



# JUDICIAL CONFERENCE OF THE UNITED STATES

WASHINGTON, D.C. 20544

THE CHIEF JUSTICE  
OF THE UNITED STATES  
*Presiding*

LEONIDAS RALPH MECHAM  
*Secretary*

**October 5, 2005**

**MEMORANDUM TO: CHIEF JUDGES, UNITED STATES DISTRICT COURTS  
JUDGES, UNITED STATES BANKRUPTCY COURTS**

**SUBJECT: Amendments to Interim Bankruptcy Rules and Official Forms  
(INFORMATION)**

The Advisory Committee on Bankruptcy Rules is requesting the Committee on Rules of Practice and Procedure (Standing Committee) to approve amendments to four Interim Rules and three Official Forms that were sent to the courts on August 2, 2005, to implement the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. Assuming that the Standing Committee approves the rules and forms changes and the Executive Committee on behalf of the Judicial Conference approves the Official Forms changes, the amended rules and forms are expected to be transmitted to courts for adoption late next week.

The Bankruptcy Act generally takes effect on October 17, 2005. To provide courts with as much advance time as possible under the circumstances to prepare for and adopt them, a copy of the proposed affected rules and forms and a memorandum from the advisory committee's reporter explaining the amendments have been posted on the internet at [www.uscourts.gov/rules](http://www.uscourts.gov/rules).

The amendments are non-controversial, necessary, and mostly technical. The proposed changes reflect a strong consensus of the advisory committee. A majority of the rules amendments deal with a single issue involving a homestead exemption in the Act, while the forms revisions deal primarily with recent Internal Revenue Service reporting actions on local housing allowances that are necessary to complete the "means testing" forms. The advisory committee recognizes that changes in the Interim Rules and Official Forms at this late date are disruptive, but if left undisturbed, the affected rules and forms would likely cause confusion and wasteful litigation.

The courts will be notified as soon as the proposed amendments to the Interim Rules and Official Forms have been approved. District courts are also encouraged to review their local rules to determine whether they should be amended to account for Interim Rules dealing with appeal procedures.

A handwritten signature in black ink, appearing to read "Leonidas Mecham". The signature is fluid and cursive, with a long horizontal stroke at the end.

Leonidas Ralph Mecham  
Secretary

cc: District Court Executives  
Clerks, United States District Courts  
Clerks, United States Bankruptcy Courts