

07-BR-006



Terry
Myers/IDB/09/USCOURTS

12/07/2007 05:28 PM

To rules_comments@ao.uscourts.gov

cc

Subject Fed R Bankr.P. 8002

In response to your request for comment, I do not see the proposed increase in the time for appeal under Bankruptcy Rule 8002(a) from 10 days to 14 days as having any significant negative impact, and support that suggested change to make the Rule 8002 period consistent with time computation principles generally. However, I agree with the concerns already voiced (e.g., comments of K. Klee, #07-BK-002) about increasing the time to appeal to 30 days. I do not feel the arguments in favor of such a change (such as making it consistent with nonbankruptcy civil practice and protecting infrequent bankruptcy practitioners) carry persuasive weight. The shorter period of 14 days is better suited to the realities and needs of the bankruptcy system, and the availability of an extension of time on request under Rule 8002(c) adequately addresses special cases where additional time is reasonably required.

Chief Bankruptcy Judge Terry Myers
District of Idaho