

**United States Bankruptcy Court
Western District of Missouri**



**NOTICE OF AMENDED FEDERAL BANKRUPTCY RULES, FEES AND FORMS
EFFECTIVE DECEMBER 1, 2016**

Amended Federal Rules. On April 28, 2016, the Supreme Court adopted changes to the Federal Rules of Appellate, Civil, Criminal, and Bankruptcy Procedures which are scheduled to take effect on December 1, 2016. The ten amended bankruptcy rules, and new Rule 1012, with accompanying committee notes are available [here](#).

Revised three-day rule – No extension of time when service is made electronically - revision is to Bankruptcy Rule 9006(f), Appellant Rule 26(c), and Civil Rule 6(d). The rules currently add three days to a time period to act if that period is measured after being served and service is accomplished by certain methods, such as by mail, or under Civil Rule 5(b)(2)(D) [leaving the paper document with the clerk], (E) [electronic delivery of the document], or (F) [delivery of the document by other means consented to in writing]. The rules are amended to remove service by electronic means under Civil Rule 5(b)(2)(E) from the modes of service that allow three added days to act after being served.

- **Rule 9006. Computing and Extending Time; Time for Motion Papers** – will now read as:

(f) **ADDITIONAL TIME AFTER SERVICE BY MAIL OR UNDER RULE 5(b)(2)(D), OR (F) F.R.CIV.P.** When there is a right or requirement to act or undertake some proceedings within a prescribed period after being served and that service is by mail or under Rule 5(b)(2)(D) (leaving with the clerk), or (F) (other means consented to) F.R.Civ.P., three days are added after the prescribed period would otherwise expire under Rule 9006(a).

Amended Bankruptcy Fees. At its September 2016 session, the Judicial Conference approved inflationary adjustments to certain fees on the bankruptcy court miscellaneous fee schedule that are effective December 1, 2016. A summary of the changes may be found [here](#). The updated local fee schedule showing the fee changes in red is available [here](#).

Amended Bankruptcy Forms. In addition to the amended bankruptcy rules, there are also minor revisions to three bankruptcy forms. The revisions are summarized below. Additional information is available at www.uscourts.gov.

- **Official Forms 420A (Notice of Motion or Objection) and 420B (Notice of Objection to Claim)** are updated to conform to the numbering style developed as part of the Forms Modernization Project. The forms are also amended to change the phrase “mail” to “send” to reflect the fact that there are various methods of providing documents to other parties.
- **Official Form 410S2 (Notice of Postpetition Mortgage Fees, Expenses, and Charges)** is amended in the instructions in Part 1 to clarify how to report previously approved fees, expenses, or charges. The following language is added: “If the court has previously approved an amount, indicate that approval in parentheses after the date the amount was incurred.” This amended language replaces the prior instruction not to report any amounts previously ruled on by the bankruptcy court.