

**COMMITTEE ON RULES OF PRACTICE AND PROCEDURE
OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES**

August 10, 2006

TO THE BENCH, BAR, AND PUBLIC:

Proposed Rules and Forms Amendments

The Judicial Conference Advisory Committees on the Bankruptcy, Criminal, and Evidence Rules have proposed amendments to federal rules and Official Forms and requested that the proposals be circulated to the bench, bar, and public for comment. The proposed amendments to the federal rules are posted at <www.uscourts.gov/rules>.

Opportunity for Public Comment

Please provide any comments and suggestions on the proposed amendments whether favorable, adverse, or otherwise as soon as possible. **The comment deadline is February 15, 2007.** Please send all correspondence to: Secretary of the Committee on Rules of Practice and Procedure, Administrative Office of the United States Courts, Washington, D.C. 20544. Comments may also be sent electronically to <Rules_Comments@ao.uscourts.gov>.

Most of the amendments and new rules proposed to the Bankruptcy Rules are based on Interim Rules, which were adopted in 2005 by bankruptcy courts in local rules or general orders until final rules could be put in place to implement the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. Based on the courts' favorable experience with the Interim Rules, the proposed amendments to the national rules use language almost identical to the language used in the Interim Rules, with only slight adjustments to certain rules. A handful of new amendments and rules, which were not included in the Interim Rules, are proposed to address various provisions in the 2005 Act that did not require immediate implementation.

The Advisory Committee on Bankruptcy Rules also recommended that the revised Official Forms—which took effect in October 2005 with certain minor revisions without the benefit of public input because of the 2005 Bankruptcy Act's short deadlines—be published for comment to provide the bench and bar with an opportunity to raise any concerns with them. The Advisory Committee will review all comments to determine whether further revisions to the Official Forms are necessary.

The Advisory Committees on the Bankruptcy, Criminal, and Evidence Rules will hold public hearings on the proposed amendments on the following dates:

Bankruptcy Rules	January 22, 2007, Washington, D.C.
Criminal Rules	January 26, 2007, Washington, D.C. and February 2, 2007, San Francisco, California
Evidence Rules	January 12, 2007, Phoenix, Arizona, and January 29, 2007, New York, New York

If you wish to testify, you must contact the Committee Secretary at the above address **at least 30 days before the hearing**. The Advisory Committees will review all timely comments. All comments are made part of the official record and are available to the public.

After the public comment period, the Advisory Committees will decide whether to submit the proposed amendments to the Standing Committee on Rules of Practice and Procedure. At present, the Standing Committee has not approved these proposed amendments, except to authorize their publication for comment. The proposed amendments have not been submitted to nor considered by the Judicial Conference or the Supreme Court.

David F. Levi
Chair

Peter G. McCabe
Secretary