on _____ (date).

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

DISCHARGE OF DEBTS

Deadline to File a Complaint to Determine Dischargeability of Certain Types of Debts:

COMMENCEMENT OF CASE: A petition for reorganization under chapter 11 of the Bankruptcy Code has been filed in this court by or against the person or persons named above as the debtor, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property, debts, and property claimed as exempt are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions, repossessions, or wage deductions. If unauthorized actions are taken by a creditor against a debtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor should review § 362 of the Bankruptcy Code and may wish to seek legal advice. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor (both husband and wife in a joint case) is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to creditors.

EXEMPT PROPERTY. Under state and federal law, the debtor is permitted to keep certain money or property as exempt. If a creditor believes that an exemption of money or property is not authorized by law, the creditor may file an objection. An objection must be filed not later than 30 days after the conclusion of the meeting of creditors.

DISCHARGE OF DEBTS. The debtor may seek a discharge of debts. A discharge means that certain debts are made unenforceable against the debtor personally. Creditors whose claims against the debtor are discharged may never take action against the debtor to collect the discharged debts. If a creditor believes that the debtor should not receive a discharge under § 1141(d)(3)(C) of the Bankruptcy Code, timely action must be taken in the bankruptcy court in accordance with Bankruptcy Rule 4004(a). If a creditor believes that a debt owed to the creditor is not dischargeable under § 523(a)(2), (4), (6), or (15) of the Bankruptcy Code, timely action must be taken in the bankruptcy court by the deadline set forth above in the box labeled "Discharge of Debts." Creditors considering taking such action may wish to seek legal advice.

PROOF OF CLAIM. Schedules of creditors have been or will be filed pursuant to Bankruptcy Rule 1007. Any creditor holding a scheduled claim which is not listed as disputed, contingent, or unliquidated as to amount may, but it is not required to, file a proof of claim in this case. Creditors whose claims are not scheduled or whose claims are listed as disputed, contingent, or unliquidated as to amount and who desire to participate in the case or share in any distribution must file their proofs of claim. A creditor who desires to rely on the schedules of creditors has the responsibility for determining that the claim is listed accurately. If the court sets a deadline for filing a proof of claim, you will be notified. The place to file a proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. Proof of claim forms are available in the clerk's office of any bankruptcy court.

PURPOSE OF CHAPTER 11 FILING. Chapter 11 of the Bankruptcy Code enables a debtor to reorganize pursuant to a plan. A plan is not effective unless approved by the court at a confirmation hearing. Creditors will be given notice concerning any plan, or in the event the case is dismissed or converted to another chapter of the Bankruptcy Code. The debtor will remain in possession of its property and will continue to operate any business unless a trustee is appointed.

Address of the Clerk of the Bankruptcy Court	For the Court:
	Clerk of the Bankruptcy Court
	Date

United States Bankruptcy Court

Case Number _____

District of _____

NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 11 OF THE BANKRUPTCY CODE. MEETING OF CREDITORS, AND FIXING OF DATES (Individual or Joint Debtor Case)

In re (Name of Debtor)	Address of Debtor	Soc. Sec /Tax Id. Nos.
	Date Filed (or Converted)	
Addressee:	Address of the Clerk of the Bankruptcy Court	
Name and Address of Attorney for Debtor	Name and Address of Trustee	
	Telephone Number	Telephone Number

This is a converted case originally filed under chapter _____ on _____

DEADLINE TO FILE A PROOF OF CLAIM

For creditors other than governmental units: _____ For governmental units: _____
 [or "If the court sets a deadline, creditors will be notified."]

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

DISCHARGE OF DEBTS

_____ is the Deadline to File a Complaint to Determine Dischargeability of Certain Types of Debts.

COMMENCEMENT OF CASE. A petition for reorganization under chapter 11 of the Bankruptcy Code has been filed in this court by or against the person or persons named above as the debtor, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property, debts, and property claimed as exempt are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions, repossessions, or wage deductions. If unauthorized actions are taken by a creditor against a debtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor should review § 362 of the Bankruptcy Code and may wish to seek legal advice. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor (both husband and wife in a joint case) is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to creditors.

EXEMPT PROPERTY. Under state and federal law, the debtor is permitted to keep certain money or property as exempt. If a creditor believes that an exemption of money or property is not authorized by law, the creditor may file an objection. An objection must be filed not later than 30 days after the conclusion of the meeting of creditors.

DISCHARGE OF DEBTS. The debtor may seek a discharge of debts. A discharge means that certain debts are made unenforceable against the debtor personally. Creditors whose claims against the debtor are discharged may never take action against the debtor to collect the discharged debts. If a creditor believes that the debtor should not receive a discharge under § 1141(d)(3)(C) of the Bankruptcy Code, timely action must be taken in the bankruptcy court in accordance with Bankruptcy Rule 4004(a). If a creditor believes that a debt owed to the creditor is not dischargeable under § 523(a)(2), (4), (6), or (15) of the Bankruptcy Code, timely action must be taken in the bankruptcy court by the deadline set forth above in the box labeled "Discharge of Debts." Creditors considering taking such action may wish to seek legal advice.

PROOF OF CLAIM. Schedules of creditors have been or will be filed pursuant to Bankruptcy Rule 1007. Any creditor holding a scheduled claim which is not listed as disputed, contingent, or unliquidated as to amount may, but is not required to, file a proof of claim in this case. Creditors whose claims are not scheduled or whose claims are listed as disputed, contingent, or unliquidated as to amount and who desire to participate in the case or share in any distribution must file their proofs of claim. A creditor who desires to rely on the schedule of creditors has the responsibility for determining that the claim is listed accurately. The place to file a proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. Proof of claim forms are available in the clerk's office of any bankruptcy court.

PURPOSE OF CHAPTER 11 filing. Chapter 11 of the Bankruptcy Code enables a debtor to reorganize pursuant to a plan. A plan is not effective unless approved by the court at a confirmation hearing. Creditors will be given notice concerning any plan, or in the event the case is dismissed or converted to another chapter of the Bankruptcy Code. The debtor will remain in possession of its property and will continue to operate any business unless a trustee is appointed.

For the Court _____ Date _____
 Clerk of the Bankruptcy Court

United States Bankruptcy Court

Case Number

_____ District of _____

NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 11 OF THE BANKRUPTCY CODE, MEETING OF CREDITORS, AND FIXING OF DATES (Corporation/Partnership Case)

In re (Name of Debtor)	Address of Debtor	Soc. Sec./Tax Id. Nos
	Date, Case Filed (or Converted)	

Corporation Partnership

Name and Address of Attorney for Debtor	Name and Address of Trustee
Telephone Number	Telephone Number

This is a converted case originally filed under chapter _____ on _____ (date)

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

COMMENCEMENT OF CASE. A petition for reorganization under chapter 11 of the Bankruptcy Code has been filed in this court by or against the debtor named above, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property and debts, are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions or repossessions. If unauthorized actions are taken by a creditor against a debtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor should review § 362 of the Bankruptcy Code and may wish to seek legal advice. If the debtor is a partnership, remedies otherwise available against general partners are not necessarily affected by the filing of this partnership case. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor's representative, as specified in Bankruptcy Rule 9001(5) is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to the creditors.

PROOF OF CLAIM. Schedules of creditors have been or will be filed pursuant to Bankruptcy Rule 1007. Any creditor holding a scheduled claim which is not listed as disputed, contingent, or unliquidated as to amount may, but is not required to, file a proof of claim in this case. Creditors whose claims are not scheduled or whose claims are listed as disputed, contingent, or unliquidated as to amount and who desire to participate in the case or share in any distribution must file their proofs of claim. A creditor who desires to rely on the schedule of creditors has the responsibility for determining that the claim is listed accurately. If the court sets a deadline for filing a proof of claim, you will be notified. The place to file a proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. Proof of claim forms are available in the clerk's office of any bankruptcy court.

PURPOSE OF CHAPTER 11 FILING. Chapter 11 of the Bankruptcy Code enables a debtor to reorganize pursuant to a plan. A plan is not effective unless approved by the court at a confirmation hearing. Creditors will be given notice concerning any plan, or in the event the case is dismissed or converted to another chapter of the Bankruptcy Code. The debtor will remain in possession of its property and will continue to operate any business unless a trustee is appointed

Address of the Clerk of the Bankruptcy Court	For the Court:
	<i>Clerk of the Bankruptcy Court</i>
	Date

United States Bankruptcy Court

Case Number _____

District of _____

NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 11 OF THE BANKRUPTCY CODE. MEETING OF CREDITORS, AND FIXING OF DATES (Corporation/Partnership Case)

In re (Name of Debtor)	Address of Debtor	Soc. Sec./Tax Id Nos.
	Date Filed (or Converted)	

Addressee:	Address of the Clerk of the Bankruptcy Court
------------	--

Corporation Partnership

Name and Address of Attorney for Debtor	Name and Address of Trustee
Telephone Number	Telephone Number

This is a converted case originally filed under chapter _____ on _____

DEADLINE TO FILE A PROOF OF CLAIM

For creditors other than governmental units: _____ For governmental units: _____
[or "If the court sets a deadline, creditors will be notified."]

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

COMMENCEMENT OF CASE. A petition for reorganization under chapter 11 of the Bankruptcy Code has been filed in this court by or against the debtor named above, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property and debts, are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions, or repossessions. If unauthorized actions are taken by a creditor against a debtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor should review § 362 of the Bankruptcy Code and may wish to seek legal advice. If the debtor is a partnership, remedies otherwise available against general partners are not necessarily affected by the filing of this partnership case. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor's representative, as specified in Bankruptcy Rule 9001(5) is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to creditors.

PROOF OF CLAIM. Schedules of creditors have been or will be filed pursuant to Bankruptcy Rule 1007. Any creditor holding a scheduled claim which is not listed as disputed, contingent, or unliquidated as to amount may, but is not required to, file a proof of claim in this case. Creditors whose claims are not scheduled or whose claims are listed as disputed, contingent, or unliquidated as to amount and who desire to participate in the case or share in any distribution must file their proof of claim. A creditor who desires to rely on the schedule of creditors has the responsibility for determining that the claim is listed accurately. The place to file a proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. Proof of claim forms are available in the clerk's office of any bankruptcy court.

PURPOSE OF CHAPTER 11 FILING. Chapter 11 of the Bankruptcy Code enables a debtor to reorganize pursuant to a plan. A plan is not effective unless approved by the court at a confirmation hearing. Creditors will be given notice concerning any plan, or in the event the case is dismissed or converted to another chapter of the Bankruptcy Code. The debtor will remain in possession of its property and will continue to operate any business unless a trustee is appointed.

For the Court: _____ Date _____
Clerk of the Bankruptcy Court

United States Bankruptcy Court

Case Number _____

_____ District of _____

NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 12 OF THE BANKRUPTCY CODE. MEETING OF CREDITORS, AND FIXING OF DATES (Individual or Joint Debtor Family Farmer)

In re (Name of Debtor)	Address of Debtor	Soc. Sec./Tax Id. Nos.
	Date Case Filed (or Converted)	

Name and Address of Attorney for Debtor	Name and Address of Trustee
Telephone Number	Telephone Number

This is a converted case originally filed under chapter _____ on _____ (date).

DEADLINE TO FILE A PROOF OF CLAIM

For creditors other than governmental units: _____ For governmental units: _____

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

FILING OF PLAN AND DATE, TIME, AND LOCATION OF HEARING ON CONFIRMATION OF PLAN

- The debtor has filed a plan. The plan or a summary of the plan is enclosed. Hearing on confirmation will be held:
 _____ (Date) _____ (Time) _____ (Location)
- The debtor has filed a plan. The plan or a summary of the plan and notice of the confirmation hearing will be sent separately.
- A plan has not been filed as of this date. Creditors will be given separate notice of the hearing on confirmation of the plan.

DISCHARGE OF DEBTS

Deadline to File a Complaint to Determine Dischargeability of Certain Types of Debts:

COMMENCEMENT OF CASE. A family farmer's debt adjustment case under chapter 12 of the Bankruptcy Code has been filed in this court by the family farmer named above as the debtor, and an order for relief has been entered. You will not receive notice of all documents filed in this case: All documents filed with the court, including lists of the debtor's property and debts are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions, repossessions, or wage deductions. Some protection is also given to certain codebtors of consumer debts. If unauthorized actions are taken by a creditor against a debtor, or a protected codebtor, the court may punish that creditor. A creditor who is considering taking action against the debtor or the property of the debtor, or any codebtor, should review §§ 362 and 1201 of the Bankruptcy Code and may wish to seek legal advice. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor (both husband and wife in a joint case) is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to creditors.

EXEMPT PROPERTY. Under state and federal law, the debtor is permitted to keep certain money or property as exempt. If a creditor believes that an exemption of money or property is not authorized by law, the creditor may file an objection. An objection must be filed not later than 30 days after the conclusion of the meeting of creditors.

DISCHARGE OF DEBTS. The debtor may seek a discharge of debts. A discharge means that certain debts are made unenforceable against the debtor personally. Creditors whose claims against the debtor are discharged may never take action against the debtor to collect the discharged debts. If a creditor believes a specific debt owed to the creditor is not dischargeable under § 523(a)(2), (4), (6), or (15) of the Bankruptcy Code, timely action must be taken in the bankruptcy court by the deadline set forth above in the box labeled "Discharge of Debts." Creditors considering taking such action may wish to seek legal advice.

PROOF OF CLAIM. Except as otherwise provided by law, in order to share in any payment from the estate, a creditor must file a proof of claim by the date set forth above in the box labeled "Deadline to File a Proof of Claim." The place to file the proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. Proof of claim forms are available in the clerk's office of any bankruptcy court.

PURPOSE OF A CHAPTER 12 FILING. Chapter 12 of the Bankruptcy Code enables family farmers to reorganize pursuant to a plan. A plan is not effective unless approved by the bankruptcy court at a confirmation hearing. Creditors will be given notice in the event the case is dismissed or converted to another chapter of the Bankruptcy Code.

Address of the Clerk of the Bankruptcy Court	For the Court:
	Clerk of the Bankruptcy Court
	Date

United States Bankruptcy Court

Case Number _____

District of _____

NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 12 OF THE BANKRUPTCY CODE. MEETING OF CREDITORS, AND FIXING OF DATES (Corporation/Partnership Family Farmer)

In re (Name of Debtor)	Address of Debtor	Soc Sec/Tax Id Nos
	Date Case Filed (or Converted)	

Corporation Partnership

Name and Address of Attorney for Debtor	Name and Address of Trustee
Telephone Number	Telephone Number

This is a converted case originally filed under chapter _____ on _____ (date).

DEADLINE TO FILE A PROOF OF CLAIM

For creditors other than governmental units: _____ For governmental units: _____

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

FILING OF PLAN AND DATE, TIME, AND LOCATION OF HEARING ON CONFIRMATION OF PLAN

- The debtor has filed a plan. The plan or a summary of the plan is enclosed. Hearing on confirmation will be held:
 _____ (Date) _____ (Time) _____ (Location)
- The debtor has filed a plan. The plan or a summary of the plan and notice of the confirmation hearing will be sent separately.
- A plan has not been filed as of this date. Creditors will be given separate notice of the hearing on confirmation of the plan

DISCHARGE OF DEBTS

Deadline to file a Complaint to Determine Dischargeability of Certain Types of Debts: _____

COMMENCEMENT OF CASE: A family farmer's debt adjustment case under chapter 12 of the Bankruptcy Code has been filed in this court by the family farmer named above as the debtor, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property and debts, are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions or repossessions. Some protection is also given to certain codebtors of consumer debts. If unauthorized actions are taken by a creditor against a debtor or a protected codebtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor, the property of the debtor, or a codebtor, should review §§ 362 and 1201 of the Bankruptcy Code and may wish to seek legal advice. If the debtor is a partnership, remedies otherwise available against general partners are not necessarily affected by the commencement of this partnership case. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor's representative, as specified in Bankruptcy Rule 9001(5), is required to appear at the meeting of creditors on the date and at the place set forth above in the box labeled "Date, Time, and Location of Meeting of Creditors" for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to the creditors.

DISCHARGE OF DEBTS. The debtor may seek a discharge of debts. A discharge means that certain debts are made unenforceable against the debtor. Creditors whose claims against the debtor are discharged may never take action against the debtor to collect the discharged debts. If a creditor believes a specific debt owed to the creditor is not dischargeable under § 523(a) (2), (4), (6), or (15) of the Bankruptcy Code, timely action must be taken in the bankruptcy court by the deadline set forth above in the box labeled "Discharge of Debts." Creditors considering taking such action may wish to seek legal advice.

PROOF OF CLAIM. Except as otherwise provided by law, in order to share in any payment from the estate, a creditor must file a proof of claim by the date set forth above in the box labeled "Deadline to File a Proof of Claim." The place to file the proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. Proof of Claim forms are available in the clerk's office of any bankruptcy court.

PURPOSE OF A CHAPTER 12 FILING. Chapter 12 of the Bankruptcy Code enables family farmers to reorganize pursuant to a plan. A plan is not effective unless approved by the bankruptcy court at a confirmation hearing. Creditors will be given notice in the event the case is dismissed or converted to another chapter of the Bankruptcy Code.

Address of the Clerk of the Bankruptcy Court	For the Court:
	<i>Clerk of the Bankruptcy Court</i>
	Date

United States Bankruptcy Court

Case Number _____

District of _____

NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 13 OF THE BANKRUPTCY CODE. MEETING OF CREDITORS, AND FIXING OF DATES

In re (Name of Debtor)	Address of Debtor	Soc. Sec./Tax Id. Nos
	Date Case Filed (or Converted)	
Name and Address of Attorney for Debtor	Name and Address of Trustee	
Telephone Number	Telephone Number	

This is a converted case originally filed under chapter _____ on _____ (date).

DEADLINE TO FILE A PROOF OF CLAIM

For creditors other than governmental units:

For governmental units:

DATE, TIME, AND LOCATION OF MEETING OF CREDITORS

FILING OF PLAN AND DATE, TIME, AND LOCATION OF HEARING ON CONFIRMATION OF PLAN

- The debtor has filed a plan. The plan or a summary of the plan is enclosed. Hearing on confirmation will be held:
_____ (Date) _____ (Time) _____ (Location)
- The debtor has filed a plan. The plan or a summary of the plan and notice of the confirmation hearing will be sent separately.
- A plan has not been filed as of this date. Creditors will be given separate notice of the hearing on confirmation of the plan.

COMMENCEMENT OF CASE. An individual's debt adjustment case under chapter 13 of the Bankruptcy Code has been filed in this court by the debtor or debtors named above, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property and debts, are available for inspection at the office of the clerk of the bankruptcy court.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions, repossessions, or wage reductions. Some protection is also given to certain codebtors of consumer debts. If unauthorized actions are taken by a creditor against a debtor, or a protected codebtor, the court may punish that creditor. A creditor who is considering taking action against the debtor or the property of the debtor, or any codebtor, should review §§ 362 and 1301 of the Bankruptcy Code and may wish to seek legal advice. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor (both husband and wife in a joint case) is required to appear at the meeting of creditors on the date and at the place set forth above in the box labeled "Date, Time, and Location of Meeting of Creditors" for the purpose of being examined under oath. Attendance by creditors at the meeting is welcome, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time by notice at the meeting, without further written notice to creditors.

PROOF OF CLAIM. Except as otherwise provided by law, in order to share in any payment from the estate, a creditor must file a proof of claim by the date set forth above in the box labeled "Deadline to File a Proof of Claim." The place to file the proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. Proof of claim forms are available in the clerk's office of any bankruptcy court.

PURPOSE OF A CHAPTER 13 FILING. Chapter 13 of the Bankruptcy Code is designed to enable a debtor to pay debts in full or in part over a period of time pursuant to a plan. A plan is not effective unless approved by the bankruptcy court at a confirmation hearing. Creditors will be given notice in the event the case is dismissed or converted to another chapter of the Bankruptcy Code.

Address of the Clerk of the Bankruptcy Court	For the Court:
	Clerk of the Bankruptcy Court
	Date

United States Bankruptcy Court		PROOF OF CLAIM
District of _____		
In re (Name of Debtor)	Case Number	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor <i>(The person or other entity to whom the debtor owes money or property)</i>	<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
Name and Address Where Notices Should be Sent	THIS SPACE IS FOR COURT USE ONLY	
Telephone No.		
ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:	Check box if this claim <input type="checkbox"/> replaces <input type="checkbox"/> amends a previously filed claim, dated: _____	
1. BASIS FOR CLAIM		
<input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other (Describe briefly)	<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (Fill out below) Your social security number _____ Unpaid compensation for services performed from _____ (date) to _____ (date)	
2. DATE DEBT WAS INCURRED	3. IF COURT JUDGMENT, DATE OBTAINED:	
4. CLASSIFICATION OF CLAIM. Under the Bankruptcy Code all claims are classified as one or more of the following: (1) Unsecured nonpriority, (2) Unsecured Priority, (3) Secured. It is possible for part of a claim to be in one category and part in another. CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim and STATE THE AMOUNT OF THE CLAIM AT TIME CASE FILED.		
<input type="checkbox"/> SECURED CLAIM \$ _____ Attach evidence of perfection of security interest Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other (Describe briefly) Amount of arrearage and other charges at time case filed included in secured claim above, if any \$ _____ <input type="checkbox"/> UNSECURED NONPRIORITY CLAIM \$ _____ A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim or to the extent that the value of such property is less than the amount of the claim. <input type="checkbox"/> UNSECURED PRIORITY CLAIM \$ _____ Specify the priority of the claim.	<input type="checkbox"/> Wages, salaries, or commissions (up to \$4000),* earned not more than 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier—11 U.S.C. § 507(a)(3) <input type="checkbox"/> Contributions to an employee benefit plan—11 U.S.C. § 507(a)(4) <input type="checkbox"/> Up to \$1,800* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use—11 U.S.C. § 507(a)(6) <input type="checkbox"/> Alimony, maintenance, or support owed to a spouse, former spouse, or child—11 U.S.C. § 507(a)(7) <input type="checkbox"/> Taxes or penalties of governmental units—11 U.S.C. § 507(a)(8) <input type="checkbox"/> Other—Specify applicable paragraph of 11 U.S.C. § 507(a) _____ *Amounts are subject to adjustment on 4/1/98 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.	
5. TOTAL AMOUNT OF CLAIM AT THE TIME \$ _____ \$ _____ \$ _____ \$ _____		
CASE FILED: (Unsecured) (Secured) (Priority)		\$ _____ (Total)
<input type="checkbox"/> Check this box if claim includes charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.		
6. CREDITS AND SETOFFS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. In filing this claim, claimant has deducted all amounts that claimant owes to debtor.		THIS SPACE IS FOR COURT USE ONLY
7. SUPPORTING DOCUMENTS: <i>Attach copies of supporting documents</i> , such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.		
8. TIME-STAMPED COPY: To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.		
Date	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any)	

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

Form 14. BALLOT FOR ACCEPTING OR REJECTING PLAN

[Caption as in Form 16A]

BALLOT FOR ACCEPTING OR REJECTING PLAN

Filed By _____
on [date] _____

The plan referred to in this ballot can be confirmed by the court and thereby made binding on you if it is accepted by the holders of two-thirds in amount and more than one-half in number of claims in each class and the holders of two-thirds in amount of equity security interests in each class voting on the plan. In the event the requisite acceptances are not obtained, the court may nevertheless confirm the plan if the court finds that the plan accords fair and equitable treatment to the class or classes rejecting it and otherwise satisfies the requirements of § 1129(b) of the Code. To have your vote count you must complete and return this ballot.

[If holder of general claim] The undersigned, a creditor of the above-named debtor in the unpaid principal amount of \$ _____,

[If bondholder, debenture holder, or other debt security holder] The undersigned, the holder of [state unpaid principal amount] \$ _____ of [describe security] _____ of the above-named debtor, with a stated maturity date of _____ [if applicable] registered in the name of _____ [if applicable] bearing serial number(s) _____],

[If equity security holder] The undersigned, the holder of [state number] _____ shares of [describe type] _____ stock of the above named debtor, represented by Certificate(s) No. _____, [or held in my/our brokerage Account No. _____ at [name of broker-dealer] _____],

[Check One Box]

Accepts

Rejects

the plan for the reorganization of the above-named debtor proposed by [name of proponent] _____,

and [if more than one plan is to be voted on]

Accepts

Rejects

the plan for the reorganization of the above-named debtor proposed by [name of proponent] _____.

[If more than one plan is accepted, the following may but need not be completed.] The undersigned prefers the plans accepted in the following order.

[Identify plans]

1. _____
2. _____

Dated: _____

Print or type name: _____

Signed: _____

[If appropriate] By: _____

as: _____

Address: _____

Return this ballot on or before _____ (date) to: _____ (name)

Address: _____

**FORM 17. NOTICE OF APPEAL UNDER 28 U.S.C. § 158(a) or (b)
FROM A JUDGMENT, ORDER, OR DECREE OF A
BANKRUPTCY COURT**

In re _____,
Debtor

Case No. _____

Chapter _____

NOTICE OF APPEAL

_____, the plaintiff [or defendant or other party] appeals under 28 U.S.C. § 158(a) or (b) from the judgment, order, or decree of the bankruptcy court (describe) entered in this adversary proceeding [or other proceeding, describe type] on the _____ day of _____, 19__.

The parties to the order appealed from and the names of their respective attorneys are as follows:

Dated: _____

Signed: _____
Attorney for Appellant

Address: _____

If a Bankruptcy Appellate Panel is authorized to hear this appeal, each party has a right to have the appeal heard by the district court. The appellant may exercise this right only by filing a separate statement of election at the time of the filing of this notice of appeal.

Form 18. DISCHARGE OF DEBTOR

[Caption as in 16A]

DISCHARGE OF DEBTOR

It appears that a petition commencing a case under title 11, United States Code, was filed by or against the person named above on _____, and that an order for relief was entered under chapter 7, and that
(date)
no complaint objecting to the discharge of the debtor was filed within the time fixed by the court [or that a complaint objecting to discharge of the debtor was filed and, after due notice and hearing, was not sustained].

IT IS ORDERED THAT:

1. The above-named debtor is released from all dischargeable debts.
2. Any judgment heretofore or hereafter obtained in any court other than this court is null and void as a determination of the personal liability of the debtor with respect to any of the following:
 - (a) debts dischargeable under 11 U.S.C. § 523;
 - (b) unless heretofore or hereafter determined by order of this court to be nondischargeable, debts alleged to be excepted from discharge under clauses (2), (4), (6), and (15) of 11 U.S.C. § 523(a);
 - (c) debts determined by this court to be discharged.
3. All creditors whose debts are discharged by this order and all creditors whose judgments are declared null and void by paragraph 2 above are enjoined from instituting or continuing any action or employing any process or engaging in any act to collect such debts as personal liabilities of the above-named debtor.

BY THE COURT

Dated: _____

United States Bankruptcy Judge