

## **Summary of Time Computation Amendments to the Federal and Local Rules of Bankruptcy Procedure**

- Amendments designed to simplify time computation and to eliminate inconsistencies will take effect **December 1, 2009**.
- The amended rules eliminate the “less than 8 days” distinction in computing time under F. Rule Bankr. Proc. 9006(b)
- For periods of less than 30 days, the amended rules adopt multiples of 7 (e.g., 7 days, 14 days, 21 days, 28 days) as a numbering convention.
- The amended rules apply to all pending actions unless doing so would be infeasible or would work an injustice. In such cases, the former rules would apply.
- These amendments do NOT affect judicial orders in which a date or time period is specified.

**\*\*\*\*\* DISCLAIMER \*\*\*\*\***

**THE INFORMATION IN THE TABLE BELOW IS A SUMMARY PROVIDED SOLELY AS A CONVENIENCE TO ATTORNEYS AND PARTIES PARTICIPATING IN BANKRUPTCY CASES AND PROCEEDINGS IN THE DISTRICT OF MINNESOTA. IT IS NOT INTENDED AS A COMPLETE STATEMENT OF THE RULE CHANGES AND SHOULD NOT BE RELIED UPON, CITED OR USED AS A SUBSTITUTE FOR CAREFUL REVIEW OF THE FULL TEXT OF THE BANKRUPTCY CODE, THE FEDERAL RULES OF BANKRUPTCY PROCEDURE AND THE LOCAL RULES OF BANKRUPTCY PROCEDURE FOR THE DISTRICT OF MINNESOTA.**

Rule	Description	Before 12-1-09	12-1-09 and after
FRBP 1007	Debtor must file lists, schedules and statements	15 days after filing of petition	14 days after filing of petition
FRBP 1007-I and LR 1007-I	Debtor must file schedules, statements and other documents  Filing of lists, schedules and statements in an involuntary case	15 days after filing of petition  within 15 days of entry of order for relief	14 days after filing of petition  within 14 days of entry of order for relief
FRBP1011(b)	Involuntary debtor must file defenses and objections to involuntary petition	20 days after service of summons	21 days after service of summons
FRBP1019(5)	Debtor must file schedule of unpaid debts	15 days after conversion	14 days after conversion
LR 1019-1(a)(2)	Debtor must file final report and account	15 days after 11 - 7 conversion	14 days after 11 - 7 conversion
LR 1019-1(b)	Debtor must file lists, schedules and statements	15 days after 7 - 11 conversion	14 days after 7 - 11 conversion
FRBP 1020(a)	In involuntary chapter 11, debtor must file statement as to whether debtor is a small business debtor	15 days after entry of the order for relief	14 days after entry of the order for relief
FRBP 2002(a)	Clerk must give notice of 341 meeting, proposed sale or lease, settlement, dismissal or conversion	20 days' notice	21 days' notice
FRBP 2002(b)	Clerk must give notice of disclosure statement hearing, objections to confirmation of chapter 9, 11 or 13 plan	25 days' notice	28 days' notice
FRBP 2002(q)	Notice re: hearing on petition for recognition of foreign proceeding	20 days' notice	21 days' notice
FRBP 2003(a)	Meeting of creditors held (chapter 7 or 11)	between 20 and 40 days after order for relief	between 21 and 40 days after order for relief
FRBP 2003(a)	Meeting of creditors held (chapter 12)	between 20 and 35 days after order for relief	between 21 and 35 days after order for relief

Rule	Description	Before 12-1-09	12-1-09 and after
FRBP 2003(a)	Meeting of creditors held (chapter 13)	between 20 and 50 days after order for relief	between 21 and 50 days after order for relief
FRBP 2003(d)(2)	Motion for resolution of disputed election filed	no later than 10 days after UST files report of disputed election	no later than 14 days after UST files report of disputed election
LR 2003-1	Trustee must file notice of nonconcluded meeting	30 days after first date set for 341 meeting	28 days after first date set for 341 meeting
FRBP 2006(c)(1)	Authorized solicitation of proxies	5 days' notice of meeting	7 days' notice of meeting
FRBP 2007(b)(1)	Selection of creditors' committee	5 days' notice of meeting	7 days' notice of meeting
FRBP 2007.2(a)	Motion re: appointment of patient care ombudsman	no later than 20 days after commencement of case	no later than 21 days after commencement of case
FRBP 2008	Trustee's notice of rejection	within 5 days after receipt of notice of selection	within 7 days after receipt of notice of selection
LR 2014-1(b)	US Trustee must file report and recommendation re: employment application	5 days after receipt of application	7 days after receipt of application
FRBP 2015(a)(6)	Chapter 11 small business case report must be filed	no later than 20 days after last day of calendar month following the month covered by the report	no later than 21 days after last day of calendar month following the month covered by the report
FRBP 2015(d)	Foreign representative must file notice under § 1518	within 15 days after date when representative becomes aware of subsequent information	within 14 days after date when representative becomes aware of subsequent information
FRBP 2015.1(a)	Patient care ombudsman must give notice of report under § 333(b)(2)	at least 10 days before making report	at least 14 days before making report
FRBP 2015.1(b)	Hearing on motion of patient care ombudsman motion to review patient records	no earlier than 15 days after service of motion	no earlier than 14 days after service of motion
FRBP 2015.2	Notice by trustee of transfer of patient	at least 10 days' notice of transfer	at least 14 days' notice of transfer
FRBP 2015.3(b)	First DIP report filed	no later than 5 days before first date set for meeting of creditors	no later than 7 days before first date set for meeting of creditors
FRBP 2016(b)	Debtor's attorney must file statement re:	within 15 days after order for relief	within 14 days after order for relief

Rule	Description	Before 12-1-09	12-1-09 and after
	compensation		
FRBP 2016(c)	Debtor's bankruptcy petition preparer must file supplemental § 110(h)(2) declaration	within 10 days after any payment or agreement not previously disclosed	within 14 days after any payment or agreement not previously disclosed
LR 2016-1(b)	Applications for compensation in chapter 11, 12 and 13 must be served	20 days before hearing date	21 days before hearing date
FRBP 3001(e)	Transferor must file objection to transfer of claim	within 20 days of mailing of notice of transfer	within 21 days of mailing of notice of transfer
LR 3007-1	Claim objection must be filed and served	30 days before hearing	28 days before hearing
FRBP 3015(b)	Debtor must file chapter 13 plan	15 days after petition or 15 days after conversion	14 days after petition or 14 days after conversion
FRBP 3015(g)	Notice of time for filing objections to post-confirmation plan modification	20 days' notice	21 days' notice
LR 3015-2(a)	Debtor must deliver notice of pre-confirmation plan modification	7 days including intermediate Saturdays, Sundays and legal holidays	7 days DELETED "including intermediate Saturdays, Sundays, and legal holidays"
FRBP 3017(a)	Notice of hearing on disclosure statement	25 days' notice	28 days' notice
FRBP 3017(f)	Notice to entities subject to injunction in plan of objection period, confirmation hearing	25 days' notice	28 days' notice
LR 3017-1	Proponent must serve proposed disclosure statement and plan	10 days after filing	7 days after filing
FRBP 3019(b)	Notice of objection period and hearing re: post-confirmation modification of chapter 11 plan	20 days' notice	21 days' notice
FRBP 3020(e)	Stay of chapter 11 confirmation order	10 days after entry	14 days after entry
LR 3020-1(c)	Objection to confirmation of chapter 11 or 12 plan	delivered not later than 5 days or mailed not later than 8 days	delivered not later than 7 days or mailed not later than 10 days

Rule	Description	Before 12-1-09	12-1-09 and after
		before the hearing	before the hearing date
FRBP 4001(a)	Stay of order granting relief from stay	10 days after entry	14 days after entry
FRBP 4001(b)	Court may commence final cash collateral hearing	no earlier than 15 days after service of motion	no earlier than 14 days after service of motion
FRBP 4001(b)	Court may conduct preliminary hearing	before 15 day period above	before 14 day period above
FRBP 4001(c)	Court may commence final hearing on motion to obtain credit	no earlier than 15 days after service of motion	no earlier than 14 days after service of motion
FRBP 4002(b)(4)	Creditor requests copy of debtor's tax return	at least 15 days before the first date set for meeting of creditors	at least 14 days before the first date set for meeting of creditors
FRBP 4004(a)	Notice to creditors of time for filing complaint objecting to discharge	at least 25 days' notice	at least 28 days' notice
FRBP 4008	Reaffirmation agreement shall be accompanied by cover sheet	not applicable	use of <a href="#">Official Form 27</a> required
LR 5011-1	Party in interest must file and serve response to motion for withdrawal of reference	10 days after service of motion	14 days after service of motion
FRBP 6003	Court shall not grant relief re: employment applications, motions for use, sale or lease of property, motions re: leases and contracts	within 20 days after filing of petition	within 21 days after filing of petition
FRBP 6004(b)	Filing/service of objections to proposed use, sale or lease of property	not less than 5 days before date of proposed action or as court fixes	not less than 7 days before date of proposed action or as court fixes
FRBP 6004(d)	Filing/service of objections to sales of property under \$2500	within 15 days of mailing of notice	within 14 days of mailing of notice
FRBP 6004(g)	UST must file notice of appointment of consumer privacy ombudsman	no later than 5 days before the hearing on motion under § 363(b)(1)(B)	no later than 7 days before the hearing on motion under § 363(b)(1)(B)
FRBP 6004(h)	Stay of order authorizing use, sale or lease of property	10 days after entry	14 days after entry

Rule	Description	Before 12-1-09	12-1-09 and after
LR 6004-1(a)	General notice of trustee's proposed sale or other disposition of estate property	20 days' notice	21 days' notice
LR 6004-1(b)(2)	Limited notice of trustee's proposed disposition of estate property	10 days before the date set for proposed disposition	14 days before the date set for proposed disposition
FRBP 6006(d)	Stay of order authorizing assignment of lease or contract	10 days after entry	14 days after entry
FRBP 6007	Filing/service of objection to proposed abandonment of property	within 15 days of mailing of notice	within 14 days of mailing of notice
FRBP 7004(e)	Service of summons and complaint by delivery or by deposit in the mail	within 10 days after summons is issued	within 14 days after summons is issued
FRBP 7012(a)	Service of answer to cross-claim	within 20 days after service	within 21 days after service
FRBP 7012(a)	Service of reply to counterclaim	within 20 after service of the answer	within 21 days after service of the answer
FRBP 7012(a)	if court denies or postpones decision on motion filed under this rule, responsive pleading due	within 10 days after notice of court's action	within 14 days after notice of court's action
FRBP 7012	if court grants motion for more definite statement, responsive pleading must be served	within 10 days after service of more definite statement	within 14 days after service of more definite statement
LR 7037-1	Discovery conference held	5 days from the date of a written request for such conference	7 days from the date of a written request for such conference
FRBP 7052	Motion for amended findings or additional findings must be filed	FRCP 52: no later than 10 days after entry of judgment	no later than 14 days after entry of judgment
LR 7054-1	Clerk taxes costs (enters cost judgment)  Motion requesting review of judgment taxing costs must be filed and served	5 days after filing of bill of costs  5 days after entry of judgment taxing costs	7 days after filing of bill of costs  7 days after entry of judgment taxing costs
FRBP 8001(f)(3)	Response to request for certification for direct	within 10 days after notice of	with 14 days after notice of

Rule	Description	Before 12-1-09	12-1-09 and after
	appeal to Court of Appeals/cross request must be filed	request is served	request is served
FRBP 8002(a)	Notice of appeal must be filed	within 10 days of date of entry of judgment or order	within 14 days of date of entry of judgment or order
FRBP 8002(a)	If timely notice of appeal filed, notice of appeal by another party filed	within 10 days of the date of filing of first notice of appeal	within 14 days of the date of filing of first notice of appeal
FRBP 8002(b)	Effect of motion on time for appeal: motion for relief under Rule 9024	filed no later than 10 days after entry of judgment	filed no later than 14 days after entry of judgment
FRBP 8002(c)	Motion for extension of time to appeal based on excusable neglect must be filed	not later than 20 days after expiration of time for filing appeal	not later than 21 days after expiration of time for filing appeal
FRBP 8002(c)	Extension of time for filing notice of appeal may not exceed	20 days from expiration of appeal period or 10 days after date of order granting motion	21 days from expiration of appeal period or 14 days after date of order granting motion
FRBP 8003(a)	Answer in opposition to motion for leave to appeal must be filed	within 10 days after service of motion	within 14 days after service of motion
FRBP 8006	Appellant's designation of record and statement of issues must be filed	within 10 days after filing notice of appeal	within 14 days after filing notice of appeal
FRBP 8006	Appellee's designation of additional items to be included in the record may be filed	within 10 days after filing of appellant's designation	within 14 days after filing of appellant's designation
LR 8006-1(c)	Parties may file stipulation re: separate appendices	10 days after filing of notice of appeal or order granting leave to appeal	14 days after filing of notice of appeal or order granting leave to appeal
FRBP 8009(a)(1)	Appellant's brief must be filed	within 15 days after entry of appeal on the docket	within 14 days after entry of appeal on the docket
FRBP 8009(a)(2)	Appellee's brief must be filed	within 15 days after service of appellant's brief	within 14 days after service of appellant's brief
FRBP 8009(a)(3)	Appellant's reply brief filed	within 10 days after service of appellee's brief	within 14 days after service of appellee's brief

Rule	Description	Before 12-1-09	12-1-09 and after
FRBP 8015	Motion for rehearing filed	within 10 days after entry of judgment of district court or BAP	within 14 days after entry of judgment of district court or BAP
FRBP 8017(a)	Automatic stay of judgment on appeal	until expiration of 10 days after entry	until expiration of 14 days after entry
FRBP 9006(a)	time computation		count every day, including Saturdays, Sunday and legal holidays (unless last day of the period)
FRBP 9006(d)	Notice of hearing and motion must be served	not later than 5 days before hearing	not later than 7 days before hearing
LR 9006-1(b)	Moving documents must be filed and served	by delivery not later than 10 days or by mail not later than 14 days before the hearing date	by delivery or mail not later than 14 days before the hearing date
LR 9006-1(c)	Responsive documents must be filed and served	by delivery not later than 3 days or by mail not later than 7 days before the hearing date	by delivery or mail not later than 5 days before the hearing date
FRBP 9015(c)	Renewed motion for judgment or request for new trial must be filed	no provision	no later than 14 days after entry of judgment
LR 9021-1(b)	Notice of entry of judgment denying or revoking discharge	25 days after entry of judgment	28 days after entry of judgment
FRBP 9023	Motion for new trial or to alter or amend a judgment must be filed	no provision	no later than 14 days after entry of judgment
FRBP 9027(e)(3)	After removal, statement re: core/noncore proceeding must be filed	not later than 10 days after filing of notice of removal	not later than 14 days after filing of notice of removal
FRBP 9027(g)	In removed action in which defendant has not answered, answer or defenses must be filed	within 20 days following receipt of initial pleading or service of summons, or within 5 days following filing of notice of removal, whichever is longest	within 21 days following receipt of initial pleading or service of summons, or within 7 days following filing of notice of removal, whichever is longest

Rule	Description	Before 12-1-09	12-1-09 and after
FRBP 9033(b)	Objections to proposed filings of fact and conclusions of law filed	within 10 days after service	within 14 days after service
FRBP 9033(b)	Response to objections filed	within 10 days after service of objections	within 14 days after service of objections
FRBP 9033(c)	Bankruptcy judge may extend time for filing objections for a period not to exceed	20 days from expiration of time in this rule	21 days from expiration of time in this rule
LR 9070-1	Attorney must remove exhibits	10 days after written notice from Clerk	14 days after written notice from Clerk
LF 9013-2			<p>paragraph 3 amended: Any response to this motion must be filed and served by delivery not later than _____, which is <del>three</del> <b>five</b> days before the time set for the hearing (<del>excluding</del> <b>including</b> Saturdays, Sundays, and holidays), <del>or filed and served by mail not later than _____, which is seven days before the time set for the hearing (excluding Saturdays, Sundays and holidays).</del> <b>UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.</b></p>