

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

General Order #2006-4

)  
)  
) **Amendment to Interim Rule 1007**  
) **and Revised Official Forms**  
)

**ORDER**

WHEREAS, this Court adopted Interim Bankruptcy Rules pursuant to General Order #2005-4; and

WHEREAS, the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States recommended the adoption of the Interim Bankruptcy Rules; and

WHEREAS, the Judicial Conference on September 19, 2006, approved proposed revisions to Official Forms 1, 5, 6, 9, 22A, 22C and New Exhibit D to Official Form 1 and, on that same date, approved an amendment to Interim Bankruptcy Rule 1007 and recommended its adoption by bankruptcy courts; and

WHEREAS, adoption of amended Interim Bankruptcy Rule 1007 will further the objective of providing uniform procedures for implementing the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005; and

WHEREAS, Interim Bankruptcy Rule 9009 requires that the Official Forms prescribed by the Judicial Conference of the United States be observed.

This 24th day of October 2006, IT IS HEREBY ORDERED that paragraphs (b)(3) and (c) of Rule 1007 of the Interim Bankruptcy Rules adopted pursuant to General Order #2005-4 are stricken, and paragraphs (b)(3) and (c) attached as an addendum to this Order are hereby made part of Interim Bankruptcy Rule 1007.

IT IS FURTHER ORDERED that revised Official Forms 1, 5, 6, 9, 22A, 22C and New Exhibit D to Official Form 1, which were effective October 1, 2006, shall govern in all cases in this district as of November 6, 2006.

IT IS FURTHER ORDERED that, regardless of which version of the Official Form is filed prior to November 6, 2006, attorneys filing bankruptcy cases electronically must enter all the information required by the Court's Case Management/Electronic Case Files system when opening a case or filing the documents necessary to complete the petition.

/s/

\_\_\_\_\_  
M. Bruce McCullough, Chief Judge

/s/

\_\_\_\_\_  
Judith K. Fitzgerald, Bankruptcy Judge

/s/

\_\_\_\_\_  
Thomas P. Agresti, Bankruptcy Judge

/s/

\_\_\_\_\_  
Jeffery A. Deller, Bankruptcy Judge

/s/

\_\_\_\_\_  
Warren W. Bentz, Bankruptcy Judge

/s/

\_\_\_\_\_  
Bernard Markovitz, Bankruptcy Judge

## ADDENDUM TO GENERAL ORDER #2006-4

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### Interim Rule 1007. Lists, Schedules, Statements, and Other Documents; Time Limits

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#### (b) SCHEDULES, STATEMENTS, AND OTHER DOCUMENTS REQUIRED

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(3) Unless the United States trustee has determined that the credit counseling requirement of § 109(h) does not apply in the district, an individual debtor must file a statement of compliance with the credit counseling requirement, prepared as prescribed by the appropriate Official Form which must include one of the following:

- (A) an attached certificate and debt repayment plan, if any, 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 the certificate required by § 521(b);
- (C) a certification under § 109(h)(3); or
- (D) a request for a determination by the court under § 109(h)(4).

\* \* \* \* \*

(c) **TIME LIMITS.** In a voluntary case, the schedules, statements, and other documents required by subdivision (b)(1), (4), (5), and (6) shall be filed with the petition or within 15 days thereafter, except as otherwise provided in subdivisions (d), (e), (f), and (h) of this rule. In an involuntary case, the list in subdivision (a)(2), and the schedules, statements, and other documents required by subdivision (b)(1) shall be filed by the debtor within 15 days of the entry of the order for relief. In a voluntary case, the documents required by paragraphs (A), (C), and (D) of subdivision (b)(3) shall be filed with the petition. Unless the court orders otherwise, if the debtor has filed a statement under subdivision (b)(3)(B), the documents required by subdivision (b)(3)(A) shall be filed within 15 days of the order for relief. In a chapter 7 case, the debtor shall file the statement required by subdivision (b)(7) within 45 days after the first date set for the meeting of creditors under § 341 of the Code, and in a chapter 13 case no later than the date when the last payment was made by the debtor as required by the plan or the filing of a motion for a discharge under § 1328(b). The debtor shall file the statement required by subdivision (b)(8) no earlier than the date of the last payment made under the plan or the date of the filing of a motion for a discharge under §§ 1141(d)(5)(B), 1228(b), or 1328(b) of the Code. Lists, schedules, statements, and other documents filed prior to the conversion of a case to another chapter shall be deemed filed in the converted case unless the court directs otherwise. Except as provided in § 1116(3), any extension of time for the filing of the schedules, statements, and other documents required under this rule may be granted only on motion for cause shown and on notice to the United States trustee, any committee elected under § 705 or appointed under § 1102 of the Code, trustee, examiner, or other party as the court may direct. Notice of an extension shall be given to the United States trustee and to any committee, trustee, or other party as the court may direct.