



ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

JAMES C. DUFF
Director

WASHINGTON, D.C. 20544

December 1, 2016

MEMORANDUM

To: All United States Judges
Circuit Executives
Federal Public/Community Defenders
District Court Executives
Clerks, United States Courts
Chief Probation Officers
Chief Pretrial Services Officers
Senior Staff Attorneys
Chief Circuit Mediators
Bankruptcy Administrators
Circuit Librarians

From:

James C. Duff

A handwritten signature in black ink that reads "James C. Duff".

RE:

AMENDMENTS TO THE FEDERAL RULES OF PRACTICE AND PROCEDURE
(IMPORTANT INFORMATION)

Congress has taken no action on the proposed amendments to the Federal Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure, adopted by the Supreme Court and transmitted to Congress on April 28, 2016. Under the Rules Enabling Act, 28 U.S.C. §§ 2071-75, amendments to the following rules take effect today, December 1, 2016:

Federal Rules of Appellate Procedure

Appellate Rules:

Rule 4	Appeal as of Right—When Taken
Rule 5	Appeal by Permission
Rule 21	Writs of Mandamus and Prohibition, and Other Extraordinary Writs
Rule 25	Filing and Service
Rule 26	Computing and Extending Time

Rule 27	Motions
Rule 28	Briefs
Rule 28.1	Cross-Appeals
Rule 29	Brief of an Amicus Curiae
Rule 32	Form of Briefs, Appendices, and Other Papers
Rule 35	En Banc Determination
Rule 40	Petition for Panel Rehearing

Appellate Rules Forms and Appendix:

Form 1	Notice of Appeal to a Court of Appeals From a Judgment or Order of a District Court
Form 5	Notice of Appeal to a Court of Appeals From a Judgment or Order of a District Court or a Bankruptcy Appellate Panel
Form 6	Certificate of Compliance with Type-Volume Limit
Form 7 (New)	Declaration of Inmate Filing
Appendix (New)	Appendix: Length Limits Stated in the Federal Rules of Appellate Procedure

Federal Rules of Bankruptcy Procedure

Rule 1010	Service of Involuntary Petition and Summons
Rule 1011	Responsive Pleading or Motion in Involuntary Cases
Rule 1012 (New)	Responsive Pleading in Cross-Border Cases
Rule 2002	Notices to Creditors, Equity Security Holders, Administrators in Foreign Proceedings, Persons Against Whom Provisional Relief is Sought in Ancillary and Other Cross-Border Cases, United States, and United States Trustee
Rule 3002.1	Notice Relating to Claims Secured by Security Interest in the Debtor's Principal Residence
Rule 7008	General Rules of Pleading
Rule 7012	Defenses and Objections—When and How Presented—By Pleading or Motion—Motion for Judgment on the Pleadings
Rule 7016	Pretrial Procedures
Rule 9006	Computing and Extending Time; Time for Motion Papers
Rule 9027	Removal
Rule 9033	Proposed Findings of Fact and Conclusions of Law

Federal Rules of Civil Procedure

Rule 4	Summons
Rule 6	Computing and Extending Time; Time for Motion Papers
Rule 82	Jurisdiction and Venue Unaffected

Federal Rules of Criminal Procedure

Rule 4.	Arrest Warrant or Summons on a Complaint
Rule 41.	Search and Seizure
Rule 45.	Computing and Extending Time

Under 28 U.S.C. § 2074(a) and the Supreme Court orders dated April 28, 2016, the amendments will govern all proceedings commenced on or after December 1, 2016, and all proceedings then pending “insofar as just and practicable.” The text of the amended rules and accompanying committee notes—along with extensive supporting documentation related to their adoption—are posted on the “Current Rules” page of the Judiciary’s website at: <http://www.uscourts.gov/rules-policies/current-rules-practice-procedure>.

In addition, the following amended Official Bankruptcy Forms are effective on December 1, 2016: Official Forms 20A and 20B (renumbered 420A and 420B), and Form 410S2. As approved by the Judicial Conference at its September 2016 session, the forms govern all proceedings in bankruptcy cases thereafter commenced and, insofar as just and practicable, all proceedings then pending. The amended forms are posted on the website at: <http://www.uscourts.gov/forms/bankruptcy-forms>.

Please consider posting an announcement of the new rules and forms on your court websites.

If you have any questions about the status of any of the amendments, please contact the Rules Committee Support Office at 202-502-1820 or via email at: Rules_Support@ao.uscourts.gov.