

## **Amendments to Federal Rule of Practice and Procedure Effective December 1, 2018**

Congress has taken no action on the proposed amendments to the Federal Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure adopted by the Supreme Court and transmitted to Congress on April 26, 2018. Under the Rules Enabling Act, 28 U.S.C. §§ 2071-75, the following took effect on December 1, 2018:

### **Federal Rules of Appellate Procedure**

Rule 8	Stay or Injunction Pending Appeal
Rule 11	Forwarding the Record
Rule 25	Filing and Service
Rule 26	Computing and Extending Time
Rule 28.1	Cross-Appeals
Rule 29	Brief of an Amicus Curiae
Rule 31	Serving and Filing Briefs
Rule 39	Costs
Rule 41	Mandate: Contents; Issuance and Effective Date; Stay
Form 4	Affidavit Accompanying Motion for Permission to Appeal in Forma Pauperis
Form 7	Declaration of Inmate Filing

### **Federal Rules of Bankruptcy Procedure**

Rule 3002.1	Notice Relating to Claims Secured by Security Interest in the Debtor's Principal Residence
Rule 5005	Filing and Transmittal of Papers
Rule 7004	Process; Service of Summons, Complaint
Rule 7062	Stay of Proceedings to Enforce a Judgment
Rule 8002	Time for Filing Notice of Appeal
Rule 8006	Certifying a Direct Appeal to the Court of Appeals
Rule 8007	Stay Pending Appeal; Bonds; Suspension of Proceedings
Rule 8010	Completing and Transmitting the Record
Rule 8011	Filing and Service; Signature
Rule 8013	Motions; Intervention
Rule 8015	Form and Length of Briefs; Form of Appendices and Other Papers
Rule 8016	Cross-Appeals
Rule 8017	Brief of an Amicus Curiae
Rule 8018.1 (new)	District-Court Review of a Judgment that the Bankruptcy Court Lacked the Constitutional Authority to Enter
Rule 8021	Costs
Rule 8022	Motion for Rehearing
Rule 9025	Security: Proceedings Against Security Providers
Part VIII Appendix (new)	Appendix: Length Limits Stated in Part VIII of the Federal Rules of Bankruptcy Procedure

## **Federal Rules of Civil Procedure**

Rule 5	Serving and Filing Pleadings and Other Papers
Rule 23	Class Actions
Rule 62	Stay of Proceedings to Enforce a Judgment
Rule 65.1	Proceedings Against a Security Provider

## **Federal Rules of Criminal Procedure**

Rule 12.4	Disclosure Statement
Rule 45	Computing and Extending Time
Rule 49	Serving and Filing Papers

Under 28 U.S.C. § 2074(a) and the Supreme Court orders dated April 26, 2018, the amendments govern all proceedings commenced on or after December 1, 2018, and all proceedings then pending “insofar as just and practicable.” The text of the new and amended rules and forms, and the accompanying committee notes—along with extensive supporting documentation related to their adoption—are posted on the “Current Rules” page of the Judiciary’s website at: <http://www.uscourts.gov/rules-policies/current-rules-practice-procedure>.

In addition, the following amended official bankruptcy forms and new and amended Director’s forms became effective on December 1, 2018. As approved by the Judicial Conference, amendments to the official bankruptcy forms govern all proceedings in bankruptcy cases thereafter commenced and, insofar as just and practicable, all proceedings then pending. The forms are posted on the website at: <http://www.uscourts.gov/forms/bankruptcy-forms>.

### **Official Bankruptcy Forms**

Official Form 411A	General Power of Attorney
Official Form 411B	Special Power of Attorney
Official Form 417A	Notice of Appeal and Statement of Election
Official Form 417C	Certificate of Compliance with Type-Volume Limit, Typeface Requirements, and Type-Style Requirements

### **Director’s Forms**

Form 2000	Required Lists, Schedules, Statements, and Fees
Form 3180W	Order of Discharge in Chapter 13 Case
Form 4170 (new)	Declaration of Inmate Filing