

FEDERAL RULES
OF
BANKRUPTCY PROCEDURE

DECEMBER 1, 2025



Printed for the use
of

THE COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

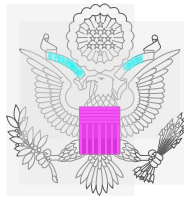
119TH CONGRESS }
1st Session

COMMITTEE PRINT

{ No. 3

FEDERAL RULES
OF
BANKRUPTCY PROCEDURE

DECEMBER 1, 2025



Printed for the use
of

THE COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

U.S. GOVERNMENT PUBLISHING OFFICE
WASHINGTON : 2026

COMMITTEE ON THE JUDICIARY

ONE HUNDRED NINETEENTH CONGRESS

JIM JORDAN, Ohio, *Chairman*

DARRELL ISSA, California
ANDY BIGGS, Arizona
TOM McCLINTOCK, California
THOMAS P. TIFFANY, Wisconsin
THOMAS MASSIE, Kentucky
CHIP ROY, Texas
SCOTT FITZGERALD, Wisconsin
BEN CLINE, Virginia
LANCE GOODEN, Texas
JEFFERSON VAN DREW, New Jersey
TROY E. NEHLS, Texas
BARRY MOORE, Alabama
KEVIN KILEY, California
HARRIET M. HAGEMAN, Wyoming
LAUREL M. LEE, Florida
WESLEY HUNT, Texas
RUSSELL FRY, South Carolina
GLENN GROTHMAN, Wisconsin
BRAD KNOTT, North Carolina
MARK HARRIS, North Carolina
ROBERT F. ONDER, Jr., Missouri
DEREK SCHMIDT, Kansas
BRANDON GILL, Texas
MICHAEL BAUMGARTNER, Washington

JAMIE RASKIN, Maryland, *Ranking Member*
JERROLD NADLER, New York
ZOE LOFGREN, California
STEVE COHEN, Tennessee
HENRY C. "HANK" JOHNSON, Jr., Georgia
ERIC SWALWELL, California
TED LIEU, California
PRAMILA JAYAPAL, Washington
J. LUIS CORREA, California
MARY GAY SCANLON, Pennsylvania
JOE NEGUSE, Colorado
LUCY McBATH, Georgia
DEBORAH K. ROSS, North Carolina
BECCA BALINT, Vermont
JESÚS G. "CHUY" GARCÍA, Illinois
SYDNEY KAMLAGER-DOVE, California
JARED MOSKOWITZ, Florida
DANIEL S. GOLDMAN, New York
JASMINE CROCKETT, Texas

CHRISTOPHER HIXON, *Majority Staff Director*

ARTHUR EWENCZYK, *Minority Staff Director*

FOREWORD

This document contains the Federal Rules of Bankruptcy Procedure, as amended to December 1, 2025. The rules have been promulgated and amended by the United States Supreme Court pursuant to law, and further amended by Acts of Congress. This document has been prepared by the Committee in response to the need for an up-to-date document containing the latest amendments to the rules.

For the convenience of the user, where a rule has been amended a reference to the date the amendment was promulgated and the date the amendment became effective follows the text of the rule.

The Committee on Rules of Practice and Procedure and the Advisory Committee on the Federal Rules of Bankruptcy Procedure, Judicial Conference of the United States, prepared notes explaining the purpose and intent of the amendments to the rules. The Committee Notes may be found in the Appendix to Title 11, United States Code, following the particular rule to which they relate.

A red rectangular box containing a handwritten signature in dark red ink that reads "J. Jordan".

Chairman, Committee on the Judiciary.

DECEMBER 1, 2025.

(III)

AUTHORITY FOR PROMULGATION OF RULES

TITLE 28, UNITED STATES CODE

§ 2073. Rules of procedure and evidence; method of prescribing

(a)(1) The Judicial Conference shall prescribe and publish the procedures for the consideration of proposed rules under this section.

(2) The Judicial Conference may authorize the appointment of committees to assist the Conference by recommending rules to be prescribed under sections 2072 and 2075 of this title. Each such committee shall consist of members of the bench and the professional bar, and trial and appellate judges.

(b) The Judicial Conference shall authorize the appointment of a standing committee on rules of practice, procedure, and evidence under subsection (a) of this section. Such standing committee shall review each recommendation of any other committees so appointed and recommend to the Judicial Conference rules of practice, procedure, and evidence and such changes in rules proposed by a committee appointed under subsection (a)(2) of this section as may be necessary to maintain consistency and otherwise promote the interest of justice.

(c)(1) Each meeting for the transaction of business under this chapter by any committee appointed under this section shall be open to the public, except when the committee so meeting, in open session and with a majority present, determines that it is in the public interest that all or part of the remainder of the meeting on that day shall be closed to the public, and states the reason for so closing the meeting. Minutes of each meeting for the transaction of business under this chapter shall be maintained by the committee and made available to the public, except that any portion of such minutes, relating to a closed meeting and made available to the public, may contain such deletions as may be necessary to avoid frustrating the purposes of closing the meeting.

(2) Any meeting for the transaction of business under this chapter, by a committee appointed under this section, shall be preceded by sufficient notice to enable all interested persons to attend.

(d) In making a recommendation under this section or under section 2072 or 2075, the body making that recommendation shall provide a proposed rule, an explanatory note on the rule, and a written report explaining the body's action, including any minority or other separate views.

(e) Failure to comply with this section does not invalidate a rule prescribed under section 2072 or 2075 of this title.

(Added Pub. L. 100-702, title IV, § 401(a), Nov. 19, 1988, 102 Stat. 4649, eff. Dec. 1, 1988; amended Pub. L. 103-394, title I, § 104(e), Oct. 22, 1994, 108 Stat. 4110.)

§ 2075. Bankruptcy rules

The Supreme Court shall have the power to prescribe by general rules, the forms of process, writs, pleadings, and motions, and the practice and procedure in cases under title 11.

Such rules shall not abridge, enlarge, or modify any substantive right.

The Supreme Court shall transmit to Congress not later than May 1 of the year in which a rule prescribed under this section is to become effective a copy of the proposed rule. The rule shall take effect no earlier than December 1 of the year in which it is transmitted to Congress unless otherwise provided by law.

The bankruptcy rules promulgated under this section shall prescribe a form for the statement required under section 707(b)(2)(C) of title 11 and may provide general rules on the content of such statement.

(Added Pub. L. 88-623, §1, Oct. 3, 1964, 78 Stat. 1001; amended Pub. L. 95-598, title II, §247, Nov. 6, 1978, 92 Stat. 2672; Pub. L. 103-394, title I, §104(f), Oct. 22, 1994, 108 Stat. 4110; Pub. L. 109-8, title XII, §1232, Apr. 20, 2005, 119 Stat. 202.)

HISTORICAL NOTE

The Supreme Court prescribes rules of bankruptcy procedure for the district courts pursuant to section 2075 of Title 28, United States Code. Pursuant to that section, the Supreme Court transmits to Congress (not later than May 1 of the year in which the rule is to become effective) a copy of the proposed rule. The rule takes effect no earlier than December 1 of the year in which the rule is transmitted unless otherwise provided by law.

The Supreme Court, under the Bankruptcy Act [July 1, 1898, ch. 541, 30 Stat. 544], promulgated thirty-eight General Orders by an order dated November 28, 1898, which provided in part: “[T]hat the following rules be adopted and established as general orders in bankruptcy, to take effect on the first Monday, being the second day, of January, 1899. And it is further ordered that all proceedings in bankruptcy had before that day, in accordance with the act aforesaid, and being in substantial conformity either with the provisions of these general orders, or else with the general orders established by this court under the bankrupt act of 1867 [Mar. 2, 1867, ch. 176, 14 Stat. 517] and with any general rules or special orders of the courts in bankruptcy, stand good, subject, however, to such further regulation by rule or order of those courts as may be necessary or proper to carry into force and effect the bankrupt act of 1898 and the general orders of this court.”

The Supreme Court issued orders which promulgated, added, amended, or abrogated the General Orders and Forms in Bankruptcy in 1898, 1905, 1915, 1917, 1925, 1930, 1931, 1932, 1933, 1935, 1936, 1937, 1938, 1939, 1940, 1947, 1958, and 1961.

The extant General Orders in Bankruptcy 1 to 7, 9 to 12, 14 to 26, 28 to 40, 42 to 45, 47, 50, 51, 53, and 56 and extant Official Forms in Bankruptcy 1 to 13, 15 to 20, 22 to 47, and 70 to 72 were abrogated by Order of the Supreme Court dated April 24, 1973, effective October 1, 1973. The Order adopted the Bankruptcy Rules and Forms for proceedings under Chapters 1 to 7 and 13 of the Bankruptcy Act. The Rules and Forms for proceedings under Chapter 11 of the Bankruptcy Act were adopted March 18, 1974, effective July 1, 1974. The Rules and Forms for proceedings under Chapters 10 and 12 of the Bankruptcy Act were adopted April 28, 1975, effective August 1, 1975.

By order dated April 24, 1973, effective October 1, 1973, the Supreme Court prescribed, pursuant to section 2075 of Title 28, United States Code, the rules and forms as approved by the Judicial Conference of the United States, to be known as the Bankruptcy Rules and Official Bankruptcy Forms. General Orders in Bankruptcy 1 to 7, 9 to 12, 14 to 26, 28 to 40, 42 to 45, 47, 50, 51, 53, and 56 and Official Forms in Bankruptcy 1 to 13, 15 to 20, 22 to 47, and 70 to 72, were abrogated by the same order.

The Bankruptcy Reform Act of 1978, Pub. L. 95-598, Nov. 6, 1978, 92 Stat. 2549, codified and enacted the law relating to bankruptcy

as Title 11 of the United States Code, entitled “Bankruptcy”. Section 405(d) of Pub. L. 95-598 provided that: “The rules prescribed under section 2075 of title 28 of the United States Code and in effect on September 30, 1979, shall apply to cases under title 11, to the extent not inconsistent with the amendments made by this Act, or with this Act, until such rules are repealed or superseded by rules prescribed and effective under such section, as amended by section 248 [247] of this Act.”

By order dated April 25, 1983, transmitted to Congress by the Chief Justice on the same day (461 U.S. 973; Cong. Rec. vol. 129, pt. 8, p. 9689, Ex. Comm. 1005; H. Doc. 98-52), and effective August 1, 1983, the Supreme Court adopted new Bankruptcy Rules and superseded the former rules.

Section 2(a) of Public Law 98-91 (approved August 30, 1983, 97 Stat. 607) amended Rule 2002, effective August 1, 1983.

Section 321 of Public Law 98-353 (approved July 10, 1984, 98 Stat. 357) amended Rule 2002, effective 90 days after July 10, 1984.

Additional amendments were adopted by the Court by order dated April 29, 1985, were transmitted to Congress by the Chief Justice on the same day (471 U.S. 1147; Cong. Rec., vol. 131, pt. 7, p. 9826, Ex. Comm. 1155; H. Doc. 99-62), and became effective August 1, 1985. The amendments affected Rules 5002 and 5004.

Additional amendments were adopted by the Court by order dated March 30, 1987, were transmitted to Congress by the Chief Justice on the same day (480 U.S. 1077; Cong. Rec., vol. 133, pt. 6, p. 7237, Ex. Comm. 1027; H. Doc. 100-54), and became effective August 1, 1987. The amendments affected Rules 1001, 1002, 1003, 1005, 1006, 1007, 1009, 1010, 1011, 1012, 1014, 1015, 1017, 1018, 1019, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 3002, 3003, 3004, 3005, 3009, 3010, 3011, 3012, 3016, 3017, 3018, 3019, 3020, 3022, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 5001, 5003, 5004, 5005, 5007, 5008, 5010, 5011, 6002, 6004, 6006, 6007, 7001, 7004, 7008, 7012, 7013, 7019, 7070, 7087, 8001, 8002, 8003, 8004, 8005, 8006, 8007, 8008, 8009, 8013, 8014, 8015, 8016, 8018, 8019, 9001, 9002, 9003, 9006, 9007, 9010, 9011, 9012, 9013, 9014, 9015, 9016, 9018, 9019, 9020, 9021, 9022, 9027, 9028, 9029, 9030, 9033, X-1002, X-1004, X-1006, X-1008, X-1009, and X-1010.

An additional amendment was adopted by the Court by order dated April 25, 1989, was transmitted to Congress by the Chief Justice on the same day (490 U.S. 1119; Cong. Rec., vol. 135, pt. 6, p. 7542, Ex. Comm. 1057; H. Doc. 101-54), and became effective August 1, 1989. The amendment affected Rule 9006.

Additional amendments were adopted by the Court by order dated April 30, 1991, were transmitted to Congress by the Chief Justice on the same day (500 U.S. 1017; Cong. Rec., vol. 137, pt. 7, p. 9722, Ex. Comm. 1193; H. Doc. 102-80), and became effective August 1, 1991. The amendments affected Rules 1001, 1002, 1007, 1008, 1009, 1010, 1013, 1014, 1016, 1017, 1019, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 3001, 3002, 3003, 3005, 3006, 3007, 3010, 3011, 3013, 3015, 3016, 3017, 3018, 3020, 3022, 4001, 4003, 4004, 4007, 4008, 5001, 5002, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 6002, 6003, 6004, 6005, 6006, 6007, 6010, 7001, 7004, 7010, 7017, 7041, 7062, 8001, 8002, 8004, 8006, 8007, 8016, 9001, 9003, 9006, 9009, 9010, 9011, 9012, 9019, 9020, 9022, 9024, 9027, 9029, and 9032, and added new

Rules 2007.1, 2020, 9034, and 9035. The order also abrogated in its entirety Part X of the Bankruptcy Rules, entitled “United States Trustees”.

Additional amendments were adopted by the Court by order dated April 22, 1993, were transmitted to Congress by the Chief Justice on the same day (507 U.S. 1075; Cong. Rec., vol. 139, pt. 6, p. 8127, Ex. Comm. 1101; H. Doc. 103–73), and became effective August 1, 1993. The amendments affected Rules 1010, 1013, 1017, 2002, 2003, 2005, 3009, 3015, 3018, 3019, 3020, 5005, 6002, 6006, 6007, 9002, and 9019, and added new Rule 9036.

Additional amendments were adopted by the Court by order dated April 29, 1994, were transmitted to Congress by the Chief Justice on the same day (511 U.S. 1169; Cong. Rec. vol. 140, pt. 7, p. 8903, Ex. Comm. 3083; H. Doc. 103–248), and became effective August 1, 1994. The amendments affected Rules 8002 and 8006.

Section 114 of Public Law 103–394 (approved October 22, 1994, 108 Stat. 4118) amended Rule 7004, effective October 22, 1994.

Additional amendments were adopted by the Court by order dated April 27, 1995, were transmitted to Congress by the Chief Justice on the same day (514 U.S. 1145; Cong. Rec. vol. 141, pt. 8, p. 11745, Ex. Comm. 810; H. Doc. 104–67), and became effective December 1, 1995. The amendments affected Rules 8018 and 9029.

Additional amendments were adopted by the Court by order dated April 23, 1996, were transmitted to Congress by the Chief Justice on the same day (517 U.S. 1263; Cong. Rec. vol. 142, pt. 6, p. 8831, Ex. Comm. 2490; H. Doc. 104–204), and became effective December 1, 1996. The amendments affected Rules 1006, 1007, 1019, 2002, 2015, 3002, 3016, 4004, 5005, 7004, 8008, and 9006.

Additional amendments were adopted by the Court by order dated April 11, 1997, were transmitted to Congress by the Chief Justice on the same day (520 U.S. 1285; Cong. Rec. vol. 143, pt. 4, p. 5551, Ex. Comm. 2797; H. Doc. 105–70), and became effective December 1, 1997. The amendments affected Rules 1010, 1019, 2002, 2007.1, 3014, 3017, 3018, 3021, 8001, 8002, 9011, and 9035, and added new Rules 1020, 3017.1, 8020, and 9015.

Additional amendments were adopted by the Court by order dated April 26, 1999, were transmitted to Congress by the Chief Justice on the same day (526 U.S. 1169; Cong. Rec. vol. 145, pt. 6, p. 7907, Ex. Comm. 1786; H. Doc. 106–53), and became effective December 1, 1999. The amendments affected Rules 1017, 1019, 2002, 2003, 3020, 3021, 4001, 4004, 4007, 6004, 6006, 7001, 7004, 7062, 9006, and 9014.

Additional amendments were adopted by the Court by order dated April 17, 2000, were transmitted to Congress by the Chief Justice on the same day (529 U.S. 1147; Cong. Rec. vol. 146, pt. 5, p. 6328, Ex. Comm. 7334; H. Doc. 106–226), and became effective December 1, 2000. The amendments affected Rules 1017, 2002, 4003, 4004, and 5003.

Additional amendments were adopted by the Court by order dated April 23, 2001, were transmitted to Congress by the Chief Justice on the same day (532 U.S. 1077; Cong. Rec. vol. 147, pt. 5, p. 6126, Ex. Comm. 1574; H. Doc. 107–60), and became effective December 1, 2001. The amendments affected Rules 1007, 2002, 3016, 3017, 3020, 9006, 9020, and 9022.

Additional amendments were adopted by the Court by order dated April 29, 2002, were transmitted to Congress by the Chief Justice on the same day (535 U.S. 1139; Cong. Rec. vol. 148, pt. 5, p. 6813, Ex. Comm. 6624; H. Doc. 107–205), and became effective December 1, 2002. The amendments affected Rules 1004, 2004, 2015, 4004, 9014, and 9027, and added new Rule 1004.1.

Additional amendments were adopted by the Court by order dated March 27, 2003, were transmitted to Congress by the Chief Justice on the same day (538 U.S. 1075; Cong. Rec. vol. 149, pt. 6, p. 7689, Ex. Comm. 1495; H. Doc. 108–58), and became effective December 1, 2003. The amendments affected Rules 1005, 1007, 2002, 2003, 2009, and 2016, and added new Rule 7007.1.

Additional amendments were adopted by the Court by order dated April 26, 2004, were transmitted to Congress by the Chief Justice on the same day (541 U.S. 1097; Cong. Rec. vol. 150, pt. 6, p. 7967, Ex. Comm. 7864; H. Doc. 108–181), and became effective December 1, 2004. The amendments affected Rules 1011, 2002, and 9014.

Additional amendments were adopted by the Court by order dated April 25, 2005, were transmitted to Congress by the Chief Justice on the same day (544 U.S. 1163; Cong. Rec. vol. 151, pt. 7, p. 8784, Ex. Comm. 1908; H. Doc. 109–25), and became effective December 1, 2005. The amendments affected Rules 1007, 2002, 3004, 3005, 7004, 9001, 9006, and 9036.

Additional amendments were adopted by the Court by order dated April 12, 2006, were transmitted to Congress by the Chief Justice on the same day (547 U.S. 1227; Cong. Rec. vol. 152, pt. 6, p. 7213, Ex. Comm. 7319; H. Doc. 109–107), and became effective December 1, 2006. The amendments affected Rules 1009, 5005, and 7004.

Additional amendments were adopted by the Court by order dated April 30, 2007, were transmitted to Congress by the Chief Justice on the same day (550 U.S. 989; Cong. Rec. vol. 153, pt. 8, p. 10611, Ex. Comm. 1375; H. Doc. 110–25), and became effective December 1, 2007. The amendments affected Rules 1014, 3007, 4001, 6006, and 7007.1, and added new Rules 6003, 9005.1, and 9037.

Additional amendments were adopted by the Court by order dated April 23, 2008, were transmitted to Congress by the Chief Justice on the same day (553 U.S. 1105; Cong. Rec. vol. 154, pt. 8, p. 11078, Ex. Comm. 6880; H. Doc. 110–119), and became effective December 1, 2008. The amendments affected Rules 1005, 1006, 1007, 1009, 1010, 1011, 1015, 1017, 1019, 1020, 2002, 2003, 2007.1, 2015, 3002, 3003, 3016, 3017.1, 3019, 4002, 4003, 4004, 4006, 4007, 4008, 5001, 5003, 6004, 7012, 7022, 7023.1, 8001, 8003, 9006, 9009, and 9024, and added new Rules 1021, 2007.2, 2015.1, 2015.2, 2015.3, 5008, and 6011.

Additional amendments were adopted by the Court by order dated March 26, 2009, were transmitted to Congress by the Chief Justice on March 25, 2009 (556 U.S. 1307; Cong. Rec. vol. 155, pt. 8, p. 10210, Ex. Comm. 1266; H. Doc. 111–31), and became effective December 1, 2009. The amendments affected Rules 1007, 1011, 1019, 1020, 2002, 2003, 2006, 2007, 2007.2, 2008, 2015, 2015.1, 2015.2, 2015.3, 2016, 3001, 3015, 3017, 3019, 3020, 4001, 4002, 4004, 4008, 6003, 6004, 6006, 6007, 7004, 7012, 7052, 8001, 8002, 8003, 8006, 8009, 8015, 8017, 9006, 9015, 9021, 9023, 9027, and 9033, and added new Rule 7058.

Additional amendments were adopted by the Court by order dated April 28, 2010, were transmitted to Congress by the Chief

Justice on the same day (559 U.S. 1127; Cong. Rec. vol. 156, pt. 6, p. 8139, Ex. Comm. 7476; H. Doc. 111–114), and became effective December 1, 2010. The amendments affected Rules 1007, 1014, 1015, 1018, 1019, 4001, 4004, 5009, 7001, and 9001, and added new Rule 5012.

Additional amendments were adopted by the Court by order dated April 26, 2011, were transmitted to Congress by the Chief Justice on the same day (563 U.S. 1051; Cong. Rec. vol. 157, pt. 6, p. 7769, Ex. Comm. 1660; H. Doc. 112–29), and became effective December 1, 2011. The amendments affected Rules 2003, 2019, 3001, 4004, and 6003, and added new Rules 1004.2 and 3002.1.

Additional amendments were adopted by the Court by order dated April 23, 2012, were transmitted to Congress by the Chief Justice on the same day (566 U.S. 1045; Cong. Rec. vol. 158, pt. 4, p. 5939, Ex. Comm. 5851; H. Doc. 112–103), and became effective December 1, 2012. The amendments affected Rules 1007, 2015, 3001, 7054, and 7056.

Additional amendments were adopted by the Court by order dated April 16, 2013, transmitted to Congress by the Chief Justice on the same day (569 U.S. 1141; Cong. Rec., vol. 159, pt. 5, p. 6968, Ex. Comm. 1494; H. Doc. 113–28), and became effective December 1, 2013. The amendments affected Rules 1007, 4004, 5009, 9006, 9013, and 9014.

Additional amendments were adopted by the Court by order dated April 25, 2014, transmitted to Congress by the Chief Justice on the same day (572 U.S. 1169; Cong. Rec., vol. 160, pt. 11, p. 15506, Ex. Comm. 7581; H. Doc. 113–165), and became effective December 1, 2014. The amendments affected Rules 1014, 7004, 7008, 7054, 8001–8028, 9023, and 9024.

An additional amendment was adopted by the Court by order dated April 29, 2015, transmitted to Congress by the Chief Justice on the same day (575 U.S. 1049; Cong. Rec., vol. 161, pt. 5, p. 6139, Ex. Comm. 1372; H. Doc. 114–32), and became effective December 1, 2015. The amendment affected Rule 1007.

Additional amendments were adopted by the Court by order dated April 28, 2016, transmitted to Congress by the Chief Justice on the same day (578 U.S. 1051; Cong. Rec., vol. 162, pt. 4, p. 5467, Ex. Comm. 5235; H. Doc. 114–130), and became effective December 1, 2016. The amendments affected Rules 1010, 1011, 2002, 3002.1, 7008, 7012, 7016, 9006, 9027, and 9033, and added new Rule 1012.

Additional amendments were adopted by the Court by order dated April 27, 2017, transmitted to Congress by the Chief Justice on the same day (581 U.S. 1035; Cong. Rec., vol. 163, pt. 6, p. 7574, Ex. Comm. 1258; H. Doc. 115–36), and became effective December 1, 2017. The amendments affected Rules 1001, 1006, 1015, 2002, 3002, 3007, 3012, 3015, 4003, 5009, 7001, and 9009, and added new Rule 3015.1.

Additional amendments were adopted by the Court by order dated April 26, 2018, transmitted to Congress by the Chief Justice on the same day (584 U.S. 1057; Cong. Rec., vol. 164, p. H3927, Daily Issue, Ex. Comm. 4791; H. Doc. 115–122), and became effective December 1, 2018. The amendments affected Rules 3002.1, 5005, 7004, 7062, 8002, 8006, 8007, 8010, 8011, 8013, 8015, 8016, 8017, 8021, 8022, and 9025, and added new Rule 8018.1, and new Part VIII Appendix.

Additional amendments were adopted by the Court by order dated April 25, 2019, transmitted to Congress by the Chief Justice on the same day (587 U.S. 1087; Cong. Rec., vol. 165, p. H7864, Daily

Issue, Ex. Comm. 2223; H. Doc. 116–65), and became effective December 1, 2019. The amendments affected Rules 4001, 6007, 9036, and 9037.

Additional amendments were adopted by the Court by order dated April 27, 2020, transmitted to Congress by the Chief Justice on the same day (590 U.S. 1025; Cong. Rec., vol. 166, p. H4223, Daily Issue, Ex. Comm. 4920; H. Doc. 116–143), and became effective December 1, 2020. The amendments affected Rules 2002, 2004, 8012, 8013, 8015, and 8021.

Additional amendments were adopted by the Court by order dated April 14, 2021, transmitted to Congress by the Chief Justice on the same day (593 U.S.—; Cong. Rec., vol. 167, p. H2124, Daily Issue, Ex. Comm. 978; H. Doc. 117–31), and became effective December 1, 2021. The amendments affected Rules 2005, 3007, 7007.1, and 9036.

Additional amendments were adopted by the Court by order dated April 11, 2022, transmitted to Congress by the Chief Justice on the same day (596 U.S.—; Cong. Rec., vol. 168, p. H4442, Daily Issue, Ex. Comm. 3742; H. Doc. 117–108), and became effective December 1, 2022. The amendments affected Rules 1007, 1020, 2009, 2012, 2015, 3002, 3010, 3011, 3014, 3016, 3017.1, 3018, 3019, 5005, 7004, and 8023, and added new Rule 3017.2.

Additional amendments were adopted by the Court by order dated April 24, 2023, transmitted to Congress by the Chief Justice on the same day (599 U.S.—; Cong. Rec., vol. 169, p. H1944, Daily Issue, Ex. Comm. 793; H. Doc. 118–32), and became effective December 1, 2023. The amendments affected Rules 3011, 8003, and 9006, and added new Rule 9038.

Additional amendments were adopted by the Court by order dated April 2, 2024, transmitted to Congress by the Chief Justice on the same day (602 U.S.—; Cong. Rec., vol. 170, p. H2134, Daily Issue, Ex. Comm. 3644; H. Doc. 118–124), and became effective December 1, 2024. The amendments affected Rules 1001 to 9038, and added new Rule 8023.1.

Additional amendments were adopted by the Court by order dated April 23, 2025, transmitted to Congress by the Chief Justice on the same day (604 U.S.—; Cong. Rec., vol. 171, p. H1622, Daily Issue, Ex. Comm. 770; H. Doc. 119–46), and became effective December 1, 2025. The amendments affected Rules 3002.1 and 8006.

Committee Notes and Official Forms

Committee Notes prepared by the Committee on Rules of Practice and Procedure and the Advisory Committee on the Federal Rules of Bankruptcy Procedure, Judicial Conference of the United States, explaining the purpose and intent of the amendments are set out in the Appendix to Title 11, United States Code, following the particular rule to which they relate. In addition, the rules and amendments, together with Committee Notes, are set out in the House documents listed above.

The Official Forms prescribed pursuant to Rule 9009 may be found under Bankruptcy Forms at the Services & Forms page of the United States Courts website, www.uscourts.gov/forms/bankruptcy-forms.

TABLE OF CONTENTS

	Page
Foreword	III
Authority for promulgation of rules	V
Historical note	VII

RULES

Rule 1001. Scope; Title; Citations; References to a Specific Form	1
PART I. COMMENCING A BANKRUPTCY CASE; THE PETITION, THE ORDER FOR RELIEF, AND RELATED MATTERS	
Rule 1002. Commencing a Bankruptcy Case	1
Rule 1003. Involuntary Petition: Transferred Claims; Joining Other Creditors; Additional Time to Join	1
Rule 1004. Involuntary Petition Against a Partnership	2
Rule 1004.1. Voluntary Petition on Behalf of an Infant or Incompetent Person	2
Rule 1004.2. Petition in a Chapter 15 Case	2
Rule 1005. Caption of a Petition; Title of the Case	3
Rule 1006. Filing Fee	3
Rule 1007. Lists, Schedules, Statements, and Other Documents; Time to File	4
Rule 1008. Requirement to Verify Petitions and Accompanying Documents	8
Rule 1009. Amending a Voluntary Petition, List, Schedule, or Statement	8
Rule 1010. Serving an Involuntary Petition and Summons	9
Rule 1011. Responsive Pleading in an Involuntary Case; Effect of a Motion	9
Rule 1012. Contesting a Petition in a Chapter 15 Case	10
Rule 1013. Contested Petition in an Involuntary Case; Default	10
Rule 1014. Transferring a Case to Another District; Dismissing a Case Improperly Filed	10
Rule 1015. Consolidating or Jointly Administering Cases Pending in the Same District	11
Rule 1016. Death or Incompetency of a Debtor	12
Rule 1017. Dismissing a Case; Suspending Proceedings; Converting a Case to Another Chapter	12
Rule 1018. Contesting a Petition in an Involuntary or Chapter 15 Case; Vacating an Order for Relief; Applying Part VII Rules	13
Rule 1019. Converting or Reconverting a Chapter 11, 12, or 13 Case to Chapter 7	14
Rule 1020. Designating a Chapter 11 Debtor as a Small Business Debtor	16
Rule 1021. Designating a Chapter 7, 9, or 11 Case as a Health Care Business Case	16
PART II. OFFICERS AND ADMINISTRATION; NOTICES; MEETINGS; EXAMINATIONS; ELECTIONS AND APPOINTMENTS; FINAL REPORT; COMPENSATION	
Rule 2001. Appointing an Interim Trustee Before the Order for Relief in an Involuntary Chapter 7 Case	17
Rule 2002. Notices	17
Rule 2003. Meeting of Creditors or Equity Security Holders	23
Rule 2004. Examinations	25
Rule 2005. Apprehending and Removing a Debtor for Examination	26
Rule 2006. Soliciting and Voting Proxies in a Chapter 7 Case	27
Rule 2007. Reviewing the Appointment of a Creditors' Committee Organized Before a Chapter 9 or 11 Case Is Commenced	29
Rule 2007.1. Appointing a Trustee or Examiner in a Chapter 11 Case	30

PART II. OFFICERS AND ADMINISTRATION; NOTICES; MEETINGS; EXAMINATIONS; ELECTIONS AND APPOINTMENTS; FINAL REPORT; COMPENSATION—Continued	Page
Rule 2007.2. Appointing a Patient-Care Ombudsman in a Health Care Business Case	31
Rule 2008. Notice to the Person Selected as Trustee	32
Rule 2009. Trustees for Jointly Administered Estates	32
Rule 2010. Blanket Bond; Proceedings on the Bond	33
Rule 2011. Evidence That a Debtor Is a Debtor in Possession or That a Trustee Has Qualified	33
Rule 2012. Substituting a Trustee in a Chapter 11 or 12 Case; Successor Trustee in a Pending Proceeding	33
Rule 2013. Keeping a Public Record of Compensation Awarded by the Court to Examiners, Trustees, and Professionals	34
Rule 2014. Employing Professionals	34
Rule 2015. Duty to Keep Records, Make Reports, and Give Notices	35
Rule 2015.1. Patient-Care Ombudsman	37
Rule 2015.2. Transferring a Patient in a Health Care Business Case	37
Rule 2015.3. Reporting Financial Information About Entities in Which a Chapter 11 Estate Holds a Substantial or Controlling Interest	38
Rule 2016. Compensation for Services Rendered; Reimbursing Expenses	39
Rule 2017. Examining Transactions Between a Debtor and the Debtor's Attorney	40
Rule 2018. Intervention by an Interested Entity; Right to Be Heard	40
Rule 2019. Disclosures by Groups, Committees, and Other Entities in a Chapter 9 or 11 Case	41
Rule 2020. Reviewing an Act by a United States Trustee	42
PART III. CLAIMS; PLANS; DISTRIBUTIONS TO CREDITORS AND EQUITY SECURITY HOLDERS	
Rule 3001. Proof of Claim	42
Rule 3002. Filing a Proof of Claim or Interest	45
Rule 3002.1. Chapter 13—Claim Secured by a Security Interest in the Debtor's Principal Residence	47
Rule 3003. Chapter 9 or 11—Filing a Proof of Claim or Equity Interest	49
Rule 3004. Proof of Claim Filed by the Debtor or Trustee for a Creditor	50
Rule 3005. Filing a Proof of Claim or Accepting or Rejecting a Plan by a Surety, Endorser, Guarantor, or Other Codebtor	51
Rule 3006. Withdrawing a Proof of Claim; Effect on a Plan	51
Rule 3007. Objecting to a Claim	51
Rule 3008. Reconsidering an Order Allowing or Disallowing a Claim	53
Rule 3009. Chapter 7—Paying Dividends	53
Rule 3010. Chapter 7, Subchapter V of Chapter 11, Chapter 12, and Chapter 13—Limits on Small Dividends and Payments	53
Rule 3011. Chapter 7, Subchapter V of Chapter 11, Chapter 12, and Chapter 13—Listing Unclaimed Funds	53
Rule 3012. Determining the Amount of a Secured or Priority Claim	54
Rule 3013. Determining Classes of Creditors and Equity Security Holders	54
Rule 3014. Chapter 9 or 11—Secured Creditors' Election to Apply §1111(b)	54
Rule 3015. Chapter 12 or 13—Time to File a Plan; Nonstandard Provisions; Objection to Confirmation; Effect of Confirmation; Modifying a Plan	55
Rule 3015.1. Requirements for a Local Form for a Chapter 13 Plan	56
Rule 3016. Chapter 9 or 11—Plan and Disclosure Statement	57
Rule 3017. Chapter 9 or 11—Hearing on a Disclosure Statement and Plan	57
Rule 3017.1. Disclosure Statement in a Small Business Case or a Case Under Subchapter V of Chapter 11	59
Rule 3017.2. Setting Dates in a Case Under Subchapter V of Chapter 11 in Which There Is No Disclosure Statement	60
Rule 3018. Chapter 9 or 11—Accepting or Rejecting a Plan	60
Rule 3019. Chapter 9 or 11—Modifying a Plan	62
Rule 3020. In a Chapter 11 Case, Depositing Funds Before the Plan is Confirmed; Confirmation in a Chapter 9 or 11 Case	62

PART III. CLAIMS; PLANS; DISTRIBUTIONS TO CREDITORS AND EQUITY	
SECURITY HOLDERS—Continued	Page
Rule 3021. Distributing Funds Under a Plan	63
Rule 3022. Chapter 11—Final Decree	64
PART IV. THE DEBTOR'S DUTIES AND BENEFITS	
Rule 4001. Relief from the Automatic Stay; Prohibiting or Conditioning the Use, Sale, or Lease of Property; Using Cash Collateral; Obtaining Credit; Various Agreements	64
Rule 4002. Debtor's Duties	68
Rule 4003. Exemptions	69
Rule 4004. Granting or Denying a Discharge	70
Rule 4005. Burden of Proof in Objecting to a Discharge	72
Rule 4006. Notice When No Discharge Is Granted	72
Rule 4007. Determining Whether a Debt Is Dischargeable	72
Rule 4008. Reaffirmation Agreement and Supporting Statement	73
PART V. COURTS AND CLERKS	
Rule 5001. Court Operations; Clerks' Offices	73
Rule 5002. Restrictions on Approving Court Appointments	74
Rule 5003. Records to Be Kept by the Clerk	74
Rule 5004. Disqualifying a Bankruptcy Judge	75
Rule 5005. Filing Papers and Sending Copies to the United States Trustee ..	76
Rule 5006. Providing Certified Copies	77
Rule 5007. Record of Proceedings; Transcripts	77
Rule 5008. Chapter 7—Notice That a Presumption of Abuse Has Arisen Under §707(b)	78
Rule 5009. Closing a Chapter 7, 12, 13, or 15 Case; Declaring Liens Satisfied ..	78
Rule 5010. Reopening a Case	79
Rule 5011. Motion to Withdraw a Case or Proceeding or to Abstain from Hearing a Proceeding; Staying a Proceeding	79
Rule 5012. Chapter 15—Agreement to Coordinate Proceedings	80
PART VI. COLLECTING AND LIQUIDATING THE ESTATE	
Rule 6001. Burden of Proving the Validity of a Postpetition Transfer	80
Rule 6002. Custodian's Report to the United States Trustee	80
Rule 6003. Prohibition on Granting Certain Applications and Motions Made Immediately After the Petition Is Filed	80
Rule 6004. Use, Sale, or Lease of Property	81
Rule 6005. Employing an Appraiser or Auctioneer	82
Rule 6006. Assuming, Rejecting, or Assigning an Executory Contract or Unexpired Lease	83
Rule 6007. Abandoning or Disposing of Property	84
Rule 6008. Redeeming Property from a Lien or a Sale to Enforce a Lien	84
Rule 6009. Right of the Trustee or Debtor in Possession to Prosecute and Defend Proceedings	85
Rule 6010. Avoiding an Indemnifying Lien or a Transfer to a Surety	85
Rule 6011. Claiming Patient Records Scheduled for Destruction in a Health-Care-Business Case	85
PART VII. ADVERSARY PROCEEDINGS	
Rule 7001. Types of Adversary Proceedings	86
Rule 7002. References to the Federal Rules of Civil Procedure	86
Rule 7003. Commencing an Adversary Proceeding	86
Rule 7004. Process; Issuing and Serving a Summons and Complaint	87
Rule 7005. Serving and Filing Pleadings and Other Papers	90
Rule 7007. Pleadings Allowed	90
Rule 7007.1. Corporate Ownership Statement	90
Rule 7008. General Rules of Pleading	90
Rule 7009. Pleading Special Matters	90
Rule 7010. Form of Pleadings in an Adversary Proceeding	90
Rule 7012. Defenses; Effect of a Motion; Motion for Judgment on the Pleadings and Other Procedural Matters	90
Rule 7013. Counterclaim and Crossclaim	91
Rule 7014. Third-Party Practice	92
Rule 7015. Amended and Supplemental Pleadings	92
Rule 7016. Pretrial Procedures	92
Rule 7017. Plaintiff and Defendant; Capacity; Public Officers	92

PART VII. ADVERSARY PROCEEDINGS—Continued	Page
Rule 7018. Joinder of Claims	92
Rule 7019. Required Joinder of Parties	92
Rule 7020. Permissive Joinder of Parties	92
Rule 7021. Misjoinder and Nonjoinder of Parties	92
Rule 7022. Interpleader	93
Rule 7023. Class Actions	93
Rule 7023.1. Derivative Actions	93
Rule 7023.2. Adversary Proceedings Relating to Unincorporated Associations	93
Rule 7024. Intervention	93
Rule 7025. Substitution of Parties	93
Rule 7026. Duty to Disclose; General Provisions Governing Discovery	93
Rule 7027. Depositions to Perpetuate Testimony	93
Rule 7028. Persons Before Whom Depositions May Be Taken	93
Rule 7029. Stipulations About Discovery Procedure	93
Rule 7030. Depositions by Oral Examination	93
Rule 7031. Depositions by Written Questions	94
Rule 7032. Using Depositions in Court Proceedings	94
Rule 7033. Interrogatories to Parties	94
Rule 7034. Producing Documents, Electronically Stored Information, and Tangible Things, or Entering onto Land, for Inspection and Other Purposes	94
Rule 7035. Physical and Mental Examinations	94
Rule 7036. Requests for Admission	94
Rule 7037. Failure to Make Disclosures or to Cooperate in Discovery; Sanctions	94
Rule 7040. Scheduling Cases for Trial	94
Rule 7041. Dismissing Adversary Proceedings	94
Rule 7042. Consolidating Adversary Proceedings; Separate Trials	94
Rule 7052. Findings and Conclusions by the Court; Judgment on Partial Findings	95
Rule 7054. Judgments; Costs	95
Rule 7055. Default; Default Judgment	95
Rule 7056. Summary Judgment	95
Rule 7058. Entering Judgment	95
Rule 7062. Stay of Proceedings to Enforce a Judgment	96
Rule 7064. Seizing a Person or Property	96
Rule 7065. Injunctions	96
Rule 7067. Deposit into Court	96
Rule 7068. Offer of Judgment	96
Rule 7069. Execution	96
Rule 7070. Enforcing a Judgment for a Specific Act; Vesting Title	96
Rule 7071. Enforcing Relief for or Against a Nonparty	96
Rule 7087. Transferring an Adversary Proceeding	96
PART VIII. APPEAL TO A DISTRICT COURT OR A BANKRUPTCY APPELLATE PANEL	
Rule 8001. Scope; Definition of “BAP”; Sending Documents Electronically	97
Rule 8002. Time to File a Notice of Appeal	97
Rule 8003. Appeal as of Right—How Taken; Docketing the Appeal	99
Rule 8004. Leave to Appeal from an Interlocutory Order or Decree Under 28 U.S.C. § 158(a)(3)	101
Rule 8005. Election to Have an Appeal Heard in the District Court Instead of the BAP	102
Rule 8006. Certifying a Direct Appeal to the Court of Appeals	102
Rule 8007. Stay Pending Appeal; Bond; Suspending Proceedings	104
Rule 8008. Indicative Rulings	105
Rule 8009. Record on Appeal; Sealed Documents	105
Rule 8010. Transcribing the Proceedings; Filing the Transcript; Sending the Record	108
Rule 8011. Filing and Service; Signature	109
Rule 8012. Disclosure Statement	112
Rule 8013. Motions; Interventions	112
Rule 8014. Briefs	114
Rule 8015. Form and Length of a Brief; Form of an Appendix or Other Paper	116
Rule 8016. Cross-Appeals	118
Rule 8017. Brief of an Amicus Curiae	119
Rule 8018. Serving and Filing Briefs and Appendices	121

PART VIII. APPEAL TO A DISTRICT COURT OR A BANKRUPTCY	
APPELLATE PANEL—Continued	Page
Rule 8018.1. Reviewing a Judgment That the Bankruptcy Court Lacked Authority to Enter	122
Rule 8019. Oral Argument	122
Rule 8020. Frivolous Appeal; Other Misconduct	123
Rule 8021. Costs	124
Rule 8022. Motion for Rehearing	124
Rule 8023. Voluntary Dismissal	125
Rule 8023.1. Substitution of Parties	125
Rule 8024. Clerk's Duties on Disposition of the Appeal	126
Rule 8025. Staying a District Court or BAP Judgment	126
Rule 8026. Making and Amending Local Rules; Procedure When There Is No Controlling Law	127
Rule 8027. Notice of a Mediation Procedure	128
Rule 8028. Suspending These Part VIII Rules	128
PART IX. GENERAL PROVISIONS	
Rule 9001. Definitions	128
Rule 9002. Meaning of Words in the Federal Rules of Civil Procedure	129
Rule 9003. Ex Parte Contacts Prohibited	129
Rule 9004. General Requirements of Form	130
Rule 9005. Harmless Error	130
Rule 9005.1. Constitutional Challenge to a Statute—Notice, Certification, and Intervention	130
Rule 9006. Computing and Extending Time; Motions	130
Rule 9007. Authority to Regulate Notices	132
Rule 9008. Service or Notice by Publication	132
Rule 9009. Using Official Forms; Director's Forms	133
Rule 9010. Authority to Act Personally or by an Attorney; Power of Attorney	133
Rule 9011. Signing Documents; Representations to the Court; Sanctions; Verifying and Providing Copies	133
Rule 9012. Oaths and Affirmations	135
Rule 9013. Motions; Form and Service	135
Rule 9014. Contested Matters	136
Rule 9015. Jury Trial	137
Rule 9016. Subpoena	137
Rule 9017. Evidence	137
Rule 9018. Secret, Confidential, Scandalous, or Defamatory Matter	137
Rule 9019. Compromise or Settlement; Arbitration	138
Rule 9020. Contempt Proceedings	138
Rule 9021. When a Judgment or Order Becomes Effective	138
Rule 9022. Notice of a Judgment or Order	138
Rule 9023. New Trial; Altering or Amending a Judgment	139
Rule 9024. Relief from a Judgment or Order	139
Rule 9025. Security; Proceeding Against a Security Provider	139
Rule 9026. Objecting to a Ruling or Order	139
Rule 9027. Removing a Claim or Cause of Action from Another Court	139
Rule 9028. Judge's Disability	139
Rule 9029. Adopting Local Rules; Limit on Enforcing a Local Rule; Absence of Controlling Law	142
Rule 9030. Jurisdiction and Venue Not Extended or Limited	142
Rule 9031. Using Masters Not Authorized	142
Rule 9032. Effect of an Amendment to the Federal Rules of Civil Procedure	142
Rule 9033. Proposed Findings of Fact and Conclusions of Law	143
Rule 9034. Sending Copies to the United States Trustee	143
Rule 9035. Applying These Rules in a Judicial District in Alabama or North Carolina	144
Rule 9036. Electronic Notice and Service	144
Rule 9037. Protecting Privacy for Filings	145
Rule 9038. Bankruptcy Rules Emergency	146
PART X. [ABROGATED]	
APPENDIX	
Length Limits Stated in Part VIII of the Federal Rules of Bankruptcy Procedure	
	148

FEDERAL RULES OF BANKRUPTCY PROCEDURE

Effective August 1, 1983, as amended to December 1, 2025

Rule 1001. Scope; Title; Citations; References to a Specific Form

(a) **IN GENERAL.** These rules, together with the Official Bankruptcy Forms, govern the procedure in cases under the Bankruptcy Code, Title 11 of the United States Code. They must be construed, administered, and employed by both the court and the parties to secure the just, speedy, and inexpensive determination of every case and proceeding.

(b) **TITLES.** These rules should be referred to as the Federal Rules of Bankruptcy Procedure and the forms as the Official Bankruptcy Forms.

(c) **CITATIONS.** In these rules, the Bankruptcy Code is cited with a section sign and number (§101). A rule is cited with “Rule” followed by the rule number (Rule 1001(a)).

(d) **REFERENCES TO A SPECIFIC FORM.** A reference to a “Form” followed by a number is a reference to an Official Bankruptcy Form.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 27, 2017, eff. Dec. 1, 2017; Apr. 2, 2024, eff. Dec. 1, 2024.)

PART I—COMMENCING A BANKRUPTCY CASE; THE PETITION, THE ORDER FOR RELIEF, AND RELATED MATTERS

Rule 1002. Commencing a Bankruptcy Case

(a) **IN GENERAL.** A bankruptcy case is commenced by filing a petition with the clerk.

(b) **COPY TO THE UNITED STATES TRUSTEE.** The clerk must promptly send a copy of the petition to the United States trustee.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1003. Involuntary Petition: Transferred Claims; Joining Other Creditors; Additional Time to Join

(a) **TRANSFERRED CLAIMS.** An entity that has transferred or acquired a claim for the purpose of commencing an involuntary case under Chapter 7 or Chapter 11 is not a qualified petitioner. A petitioner that has transferred or acquired a claim must attach to the petition and to any copy:

(1) all documents evidencing the transfer, whether it was unconditional, for security, or otherwise; and

(2) a signed statement that:

(A) affirms that the claim was not transferred for the purpose of commencing the case; and

(B) sets forth the consideration for the transfer and its terms.

(b) **JOINING OTHER CREDITORS AFTER FILING.** If an involuntary petition is filed by fewer than 3 creditors and the debtor's answer alleges the existence of 12 or more creditors as provided in §303(b), the debtor must attach to the answer:

- (1) the names and addresses of all creditors; and
- (2) a brief statement of the nature and amount of each creditor's claim.

(c) **ADDITIONAL TIME TO JOIN.** If there appear to be 12 or more creditors, the court must allow a reasonable time for other creditors to join the petition before holding a hearing on it.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1004. Involuntary Petition Against a Partnership

A petitioner who files an involuntary petition against a partnership under §303(b)(3) must promptly send a copy of the petition to—or serve a copy on—each general partner who is not a petitioner. The clerk must promptly issue a summons for service on any general partner who is not a petitioner. Rule 1010 governs the form and service of the summons.

(As amended Apr. 29, 2002, eff. Dec. 1, 2002; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1004.1. Voluntary Petition on Behalf of an Infant or Incompetent Person

(a) **REPRESENTED INFANT OR INCOMPETENT PERSON.** If an infant or an incompetent person has a representative—such as a general guardian, committee, conservator, or similar fiduciary—the representative may file a voluntary petition on behalf of the infant or incompetent person.

(b) **UNREPRESENTED INFANT OR INCOMPETENT PERSON.** If an infant or an incompetent person does not have a representative:

- (1) a next friend or guardian ad litem may file the petition; and
- (2) the court must appoint a guardian ad litem or issue any other order needed to protect the interests of the infant debtor or incompetent debtor.

(Added Apr. 29, 2002, eff. Dec. 1, 2002; amended Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1004.2. Petition in a Chapter 15 Case

(a) **DESIGNATING THE CENTER OF MAIN INTERESTS.** A petition under Chapter 15 for recognition of a foreign proceeding must:

- (1) designate the country where the debtor has its center of main interests; and
- (2) identify each country in which a foreign proceeding against, by, or regarding the debtor is pending.

(b) **CHALLENGING THE DESIGNATION.** The United States trustee or a party in interest may file a motion challenging the designation. If the motion is filed by a party in interest, a copy must be sent to the United States trustee. Unless the court orders otherwise, the motion must be filed at least 7 days before the date set for the hearing on the petition. The motion must be served on:

- the debtor;
- all persons or bodies authorized to administer the debtor's foreign proceedings;
- all entities against whom provisional relief is sought under § 1519;
- all parties to litigation pending in the United States in which the debtor was a party when the petition was filed; and
- any other entity as the court orders.

(Added Apr. 26, 2011, eff. Dec. 1, 2011; amended Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1005. Caption of a Petition; Title of the Case

(a) **CAPTION AND TITLE; REQUIRED INFORMATION.** A petition's caption must contain the name of the court, the title of the case, and the case number (if known). The title must include the following information about the debtor:

- (1) name;
- (2) employer-identification number;
- (3) the last 4 digits of the social-security number or individual taxpayer-identification number;
- (4) any other federal taxpayer-identification number; and
- (5) all other names the debtor has used within 8 years before the petition was filed.

(b) **PETITION NOT FILED BY THE DEBTOR.** A petition not filed by the debtor must include all names that the petitioner knows have been used by the debtor.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Mar. 27, 2003, eff. Dec. 1, 2003; Apr. 23, 2008, eff. Dec. 1, 2008; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1006. Filing Fee

(a) **IN GENERAL.** Unless (b) or (c) applies, every petition must be accompanied by the filing fee. In this rule¹ “filing fee” means:

- (1) the filing fee required by 28 U.S.C. § 1930(a)(1)–(5); and
- (2) any other fee that the Judicial Conference of the United States requires under 28 U.S.C. § 1930(b) to be paid upon filing.

(b) **PAYING BY INSTALLMENT.**

(1) *Application to Pay by Installment.* The clerk must accept for filing an individual's voluntary petition, regardless of whether any part of the filing fee is paid, if it is accompanied by a completed and signed application to pay in installments (Form 103A).

(2) *Court Decision on Installments.* Before the meeting of creditors, the court may order payment of the entire filing fee or may order the debtor to pay it in installments, designating the number of installments (not to exceed 4), the amount of each one, and payment dates. All payments must be made within 120 days after the petition is filed. The court may, for cause, extend the time to pay an installment, but the last one must be paid within 180 days after the petition is filed.

(3) *Postponing Other Payments.* Until the filing fee has been paid in full, the debtor or Chapter 13 trustee must not make any further payment to an attorney or any other person who provides services to the debtor in connection with the case.

¹ So in original. Probably should be followed by a comma.

(c) **WAIVING THE FILING FEE.** The clerk must accept for filing an individual's voluntary Chapter 7 petition if it is accompanied by a completed and signed application to waive the filing fee (Form 103B).

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 23, 1996, eff. Dec. 1, 1996; Apr. 23, 2008, eff. Dec. 1, 2008; Apr. 27, 2017, eff. Dec. 1, 2017; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1007. Lists, Schedules, Statements, and Other Documents; Time to File

(a) **LISTS OF NAMES AND ADDRESSES.**

(1) *Voluntary Case.* In a voluntary case, the debtor must file with the petition a list containing the name and address of each entity included or to be included on Schedules D, E/F, G, and H of the Official Forms. Unless it is a governmental unit, a corporate debtor must:

(A) include a corporate-ownership statement containing the information described in Rule 7007.1; and

(B) promptly file a supplemental statement if changed circumstances make the original statement inaccurate.

(2) *Involuntary Case.* Within 7 days after the order for relief has been entered in an involuntary case, the debtor must file a list containing the name and address of each entity included or to be included on Schedules D, E/F, G, and H of the Official Forms.

(3) *Chapter 11—List of Equity Security Holders.* Unless the court orders otherwise, a Chapter 11 debtor must, within 14 days after the order for relief is entered, file a list of the debtor's equity security holders by class. The list must show the number and type of interests registered in each holder's name, along with the holder's last known address or place of business.

(4) *Chapter 15—Information Required from a Foreign Representative.* If a foreign representative files a petition under Chapter 15 for recognition of a foreign proceeding, the representative must—in addition to the documents required by § 1515—include with the petition:

(A) a corporate-ownership statement containing the information described in Rule 7007.1; and

(B) unless the court orders otherwise, a list containing the names and addresses of:

(i) all persons or bodies authorized to administer the debtor's foreign proceedings;

(ii) all entities against whom provisional relief is sought under § 1519; and

(iii) all parties to litigation pending in the United States in which the debtor was a party when the petition was filed.

(5) *Extending the Time to File.* On motion and for cause, the court may extend the time to file any list required by this Rule 1007(a). Notice of the motion must be given to:

- the United States trustee;
- any trustee;
- any committee elected under § 705 or appointed under

§ 1102; and

- any other party as the court orders.

(b) SCHEDULES, STATEMENTS, AND OTHER DOCUMENTS.

(1) *In General.* Except in a Chapter 9 case or when the court orders otherwise, the debtor must file—prepared as prescribed by the appropriate Official Form, if any—

- (A) schedules of assets and liabilities;
- (B) a schedule of current income and expenditures;
- (C) a schedule of executory contracts and unexpired leases;
- (D) a statement of financial affairs;
- (E) copies of all payment advices or other evidence of payment that the debtor received from any employer within 60 days before the petition was filed—with all but the last 4 digits of the debtor's social-security number or individual taxpayer-identification number deleted; and
- (F) a record of the debtor's interest, if any, in an account or program of the type specified in §521(c).

(2) *Statement of Intention.* In a Chapter 7 case, an individual debtor must:

- (A) file the statement of intention required by §521(a) (Form 108); and
- (B) before or upon filing, serve a copy on the trustee and the creditors named in the statement.

(3) *Credit-Counseling Statement.* Unless the United States trustee has determined that the requirement to file a credit-counseling statement under §109(h) does not apply in the district, an individual debtor must file a statement of compliance (included in Form 101). The debtor must include one of the following:

- (A) a certificate and any debt-repayment plan required by §521(b);
- (B) a statement that the debtor has received the credit-counseling briefing required by §109(h)(1), but does not have a §521(b) certificate;
- (C) a certification under §109(h)(3); or
- (D) a request for a court determination under §109(h)(4).

(4) *Current Monthly Income—Chapter 7.* Unless §707(b)(2)(D) applies, an individual debtor in a Chapter 7 case must:

- (A) file a statement of current monthly income (Form 122A-1); and
- (B) if that income exceeds the median family income for the debtor's state and household size, file the Chapter 7 means-test calculation (Form 122A-2).

(5) *Current Monthly Income—Chapter 11.* An individual debtor in a Chapter 11 case (unless under Subchapter V) must file a statement of current monthly income (Form 122B).

(6) *Current Monthly Income—Chapter 13.* A debtor in a Chapter 13 case must:

- (A) file a statement of current monthly income (Form 122C-1); and
- (B) if that income exceeds the median family income for the debtor's state and household size, file the Chapter 13 calculation of disposable income (Form 122C-2).

(7) *Personal Financial-Management Course.* Unless an approved provider has notified the court that the debtor has completed

a course in personal financial management after filing the petition or the debtor is not required to complete one as a condition to discharge, an individual debtor in a Chapter 7 or Chapter 13 case—or in a Chapter 11 case in which §1141(d)(3) applies—must file a certificate of course completion issued by the provider.

(8) *Limitation on a Homestead Exemption.* This Rule 1007(b)(8) applies if an individual debtor in a Chapter 11, 12, or 13 case claims an exemption under §522(b)(3)(A) in property of the type described in §522(p)(1) and the property value exceeds the amount specified in §522(q)(1). The debtor must file a statement about any pending proceeding in which the debtor may be found:

(A) guilty of the type of felony described in §522(q)(1)(A);

or

(B) liable for the type of debt described in §522(q)(1)(B).

(c) **TIME TO FILE.**

(1) *Voluntary Case—Various Documents.* Unless (d), (e), (f), or (h) provides otherwise, the debtor in a voluntary case must file the documents required by (b)(1), (b)(4), (b)(5), and (b)(6) with the petition or within 14 days after it is filed.

(2) *Involuntary Case—Various Documents.* In an involuntary case, the debtor must file the documents required by (b)(1) within 14 days after the order for relief is entered.

(3) *Credit-Counseling Documents.* In a voluntary case, the documents required by (b)(3)(A), (C), or (D) must be filed with the petition. Unless the court orders otherwise, a debtor who has filed a statement under (b)(3)(B) must file the documents required by (b)(3)(A) within 14 days after the order for relief is entered.

(4) *Financial-Management Course.* Unless the court extends the time to file, an individual debtor must file the certificate required by (b)(7) as follows:

(A) in a Chapter 7 case, within 60 days after the first date set for the meeting of creditors under §341; and

(B) in a Chapter 11 or Chapter 13 case, no later than the date the last payment is made under the plan or the date a motion for a discharge is filed under §1141(d)(5)(B) or §1328(b).

(5) *Limitation on Homestead Exemption.* The debtor must file the statement required by (b)(8) no earlier than the date of the last payment made under the plan or the date a motion for a discharge is filed under §1141(d)(5)(B), 1228(b), or 1328(b).

(6) *Documents in a Converted Case.* Unless the court orders otherwise, a document filed before a case is converted to another chapter is considered filed in the converted case.

(7) *Extending the Time to File.* Except as §1116(3) provides otherwise, the court, on motion and for cause, may extend the time to file a document under this rule. The movant must give notice of the motion to:

- the United States trustee;
- any committee elected under §705 or appointed under

§1102; and

- any trustee, examiner, and other party as the court orders.

If the motion is granted, notice must be given to the United States trustee and to any committee, trustee, and other party as the court orders.

(d) **LIST OF THE 20 LARGEST UNSECURED CREDITORS IN A CHAPTER 9 OR CHAPTER 11 CASE.** In addition to the lists required by (a), a debtor in a Chapter 9 case or in a voluntary Chapter 11 case must file with the petition a list containing the names, addresses, and claims of the creditors that hold the 20 largest unsecured claims, excluding insiders, as prescribed by the appropriate Official Form (Form 104 or 204). In an involuntary Chapter 11 case, the debtor must file the list within 2 days after the order for relief is entered under §303(h).

(e) **CHAPTER 9 LISTS.** In a Chapter 9 case, the court must set the time for the debtor to file the list required by (a). If a proposed plan requires real estate assessments to be revised so that the proportion of special assessments or special taxes for some property will be different from the proportion in effect when the petition is filed, the debtor must also file a list that shows—for each adversely affected property—the name and address of each known holder of title, both legal and equitable. On motion and for cause, the court may modify the requirements of this Rule 1007(e) and those of (a).

(f) **SOCIAL-SECURITY NUMBER.** In a voluntary case, an individual debtor must submit with the petition a verified statement that gives the debtor's social-security number or states that the debtor does not have one (Form 121). In an involuntary case, the debtor must submit the statement within 14 days after the order for relief is entered.

(g) **PARTNERSHIP CASE.** The general partners of a debtor partnership must file for the partnership the list required by (a) and the documents required by (b)(1)(A)–(D). The court may order any general partner to file a statement of personal assets and liabilities and may set the deadline for doing so.

(h) **INTERESTS IN PROPERTY ACQUIRED OR ARISING AFTER A PETITION IS FILED.** After the petition is filed in a Chapter 7, 11, 12, or 13 case, if the debtor acquires—or becomes entitled to acquire—an interest in property described in §541(a)(5), the debtor must file a supplemental schedule and include any claimed exemption. Unless the court allows additional time, the debtor must file the schedule within 14 days after learning about the property interest. This duty continues even after the case is closed but does not apply to property acquired after an order is entered:

(1) confirming a Chapter 11 plan (other than one confirmed under §1191(b)); or

(2) discharging the debtor in a Chapter 12 case, a Chapter 13 case, or a case under Subchapter V of Chapter 11 in which the plan is confirmed under §1191(b).

(i) **SECURITY HOLDERS KNOWN TO OTHERS.** After notice and a hearing and for cause, the court may direct an entity other than the debtor or trustee to:

(1) disclose any list of the debtor's security holders in its possession or under its control by:

(A) producing the list or a copy of it;

(B) allowing inspection or copying; or

(C) making any other disclosure; and

(2) indicate the name, address, and security held by each listed holder.

(j) **IMPOUNDING LISTS.** On a party in interest's motion and for cause, the court may impound any list filed under this rule and may refuse inspection. But the court may permit a party in interest to inspect or use an impounded list on terms prescribed by the court.

(k) **DEBTOR'S FAILURE TO FILE A REQUIRED DOCUMENT.** If a debtor fails to properly prepare and file a list, schedule, or statement (other than a statement of intention) as required by this rule, the court may order:

(1) that the trustee, a petitioning creditor, a committee, or other party do so within the time set by the court; and

(2) that the cost incurred be reimbursed as an administrative expense.

(l) **COPIES TO THE UNITED STATES TRUSTEE.** The clerk must promptly send to the United States trustee a copy of every list, schedule, or statement filed under (a)(1), (a)(2), (b), (d), or (h).

(m) **INFANT OR INCOMPETENT PERSON.** If a debtor knows that a person named in a list of creditors or in a schedule is an infant or is incompetent, the debtor must also include the name, address, and legal relationship of anyone on whom process would be served in an adversary proceeding against that person under Rule 7004(b)(2).

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 23, 1996, eff. Dec. 1, 1996; Apr. 23, 2001, eff. Dec. 1, 2001; Mar. 27, 2003, eff. Dec. 1, 2003; Apr. 25, 2005, eff. Dec. 1, 2005; Apr. 23, 2008, eff. Dec. 1, 2008; Mar. 26, 2009, eff. Dec. 1, 2009; Apr. 28, 2010, eff. Dec. 1, 2010; Apr. 23, 2012, eff. Dec. 1, 2012; Apr. 16, 2013, eff. Dec. 1, 2013; Apr. 29, 2015, eff. Dec. 1, 2015; Apr. 11, 2022, eff. Dec. 1, 2022; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1008. Requirement to Verify Petitions and Accompanying Documents

A petition, list, schedule, statement, and any amendment must be verified or must contain an unsworn declaration under 28 U.S.C. § 1746.

(As amended Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1009. Amending a Voluntary Petition, List, Schedule, or Statement

(a) **IN GENERAL.**

(1) *By a Debtor.* A debtor may amend a voluntary petition, list, schedule, or statement at any time before the case is closed. The debtor must give notice of the amendment to the trustee and any affected entity.

(2) *By a Party in Interest.* On a party in interest's motion and after notice and a hearing, the court may order a voluntary petition, list, schedule, or statement to be amended. The clerk must give notice of the amendment to entities that the court designates.

(b) **AMENDING A STATEMENT OF INTENTION.** A debtor may amend a statement of intention at any time before the time provided in

§ 521(a)(2) expires. The debtor must give notice of the amendment to the trustee and any affected entity.

(c) AMENDING A STATEMENT OF SOCIAL-SECURITY NUMBER. If a debtor learns that a social-security number shown on the statement submitted under Rule 1007(f) is incorrect, the debtor must:

(1) promptly submit an amended verified statement with the correct number (Form 121); and

(2) give notice of the amendment to all entities required to be listed under Rule 1007(a)(1) or (a)(2).

(d) COPY TO THE UNITED STATES TRUSTEE. The clerk must promptly send a copy of every amendment filed under this rule to the United States trustee.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 12, 2006, eff. Dec. 1, 2006; Apr. 23, 2008, eff. Dec. 1, 2008; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1010. Serving an Involuntary Petition and Summons

(a) IN GENERAL. After an involuntary petition has been filed, the clerk must promptly issue a summons for service on the debtor. The summons must be served with a copy of the petition in the manner that Rule 7004(a) and (b) provide for service of a summons and complaint. If service cannot be so made, the court may order service by mail to the debtor's last known address, and by at least one publication as the court orders. Service may be made anywhere. Rule 7004(e) and Fed. R. Civ. P. 4(l) govern service under this rule.

(b) CORPORATE-OWNERSHIP STATEMENT. A corporation that files an involuntary petition must file and serve with the petition a corporate-ownership statement containing the information described in Rule 7007.1.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 22, 1993, eff. Aug. 1, 1993; Apr. 11, 1997, eff. Dec. 1, 1997; Apr. 23, 2008, eff. Dec. 1, 2008; Apr. 28, 2016, eff. Dec. 1, 2016; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1011. Responsive Pleading in an Involuntary Case; Effect of a Motion

(a) WHO MAY CONTEST A PETITION. A debtor may contest an involuntary petition filed against it. In a partnership case under Rule 1004, a nonpetitioning general partner—or a person who is alleged to be a general partner but denies the allegation—may contest the petition.

(b) DEFENSES AND OBJECTIONS; TIME TO FILE. A defense or objection to the petition must be presented as prescribed by Fed. R. Civ. P. 12. It must be filed and served within 21 days after the summons is served. But if service is made by publication on a party or partner who does not reside in—or cannot be found in—the state where the court sits, the court must set the time to file and serve the answer.

(c) EFFECT OF A MOTION. Serving a motion under Fed. R. Civ. P. 12(b) extends the time to file and serve an answer as Fed. R. Civ. P. 12(a) permits.

(d) LIMITATION ON ASSERTING A DEBTOR'S CLAIM AGAINST A PETITIONING CREDITOR. A debtor's answer must not assert a claim against a petitioning creditor except to defeat the petition.

(e) **LIMIT ON PLEADINGS.** No pleading other than an answer to the petition is allowed, but the court may order a reply to an answer and set the time for filing and service.

(f) **CORPORATE-OWNERSHIP STATEMENT.** A corporation that responds to the petition must file a corporate-ownership statement containing the information described in Rule 7007.1. The corporation must do so with its first appearance, pleading, motion, or response, or other first request to the court.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 26, 2004, eff. Dec. 1, 2004; Apr. 23, 2008, eff. Dec. 1, 2008; Mar. 26, 2009, eff. Dec. 1, 2009; Apr. 28, 2016, eff. Dec. 1, 2016; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1012. Contesting a Petition in a Chapter 15 Case

(a) **WHO MAY CONTEST THE PETITION.** A debtor or a party in interest may contest a Chapter 15 petition for recognition of a foreign proceeding.

(b) **TIME TO FILE A RESPONSE.** Unless the court sets a different time, a response to the petition must be filed at least 7 days before the date set for a hearing on the petition.

(c) **CORPORATE-OWNERSHIP STATEMENT.** A corporation that responds to the petition must file a corporate-ownership statement containing the information described in Rule 7007.1. The corporation must do so with its first appearance, pleading, motion, or response, or other first request to the court.

(Added Apr. 28, 2016, eff. Dec. 1, 2016; amended Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1013. Contested Petition in an Involuntary Case; Default

(a) **HEARING AND DISPOSITION.** When a petition in an involuntary case is contested, the court must:

- (1) rule on the issues presented at the earliest practicable time; and
- (2) promptly issue an order for relief, dismiss the petition, or issue any other appropriate order.

(b) **DEFAULT.** If the petition is not contested within the time allowed by Rule 1011, the court must issue the order for relief on the next day or as soon as practicable.

(As amended Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 22, 1993, eff. Aug. 1, 1993; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1014. Transferring a Case to Another District; Dismissing a Case Improperly Filed

(a) **DISMISSAL OR TRANSFER.**

(1) *Petition Filed in the Proper District.* If a petition is filed in the proper district, the court may transfer the case to another district in the interest of justice or for the convenience of the parties. The court may do so:

- (A) on its own or on a party in interest's timely motion; and
- (B) only after a hearing on notice to the petitioner, United States trustee, and other entities as the court orders.

(2) *Petition Filed in an Improper District.* If a petition is filed in an improper district, the court may dismiss the case or may

transfer it to another district on the same grounds and under the same procedures as stated in (1).

(b) PETITIONS INVOLVING THE SAME OR RELATED DEBTORS FILED IN DIFFERENT DISTRICTS.

(1) *Scope.* This Rule 1014(b) applies if petitions commencing cases or seeking recognition under Chapter 15 are filed in different districts by, regarding, or against:

- (A) the same debtor;
- (B) a partnership and one or more of its general partners;
- (C) two or more general partners; or
- (D) a debtor and an affiliate.

(2) *Court Action.* The court in the district where the first petition is filed may determine the district or districts in which the cases should proceed in the interest of justice or for the convenience of the parties. The court may do so on timely motion and after a hearing on notice to:

- the United States trustee;
- entities entitled to notice under Rule 2002(a); and
- other entities as the court orders.

(3) *Later-Filed Petitions.* The court in the district where the first petition is filed may order the parties to the later-filed cases not to proceed further until the motion is decided.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 30, 2007, eff. Dec. 1, 2007; Apr. 28, 2010, eff. Dec. 1, 2010; Apr. 25, 2014, eff. Dec. 1, 2014; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1015. Consolidating or Jointly Administering Cases Pending in the Same District

(a) CONSOLIDATING CASES INVOLVING THE SAME DEBTOR. The court may consolidate two or more cases that are regarding or brought by or against the same debtor and that are pending in its district.

(b) JOINTLY ADMINISTERING CASES INVOLVING RELATED DEBTORS; EXEMPTIONS OF SPOUSES; PROTECTIVE ORDERS TO AVOID CONFLICTS OF INTEREST.

(1) *In General.* The court may order joint administration of the estates in a joint case or in two or more cases pending in the court if they are brought by or against:

- (A) spouses;
- (B) a partnership and one or more of its general partners;
- (C) two or more general partners; or
- (D) a debtor and an affiliate.

(2) *Potential Conflicts of Interest.* Before issuing a joint-administration order, the court must consider how to protect the creditors of different estates against potential conflicts of interest.

(3) *Exemptions in Cases Involving Spouses.* If spouses have filed separate petitions—with one electing exemptions under § 522(b)(2) and the other under § 522(b)(3)—and the court orders joint administration, that order must:

- (A) set a reasonable time for the debtors to elect the same exemptions; and
- (B) advise the debtors that if they fail to do so, they will be considered to have elected exemptions under § 522(b)(2).

(c) PROTECTIVE ORDERS TO AVOID UNNECESSARY COSTS AND DELAY. When cases are consolidated or jointly administered, the court may issue orders to avoid unnecessary costs and delay while still protecting the parties' rights under the Code.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 23, 2008, eff. Dec. 1, 2008; Apr. 28, 2010, eff. Dec. 1, 2010; Apr. 27, 2017, eff. Dec. 1, 2017; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1016. Death or Incompetency of a Debtor

(a) CHAPTER 7 CASE. In a Chapter 7 case, the debtor's death or incompetency does not abate the case. The case continues, as far as possible, as though the death or incompetency had not occurred.

(b) CHAPTER 11, 12, OR 13 CASE. Upon the debtor's death or incompetency in a Chapter 11, 12, or 13 case, the court may dismiss the case or may permit it to continue if further administration is possible and is in the parties' best interests. If the case continues, it must proceed and be concluded in the same manner as though the death or incompetency had not occurred.

(As amended Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1017. Dismissing a Case; Suspending Proceedings; Converting a Case to Another Chapter

(a) DISMISSING A CASE—IN GENERAL. Except as provided in §707(a)(3), 707(b), 1208(b), or 1307(b), or in Rule 1017(b), (c), or (e), the court must conduct a hearing on notice under Rule 2002 before dismissing a case on the petitioner's motion, for want of prosecution or other cause, or by the parties' consent. For the purpose of the notice, a debtor who has not already filed a list of creditors and their addresses must do so before the deadline set by the court. If the debtor fails to timely file the list, the court may order the debtor or another entity to do so.

(b) DISMISSING A CASE FOR FAILURE TO PAY AN INSTALLMENT TOWARD THE FILING FEE. If the debtor fails to pay any installment toward the filing fee, the court may dismiss the case after a hearing on notice to the debtor and trustee. If the court dismisses or closes the case without full payment of the filing fee, previous installment payments must be distributed as if full payment had been made.

(c) DISMISSING A VOLUNTARY CHAPTER 7 OR CHAPTER 13 CASE FOR FAILURE TO FILE A DOCUMENT ON TIME. On motion of the United States trustee, the court may dismiss a voluntary Chapter 7 case under §707(a)(3), or a Chapter 13 case under §1307(c)(9), for a failure to timely file the information required by §521(a)(1). But the court may do so only after a hearing on notice served by the United States trustee on the debtor, trustee, and any other entity as the court orders.

(d) DISMISSING A CASE OR SUSPENDING PROCEEDINGS UNDER §305. The court may dismiss a case or suspend proceedings under §305 only after a hearing on notice under Rule 2002(a).

(e) DISMISSING AN INDIVIDUAL DEBTOR'S CHAPTER 7 CASE FOR ABUSE OR CONVERTING IT TO CHAPTER 11 OR 13.

(1) *In General.* On motion under §707(b), the court may dismiss an individual debtor's Chapter 7 case for abuse or, with

the debtor's consent, convert it to Chapter 11 or 13. The court may do so only after a hearing on notice to:

- the debtor;
- the trustee;
- the United States trustee; and
- any other entity as the court orders.

(2) *Time to File a Motion; Content.* Except as §704(b)(2) provides otherwise, a motion to dismiss a case for abuse under §707(b) or (c) must be filed within 60 days after the first date set for the meeting of creditors under §341(a). On request made within the 60-day period, the court may, for cause, extend the time to file. The motion must:

(A) set forth all matters to be considered at the hearing; and

(B) if made under §707(b)(1) and (3), state with particularity the circumstances alleged to constitute abuse.

(3) *Hearing on the Court's Own Motion; Serving Notice.* If the hearing is set on the court's own motion, the clerk must serve notice on the debtor within 60 days after the first date set for the meeting of creditors under §341(a). The notice must set forth all matters to be considered at the hearing.

(f) PROCEDURES FOR DISMISSING, SUSPENDING, OR CONVERTING A CASE.

(1) *In General.* Rule 9014 governs a proceeding to dismiss or suspend a case or to convert it to another chapter—except under §706(a), 1112(a), 1208(a) or (b), or 1307(a) or (b).

(2) *Cases Requiring a Motion.* Dismissing or converting a case under §706(a), 1112(a), 1208(b), or 1307(b) requires a motion filed and served as required by Rule 9013.

(3) *Conversion in a Chapter 12 or 13 Case.* If the debtor files a conversion notice under §1208(a) or §1307(a), the case will be converted without court order. The notice date becomes the date of the conversion order in applying §348(c) or Rule 1019. The clerk must promptly send a copy of the notice to the United States trustee.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 22, 1993, eff. Aug. 1, 1993; Apr. 26, 1999, eff. Dec. 1, 1999; Apr. 17, 2000, eff. Dec. 1, 2000; Apr. 23, 2008, eff. Dec. 1, 2008; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1018. Contesting a Petition in an Involuntary or Chapter 15 Case; Vacating an Order for Relief; Applying Part VII Rules

(a) APPLYING PART VII RULES. Unless the court orders or a Part I rule provides otherwise, Rules 7005, 7008–10, 7015–16, 7024–26, 7028–37, 7052, 7054, 7056, and 7062—together with any other Part VII rules as the court may order—apply to the following:

(1) a proceeding that contests either an involuntary petition or a Chapter 15 petition for recognition; and

(2) a proceeding to vacate an order for relief.

(b) REFERENCES TO AN “ADVERSARY PROCEEDING.” Any reference to an “adversary proceeding” in the rules listed in (a) is a reference to the proceedings listed in (a)(1)–(2).

(c) “COMPLAINT” MEANS “PETITION.” For the proceedings described in (a), a reference to the “complaint” in the Federal Rules of Civil Procedure must be read as a reference to the petition.

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 28, 2010, eff. Dec. 1, 2010; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1019. Converting or Reconverting a Chapter 11, 12, or 13 Case to Chapter 7

(a) FILING VARIOUS DOCUMENTS; FILING A STATEMENT OF INTENTION.

(1) *Lists, Inventories, Schedules, Statements of Financial Affairs.* Unless the court orders otherwise, when a Chapter 11, 12, or 13 case is converted or reconverted to Chapter 7, the lists, inventories, schedules, and statements of financial affairs previously filed are considered filed in the Chapter 7 case. If they have not been previously filed, the debtor must comply with Rule 1007 as if an order for relief had been entered on an involuntary petition on the same date as the order directing that the case continue under Chapter 7.

(2) *Statement of Intention.* A statement of intention, if required, must be filed within 30 days after the conversion order is entered or before the first date set for the meeting of creditors, whichever is earlier. The court may, for cause, extend the time to file only on motion filed—or on oral request made during a hearing—before the time has expired. Notice of an extension must be given to the United States trustee and to any committee, trustee, or other party as the court orders.

(b) NEW TIME TO FILE A §707(b) OR (c) MOTION, A PROOF OF CLAIM, A COMPLAINT OBJECTING TO DISCHARGE, OR A COMPLAINT TO DETERMINE DISCHARGEABILITY.

(1) *When a New Time Begins.* When a case is converted to Chapter 7, a new time begins under Rule 1017, 3002, 4004, or 4007 to file:

- (A) a motion under §707(b) or (c);
- (B) a proof of claim;
- (C) a complaint objecting to discharge; or
- (D) a complaint to determine whether a specific debt may be discharged.

(2) *When a New Time Does Not Begin.* No new time to file begins when a case is reconverted to Chapter 7 after a previous conversion to Chapter 11, 12, or 13 if the time to file in the original Chapter 7 case has expired.

(3) *New Time to Object to a Claimed Exemption.* When a case is converted to Chapter 7, a new time begins under Rule 4003(b) to object to a claimed exemption unless:

- (A) more than 1 year has elapsed since the court issued the first order confirming a plan under Chapter 11, 12, or 13; or
- (B) the case was previously pending in Chapter 7 and time has expired to object to a claimed exemption in the original Chapter 7 case.

(c) PROOF OF CLAIM FILED BEFORE CONVERSION. A proof of claim filed by a creditor before conversion is considered filed in the Chapter 7 case.

(d) TURNING OVER DOCUMENTS AND PROPERTY. Unless the court orders otherwise, after a trustee in the Chapter 7 case qualifies or assumes duties, the debtor in possession—or the previously acting

trustee—must promptly turn over to the Chapter 7 trustee all documents and property of the estate that are in its possession or control.

(e) FINAL REPORT AND ACCOUNT; SCHEDULE OF UNPAID POST-PETITION DEBTS.

(1) *In a Chapter 11 or Chapter 12 Case.* Unless the court orders otherwise, when a Chapter 11 or 12 case is converted to Chapter 7, the debtor in possession or, if the debtor is not a debtor in possession, the trustee serving at the time of conversion must:

(A) within 14 days after conversion, file a schedule of unpaid debts incurred after the petition was filed but before conversion and include the name and address of each claim holder; and

(B) within 30 days after conversion, file and send to the United States trustee a final report and account.

(2) *In a Chapter 13 Case.* Unless the court orders otherwise, when a Chapter 13 case is converted to Chapter 7:

(A) within 14 days after conversion, the debtor must file a schedule of unpaid debts incurred after the petition was filed but before conversion and include the name and address of each claim holder; and

(B) within 30 days after conversion, the trustee must file and send to the United States trustee a final report and account.

(3) *Converting a Case to Chapter 7 After a Plan Has Been Confirmed.* Unless the court orders otherwise, if a case under Chapter 11, 12, or 13 is converted to a case under Chapter 7 after a plan is confirmed, the debtor must file:

(A) a schedule of property that was acquired after the petition was filed but before conversion and was not listed in the final report and account, except when a Chapter 13 case is converted to Chapter 7 and §348(f)(2) does not apply;

(B) a schedule of unpaid debts that were incurred after confirmation but before conversion and were not listed in the final report and account; and

(C) a schedule of executory contracts and unexpired leases that were entered into or assumed after the petition was filed but before conversion.

(4) *Copy to the United States Trustee.* The clerk must promptly send to the United States trustee a copy of any schedule filed under this Rule 1019(e).

(f) PRECONVERSION ADMINISTRATIVE EXPENSES; POSTPETITION CLAIMS.

(1) *Request to Pay an Administrative Expense; Time to File.* A request to pay an administrative expense incurred before conversion is timely filed under §503(a) if it is filed before conversion or within a time set by the court. Such a request by a governmental unit is timely if it is filed:

(A) before conversion; or

(B) within 180 days after conversion or within a time set by the court, whichever is later.

(2) *Proof of Claim Against the Debtor or the Estate.* A proof of claim under §348(d) against either the debtor or the estate may be filed as specified in Rules 3001(a)–(d) and 3002.

(3) *Giving Notice of Certain Time Limits.* After the filing of a schedule of debts incurred after the case was commenced but before conversion, the clerk, or the court's designee, must notify the entities listed on the schedule of:

(A) the time to request payment of an administrative expense; and

(B) the time to file a proof of claim under § 348(d), unless a notice of insufficient assets to pay a dividend has been mailed under Rule 2002(e).

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 23, 1996, eff. Dec. 1, 1996; Apr. 11, 1997, eff. Dec. 1, 1997; Apr. 26, 1999, eff. Dec. 1, 1999; Apr. 23, 2008, eff. Dec. 1, 2008; Mar. 26, 2009, eff. Dec. 1, 2009; Apr. 28, 2010, eff. Dec. 1, 2010; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1020. Designating a Chapter 11 Debtor as a Small Business Debtor

(a) **IN GENERAL.** In a voluntary Chapter 11 case, the debtor must state in the petition whether the debtor is a small business debtor and, if so, whether the debtor elects to have Subchapter V of Chapter 11 apply. In an involuntary Chapter 11 case, the debtor must provide the same information in a statement filed within 14 days after the order for relief. The case must proceed in accordance with the debtor's statement, unless and until the court issues an order finding that the statement is incorrect.

(b) **OBJECTING TO THE DESIGNATION.** The United States trustee or a party in interest may object to the debtor's designation. The objection must be filed within 30 days after the conclusion of the meeting of creditors held under § 341(a) or within 30 days after an amendment to the designation is filed, whichever is later.

(c) **PROCEDURE; SERVICE.** An objection or request under this rule is governed by Rule 9014 and must be served on:

- the debtor;
 - the debtor's attorney;
 - the United States trustee;
 - the trustee;
 - the creditors included on the list filed under Rule 1007(d)—
- or if a committee has been appointed under § 1102(a)(3), the committee or its authorized agent; and
- any other entity as the court orders.

(Added Apr. 11, 1997, eff. Dec. 1, 1997; amended Apr. 23, 2008, eff. Dec. 1, 2008; Mar. 26, 2009, eff. Dec. 1, 2009; Apr. 11, 2022, eff. Dec. 1, 2022; Apr. 2, 2024, eff. Dec. 1, 2024.)

Rule 1021. Designating a Chapter 7, 9, or 11 Case as a Health Care Business Case

(a) **IN GENERAL.** If a petition in a Chapter 7, 9, or 11 case designates the debtor as a health care business, the case must proceed in accordance with the designation unless the court orders otherwise.

(b) **SEEKING A COURT DETERMINATION.** The United States trustee or a party in interest may move the court to determine whether the debtor is a health care business. Proceedings on the motion