



UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF MISSOURI
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PUBLIC NOTICE

AMENDMENTS TO OFFICIAL, DIRECTOR'S, AND LOCAL BANKRUPTCY FORMS

OFFICIAL FORMS

At its September 2007 meeting, the Judicial Conference approved proposed amendments to Bankruptcy Official Forms 1, 3A, 3B, 4, 5, 6, 7, 10, 16A, 19, 21, 23, and 24. The Judicial Conference also approved new Bankruptcy Official Forms 25A, 25B, 25C, and 26. The amendments to the existing Official Forms will be effective December 1, 2007. The new Official Forms will be effective December 1, 2008. Attorneys who utilize petition software for bankruptcy forms should contact their vendors to ensure the amended forms are updated prior to December 1, 2007.

The Judicial Conference deferred action on proposed amendments to Official Forms 22A, 22B, and 22C due to revisions to the Internal Revenue Service's Collection Financial Standards which are incorporated into the "means test" forms. It is anticipated that these revised forms will be effective January 1, 2008. For copies of the new and amended forms along with complete committee notes relating to the form changes, go to <http://www.uscourts.gov/bkforms/index.html>. A summary of the form changes include:

Effective December 1, 2007

Official Form 1, Voluntary Petition: The ranges for estimated number of creditors, estimated assets, and estimated liabilities will be amended to assist the courts in fulfilling the new statistical reporting requirements of 28 U.S.C. § 159. A notice is provided advising the attorney that the attorney's signature constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect. A checkbox is added for an individual debtor to indicate that the debtor is applying for a waiver of the filing fee. Exhibit D will enable individual debtors to certify that they have received budget and credit counseling prior to filing.

Official Form 3A, Application and Order to Pay Filing Fee in Installments: Amended to direct the debtor to state that, until the filing fee is paid in full, the debtor will not make any additional payment or transfer any additional property to an attorney or any other person for services in connection with the case.

Official Form 3B, Application for Waiver of Chapter 7 Filing Fee: This is a new form to be used by individual Chapter 7 debtors when applying for a waiver of the filing fee. A corresponding standard order also is included.

Official Form 4, List of Creditors Holding 20 Largest Unsecured Claims: Amended to require only the initials of a minor and not the full name if a creditor is a minor.

Official Form 5, Involuntary Petition: Amended to delete statistical information about the debtor that no longer is required and to substitute check boxes similar to those on the voluntary petition form. The petitioning creditors must now provide, to the extent known to them, all other names used by the debtor during the 8 years before filing of the petition.

Official Form 6, Schedules, including Schedules A through J: Amended to require only the initials of a minor and not the full name and address. Schedules D, E, and F have been designed for the listing of each claim only once. Schedules I and J will include a statement advising debtors that the income and expense amounts on the schedules may differ from the income and expense amounts listed on the means test forms.

Official Form 7, Statement of Financial Affairs: Amended to require only the initials of a minor and not the full name. Please see the committee note for other changes.

Official Forms 9A through 9I, Notice of Commencement of Case, Meeting of Creditors and Deadlines: Amended to include only the last four digits of any individual taxpayer identification number in accordance with Federal Rule of Bankruptcy Procedure 9037. In addition to stylistic changes, the forms are revised to clarify the references to creditors with foreign addresses. Forms 9A and 9C are amended to include a box in which the clerk can notify creditors in a Chapter 7 case filed by an individual with primarily consumer debts if the presumption of abuse has arisen under § 707(b) of the Bankruptcy Code. Forms 9E and 9E (Alt.) are amended to state that, unless the court orders otherwise, an individual Chapter 11 debtor's discharge is not effective until completion of all payments under the plan. Forms 9F and 9I are amended to include a deadline to file a complaint to determine the dischargeability of certain debts.

Official Form 10, Proof of Claim: Amended to provide more accurate addresses for transmittal of payments and notices, indicate that a particular proof of claim has been replaced, and to update the Instructions and Definitions portions of the form. Creditor now has a space in which to provide a separate payment address if different from the creditor's address for receiving notices in the case. New paragraph 3a gives the creditor a place to notify the trustee and the court of any change in the creditor's name, or that the claim has been transferred or to provide information to clarify a difference between the proof of claim and the creditor's claim as scheduled by the debtor.

Official Form 16A, Caption: Amended to require that the title of the case include all names used by the debtor within the last eight years in conformity with § 727(a)(8) of the Bankruptcy Code. Also amended to direct use of only the last four digits of an individual debtor's tax-identification number.

Official Form 18, Discharge of Debtor: Amended to require the title of the case to include all names used by the debtor within eight years prior to filing of the petition, and to provide only the last four digits of an individual debtor's taxpayer identification number.

Official Form 19, Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer: This form is new. It is derived from form 19B and replaces forms 19A and 19B (which forms

are abrogated). The notice states that the bankruptcy petition preparer is not an attorney and must not give legal advice. The notice includes examples of advice a petition preparer may not give. A new form 19 must be completed and accompany subsequent filings.

Official Form 21, Statement of Social Security Number: Amended to direct a taxpayer who does not have a Social Security Number to provide a taxpayer identification number on the form.

Official Form 23, Debtor's Certification of Completion of Instructional Course Concerning Personal Financial Management: Amended to remind the debtor that the form should not be used to file a certification of pre-petition credit counseling. This form is amended to state the deadline for filing the certification in a Chapter 11 case in which § 1141(d)(3) of the Bankruptcy Code applies.

Official Form 24, Certification to Court of Appeals by All Parties: Amended to include a signature line for the appellee and the appellee's attorney.

Effective January 1, 2008 (anticipated)

Official Forms 22A, 22B, and 22C, Statement of Current Monthly Income and Means-Test Calculation in Chapter 7, 11, and 13 Cases.

Effective December 1, 2008

Official Form 25A, Form Plan of Reorganization: This form is new and should be used in small business Chapter 11 cases. It includes a requirement that the plan proponent state the means by which the plan will be implemented.

Official Form 25B, Form Disclosure Statement: This form is new and should be used in small business Chapter 11 cases in conjunction with the Form Plan of Reorganization.

Official Form 25C, Small Business Monthly Operation Report: This form is new and should be used in small business Chapter 11 cases to provide periodic reports on the operations and profitability of the debtor during the case.

Official Form 26, Periodic Report Regarding Value, Operations and Profitability of Entities in Which the Estate of [Name of Debtor] Holds a Substantial Controlling Interest: This form is new and should be used to disclose the profitability of entities in which the bankruptcy estate holds a substantial or controlling interest.

DIRECTOR'S FORMS

Effective August 1, 2007

The Director of the Administrative Office has issued 20 amended Bankruptcy Director's Procedural Forms. The changes were effective August 1, 2007. The amended forms conform to revised Bankruptcy Official Form 16A and new Federal Rule of Bankruptcy Procedure 9037, which will be effective December 1, 2007. Director's Forms were also revised to make stylistic changes. Specific changes include the following:

- The captions were changed to make them more consistent and to eliminate all but the last 4 digits of the debtor's social-security number or individual taxpayer identification number.
- On Form 104, nature of suit code 71 was reworded.
- On Form 13S, the reference to an election to be considered a small business Chapter 11 case was deleted.
- Forms 130A and 130B were abrogated.
- On Form 202, "parties to a bankruptcy case" was changed to "each party in a bankruptcy case" and a line for "print name" was added to the signature block.
- On Form 204, "Creditors who do not file a proof of claim on or before this date will not share in any distribution from the debtor estate." was changed to "Creditors who do not file a proof of claim on or before this date might not share in any distribution from the debtor's estate."

LOCAL FORMS

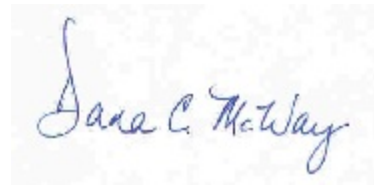
Effective December 1, 2007

Adversary Proceeding Cover Sheet. The Adversary Proceeding Cover Sheet is currently in Word, WordPerfect, and PDF on the Court's website. As of the effective date, there will only be a fillable PDF form. The language of Nature of Suit Code 71 has been modified to state "imposition of stay" rather than "reinstatement of stay."

Proof of Claim - Local Form. This form is a fillable PDF and will be replaced to conform with the new Official Form 10.

Statement of Social Security Number - Local Form. This form is being revised to conform to the changes in Official Form 21 regarding the tax payer ID, SSN and Employer ID fields.

If you have any questions regarding the new and/or revised bankruptcy forms, please contact Gary Streeting, Attorney Advisor to the Clerk of Court, 314-244-4603.



Dana C. McWay
Clerk of Court

Dated: November 16, 2007