



UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF FLORIDA

NOTICE OF AMENDED BANKRUPTCY RULES, NEW AND REVISED OFFICIAL AND DIRECTOR'S BANKRUPTCY FORMS AND ENTRY OF ADMINISTRATIVE ORDER 08-3

The Bankruptcy Rules were amended effective 12/1/08. A copy of the amended rules can be viewed at http://www.uscourts.gov/rules/supct0108/BK_Clean.pdf

Most of the Bankruptcy Rules amendments incorporate the Interim Bankruptcy Rules, with some changes, which were adopted by this court under Administrative Order O5-4, which is now superseded by [Administrative Order 08-3](#) "Status of Interim Bankruptcy Rules Adopted by Administrative Order 05-4 Upon 12/1/08 Effective Date of Amended Federal Rules of Bankruptcy Procedure". This Order provides that the Interim Bankruptcy Rules are replaced by the Amended Bankruptcy Rules effective 12/1/08, with the exception of Interim Bankruptcy Rule 5012, which remains in effect pending approval of a new Bankruptcy Rule 5012.

Please Note: Bankruptcy Rules 1007(a)(4)(A), 1010(b) and 1011(f) now require a foreign representative filing a chapter 15 petition, each petitioner that is a corporation filing an involuntary petition, each entity responding to the involuntary petition and each entity responding to a chapter 15 petition, to file a corporate ownership statement.

The amended Bankruptcy Rules also include new Rules 1021, 2007.2, 2015.1, 2015.2, 2015.3, 5008, and 6011.

New and revised forms issued in conjunction with the amended rules effective December 1, 2008, include the following:

B 1 Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement (rev. 12/08)
[Form](#) | [Committee Note](#)

B 8 Chapter 7 Individual Debtor's Statement of Intention (rev. 12/08)
[Form](#) | [Committee Note](#)

B 10 Proof of Claim (rev. 12/08)
[Form](#) | [Committee Note](#)

B 23 Debtor's Certification of Completion of Postpetition Instructional Course Concerning Financial Management (rev. 12/08)
[Form](#) *No Committee Note. The paragraph describing Filing Deadlines at the bottom of the form was revised to include a reference to § 1141(d)(5)(B).*

B 25C Small Business Monthly Operating Report (12/08) [New]
[Form](#) | [Committee Note](#)

B 26 Periodic Report Regarding Value, Operations and Profitability of Entities in Which the Debtor's Estate Holds a Substantial or Controlling Interest (12/08) [New]
[Form](#) | [Instructions](#) | [Committee Note](#)

B 201 Notice to Individual Consumer Debtor (rev. 12/08)

[Form](#) | [Instructions](#) *(Form has been amended to advise debtors that Rule 4002 requires the debtor to notify the court of any changes in the debtor's address. Form also states that joint debtors who list the same mailing address on the bankruptcy petition, will receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope. ****Local form version of this notice [LF-13], is abrogated and replaced with the official B 201 notice*****

B 22A Statement of Current Monthly Income and Means Test Calculation (Chapter 7) (rev. 12/08)

[Form](#) | [Committee Note](#) *(Pending approval by the Judicial Conference, this amended form will be effective on December 19, 2008, the same time the status is effective.)*

The National Guard and Reservists Debt Relief Act of 2008, Pub.L. 110-438, provides a temporary exclusion from the bankruptcy means test for Reservists and members of the National Guard called to active duty or homeland defense activity after September 11, 2001, for at least 90 days. The proposed amendment to Official Form 22A includes a new Part 1C where qualifying debtors can invoke the temporary exclusion from the means test.

In addition, the Committee on Rules of Practice and Procedure and the Advisory Committee on Bankruptcy Rules have requested that the Judicial Conference transmit [proposed Interim Rule 1007-I](#) to the courts for adoption as a local rule to implement the Act.

Copies of AO 08-3 and forms are posted on the court's web site www.flsb.uscourts.gov and available at the clerk's office locations.