

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF UTAH

Notice  
November 26, 2014

**TO: ALL MEMBERS OF THE BAR AND OTHER PARTIES IN INTEREST**

**FROM: David Sime, Clerk of Court**

**RE: Changes to Forms, Fees, Rules, and Procedures EFFECTIVE DECEMBER 1, 2014:**

- Federal Rules of Bankruptcy Procedure
- Official Bankruptcy Forms (pg.2)
- Chapter 7 Statement of Current Monthly Income and Means-Test Calculation (pg.3)
- Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (pg. 4)
- Local Rules of Practice of the United States Bankruptcy Court District of Utah (pg. 5)
- Local Bankruptcy Forms (pg. 6)
- Bankruptcy Court Miscellaneous Fee Schedule (pg. 7)

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**Federal Rules of Bankruptcy Procedure**

The Federal Rules of Bankruptcy Procedure have been amended. The amendments to the bankruptcy rules address the following:

1. Petitions involving the same debtors filed in different courts
2. Time limits for serving a summons and complaint
3. Procedure for seeking attorney's fees in bankruptcy proceedings
4. Bankruptcy appeals
5. New trials and relief from judgment or order

The following Federal Rules of Bankruptcy Procedure (F.R.B.P.) are impacted:

- F.R.B.P. 1014(b) - Dismissal and Change of Venue
- F.R.B.P. 7004(e) - Process; Service of Summons, Complaint (Summons: Time Limit For Service Within the United States)
- F.R.B.P. 7008(b) - General Rules of Pleading (Attorney Fees)
- F.R.B.P. 7054(b) - Judgments; Costs (Costs; Attorney Fees)
- F.R.B.P. 8001 through 8028 - Rules Governing Appeals
- F.R.B.P. 9023 - New Trials; Amendment of Judgments
- F.R.B.P. 9024 - Relief from Judgment or Order

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## Official Bankruptcy Forms

Various Official Bankruptcy Forms have been revised. Practitioners are urged to use the updated Official Bankruptcy Forms beginning Monday, December 1, 2014. For further explanation on revisions to these forms, click [here](#) or visit [www.uscourts.gov](http://www.uscourts.gov) > Forms & Fees > Bankruptcy Forms > Links to Related Material > Pending Changes.

The following forms are impacted:

- [Official Form 3A](#) - Application for Individuals to Pay the Filing Fee in Installments
- [Official Form 3B](#) - Application to Have the Chapter 7 Filing Fee Waived
- [Official Form B6](#) - Summary of Schedules
- [Official Form 17A](#) - Notice of Appeal and Statement of Election
- [Official Form 17B](#) - Optional Appellee Statement of Election to Proceed in District Court
- [Official Form 17C](#) - Certificate of Compliance with Rule 8015(a)(7)(B) or 8016(d)(2))
- [Official Form 22A-1](#) - Chapter 7 Statement of Your Current Monthly Income
- [Official Form 22A-1 Supp](#) - Statement of Exemption from Presumption of Abuse Under §707(b)(2))
- [Official Form 22A-2](#) - Chapter 7 Means Test Calculation
- [Official Form 22B](#) - Chapter 11 Statement of Your Current Monthly Income
- [Official Form 22C-1](#) - Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period
- [Official Form 22C-2](#) - Chapter 13 Calculation of Your Disposable Income

NOTE: The Chapter 7 Statement of Current Monthly Income and Means Test Calculation AND Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income have significant revisions. See pages 3 and 4 for further explanation.

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## Chapter 7 Statement of Current Monthly Income and Means-Test Calculation

Official Form 22A, *Statement of Current Monthly Income and Means Test Calculation*, has been split into three forms: 22A-1, 22A-1Supp, and 22A-2. The first form, Official Form 22A-1, *Chapter 7 Statement of Your Current Monthly Income*, is to be completed by all individual chapter 7 debtors. The second form, Official Form 22A-2, *Chapter 7 Means Test Calculation*, is to be completed only by those debtors whose income is above the applicable state median. Debtors who are exempt from the means test form (i.e. those who do not have primarily consumer debt or certain members of the armed forces), must complete 22A-1 and Official Form 22A-1Supp, *Statement of Exemption from Presumption of Abuse Under § 707(b)(2)*.

CM/ECF has been modified to accommodate this form revision. The CM/ECF event "Chapter 7 Means Test" has been replaced with three new events:

- Chapter 7 Statement of Current Monthly Income Form 22A-1
- Chapter 7 Means Test Calculation Form 22A-2
- Statement of Exemption from Presumption of Abuse Under §707(b)(2) Form 22A-1 Supp

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## **Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income**

Official Form 22C, *Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income*, has been split into two forms: 22C-1 and 22C-2. The first form, Official Form 22C-1, *Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period*, must be completed by all chapter 13 debtors. Debtors only need to complete the second form, Official Form 22C-2, *Chapter 13 Calculation of Your Disposable Income*, if their current monthly income exceeds the applicable median.

CM/ECF has been modified to accommodate this form revision. The CM/ECF event "Chapter 13 Statement of Current Monthly and Disposable Income" has been replaced with two new events:

- Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period Form 22C-1
- Chapter 13 Calculation of Your Disposable Income Form 22C-2

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## Local Rules of Practice of the United States Bankruptcy Court District of Utah

The Local Rules of Practice of the United States Bankruptcy Court District of Utah have been amended and will be effective December 1, 2014. To view the Local Rules visit [www.utb.uscourts.gov](http://www.utb.uscourts.gov) > Forms & Local Rules > Local Rules and Orders.

The following Local Rules are impacted:

- L.R. 2003-1 - Meeting of Creditors and Equity Security Holders
- L.R. 2004-1 - Examinations Under Rule 2004
- L.R. 2082-1 - Chapter 12 - General
- L.R. 2083-1 - Chapter 13 - General
- L.R. 2091-1 - Debtor's Attorney - Scope of Representation
- L.R. 2091-2 - Attorneys - Substitution or Withdrawal
- L.R. 5080-1 - Fees - General
- L.R. 6007-1 - Abandonment
- L.R. 7026-1 - Discovery - General
- L.R. 7055-1 - Default Judgment
- L.R. 7056-1 - Summary Judgment
- L.R. 9011-2 - Parties Appearing Without an Attorney
- L.R. 9013-1 - Motion Practice - Set Hearing
- L.R. 9013-2 - Motion Practice - Opportunity for Hearing
- L.R. 9021-1 - Preparation and Submission of Judgment or Order

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## **Local Forms of the United States Bankruptcy Court District of Utah**

Various local forms customized for use in the Bankruptcy Court District of Utah have been revised and/or created. The following forms are impacted:

- Local Form 2091-2 - Form for Motion to Withdrawal as Counsel - Local Rule 2091-2
- Local Form 2091-2-A - Form for Order to Withdrawal as Counsel - Local Rule 2091-2
- Local Form 6007-1-A - Form for Notice of Proposed Abandonment - Local Rule 6007-1
- Local Form 9013-2 - Form for Notice of Opportunity for Hearing - Local Rule 9013-2
- Local Form 9013-3 - Form for Certificate of Service - Local Form 9013-3
- Local Form 9022-1 - Form for Designation of Parties to be Served - Local Rule 9022-1

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## Bankruptcy Court Miscellaneous Fee Schedule

The Bankruptcy Court Miscellaneous Fee Schedule (28 U.S.C. § 1930) has been amended. For more information visit:

<http://www.uscourts.gov/FormsAndFees/Fees/BankruptcyCourtMiscellaneousFeeSchedule.aspx>

The following fees are impacted:

- An increase of \$50 (\$157 to \$207) to the fee assessed when a direct bankruptcy appeal is accepted by the court of appeals.
- **\*\*NEW\*\*** \$25 fee to file a motion to redact a record per affected case.
- An exception to the reopening fee for a closed bankruptcy case to clarify that the reopening fee does not apply if redaction is the only purpose for reopening the case.