

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI

In Re: Bankruptcy Abuse Prevention) Effective June 5, 2008
and Consumer Protection Act of 2005)
)

Order Adopting Interim Bankruptcy Rules & Official Forms

Whereas, on April 20, 2005, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (the Act) was enacted into law; and

Whereas, most provisions are effective on October 17, 2005; and

Whereas, the general effective date of the Act has not provided sufficient time for the promulgation and adoption of fully revised Federal Rules of Bankruptcy Procedure; and

Whereas, the Advisory Committee on Bankruptcy Rules for the United States Judicial Conference has prepared Interim Rules and Official Forms designed to implement the substantive and procedural changes mandated by the Act; and

Whereas, the Committee on Rules of Practice and Procedures of the United States Judicial Conference has approved and recommends for adoption the Interim Rules (“Interim Rules”); and

Whereas, the Executive Committee of the Judicial Conference has approved revised Official Forms designed to implement the substantive and procedural changes mandated by the Act (“the Official Forms”); and

Whereas, the United States Supreme Court has approved revisions to Interim Rules 1014, 3007, 4001, 6006, and 7007.1, and these rules took effect as Federal Rules of Bankruptcy Procedure on December 1, 2007; and

Whereas, the United States Supreme Court has approved new Federal Rules of Bankruptcy Procedure 6003, 9005.1, and 9037, and these rules took effect on December 1, 2007;

Accordingly,

IT IS HEREBY ORDERED that the Interim Rules and Official Forms approved and recommended by the Committee on Rules of Practice and Procedures of the United States Judicial Conference and the Executive Committee, available at <http://www.uscourts.gov/rules/interim.html> , are hereby adopted in their entirety. For cases and proceedings not governed by the Act, the Federal Rules of Bankruptcy Procedure, other than the Interim Rules, and this Court’s Local Rules of Bankruptcy Procedure will continue to apply. For all cases and proceedings governed by the Act, the Federal Rules of Bankruptcy Procedure that have taken effect after October 17, 2005, the remaining Interim Rules, and this Court’s Local Rules of Bankruptcy Procedure will apply. In all cases and proceedings, the Official Forms shall be observed and used with alterations as may be necessary, but all forms used must be in substantial conformity with the Official Forms.

IT IS FURTHER ORDERED that the statistic and audit requirements of the Bankruptcy

Abuse and Consumer Protection Act of 2005 (BAPCPA) took effect on October 17, 2006. To collect the statistics required by the BAPCPA and by other statistical reporting requirements, the Judicial Conference of the United States Courts has approved revised Official Forms 1, 5, and 6. Additionally, to provide clarification of other processes imposed by BAPCPA, the Judicial Conference has adopted several revised Official Forms that have gone into effect after October 17, 2005, and has adopted an amendment to Interim Bankruptcy Rule 1007 with a recommendation that courts adopt the revised Interim Rule by local order. Amended Interim Rule 1007, and the revised Official Forms are hereby adopted and will be implemented in this U.S. Bankruptcy Court for the Eastern District of Missouri as outlined in this Order.

IT IS FURTHER ORDERED that, effective June 5, 2008, this Order replaces the Court's Amended Order Implementing Interim Procedures under the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 and Adopting Interim Bankruptcy Rules and Official Forms dated and effective December 1, 2007.

SO ORDERED:



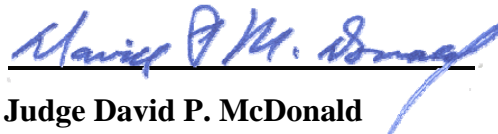
Chief Judge Barry S. Schermer



Judge Kathy A. Surratt-States



Judge Charles E. Rendlen, III



Judge David P. McDonald

Dated: May 27, 2008