

**FEDERAL RULES CHANGES
EFFECTIVE DECEMBER 1, 2006**

This summary is for informational purposes only. Please check each Rule specifically to determine the full extent of the changes.

Bankruptcy Rules:

[Bankruptcy Rule 1009](#) (Amendments of Voluntary Petitions, Lists, Schedules and Statements) (would require debtor to submit a corrected statement of social security number when the debtor becomes aware that the social security number previously submitted is incorrect) (PDF)

[Bankruptcy Rule 5005](#) (Filing and Transmittal of Papers) (authorizes the district judge and clerk of the bankruptcy appellate panel to transmit erroneously delivered papers to the bankruptcy court clerk and the United States trustee) (PDF)

[Bankruptcy Rule 7004](#) (Process; Service of Summons; Complaint) (clarifies that debtor's attorney must be served with the summons and complaint filed against the debtor) (PDF).

Civil Rules:

[Civil Rule 5.1](#) (Constitutional Challenge to a Statute - Notices, Certification, and Intervention) and [24](#) (Intervention)(sets forth the process when a party draws into question the constitutionality of a federal or state statute)* (PDF)

[Civil Rule 9](#) (Pleading Special Matters) (conforming amendment pertaining to Supplemental Rule G) (PDF)

[Civil Rule 14](#) (Third-Party Practice) (conforming amendment pertaining to Supplemental Rule G) (PDF)

[Civil Rule 16](#) (Pretrial Conferences; Scheduling; Management) (establishes process for the parties and court to address early issues pertaining to the disclosure and discovery of electronic information) (PDF)

[Civil Rule 26](#) (General Provisions Governing Discovery; Duty of Disclosure) (requires parties to discuss during the discovery-planning conference issues relating to the disclosure and discovery of electronically stored information) (PDF)

[Civil Rule 33](#) (Interrogatories to Parties) (expressly provides that an answer to an interrogatory involving review of business records should involve a search of electronically stored information) (PDF)

[Civil Rule 34](#) (Production of Documents and Things and Entry Upon Land for Inspection and Other Purposes) (distinguishes between electronically stored information and "documents") (PDF)

[Civil Rule 37](#) (Failure to Make Disclosure or Cooperate in Discovery; Sanctions) (creates a "safe harbor" that protects a party from sanctions for failing to provide electronically stored information lost because of the routine operation of the party's computer system) (PDF)

[Civil Rule 45](#) (Subpoena) (technical amendments that conform to other proposed amendments regarding discovery of electronically stored information) (PDF)

[Civil Rule 50](#) (Judgment as a Matter of Law in Jury Trials; Alternative Motion for New Trial; Conditional Rulings) (permits renewal after trial of any Rule 50(a) motion, deleting the requirement that a motion made before the close of all the evidence be renewed at the close of all the evidence) (PDF)

[Civil Rule 65.1](#) (Security: Proceeding Against Sureties) (conforming amendment pertaining to Supplemental Rule G) (PDF)

[Form 35](#) (Report of Parties' Planning Meeting) (technical revision reflecting the proposed amendment to Civil Rule 26) (PDF)

[Supplemental Rule G](#) (Forfeiture Actions in Rem) (establishes comprehensive procedures governing in rem forfeiture actions) (PDF)

[Supplemental Rule A](#) (Scope of Rules), [Supplemental Rule C](#) (In Rem Actions; Special Provisions), [Supplemental Rule E](#) (Actions in rem and Quasi in Rem: General Provisions), and

[Rule 26](#) (General Provisions Governing Discovery; Duty of Disclosure) (conforming amendments pertaining to proposed Supplemental Rule G) (PDF)

Criminal Rules:

[Criminal Rule 5](#) (Initial Appearance) (allows the government to transmit certain documents to the court by reliable electronic means) (PDF)

[Criminal Rule 6](#) (Grand Jury) (technical amendment implementing the Intelligence Reform and Terrorism Prevention Act of 2004) (PDF)

[Criminal Rule 32.1](#) (Revoking or Modifying Probation or Supervised Release) (allows the government to transmit certain documents to the court by reliable electronic means) (PDF)

[Criminal Rule 40](#) (Arrest for Failing to Appear in Another District) (expressly authorizes a magistrate judge in the district of arrest to set conditions of release for an arrestee who not only fails to appear but also violates any other condition of release) (PDF)

[Criminal Rule 41](#) (Search and Seizure) (allows the government to transmit certain documents to the court by reliable electronic means) (PDF)

[Criminal Rule 58](#) (Petty Offenses and Other Misdemeanors) (eliminates a conflict between the rule and Criminal Rule 5.1 concerning the right to a preliminary hearing and clarifies the advice that must be given to a defendant during an initial appearance) (PDF)

Evidence Rules:

[Evidence Rule 404](#) (Character Evidence Not Admissible to Prove Conduct; Exceptions; Other Crimes) (clarifies that evidence of a person's character is never admissible to prove conduct in a civil case) (PDF)

[Evidence Rule 408](#) (Compromise and Offers to Compromise) (resolves conflicts in caselaw about statements and offers made during settlement negotiations admitted as evidence of fault or used for impeachment purposes). (PDF)

[Evidence Rule 606](#) (Competency of Juror as Witness) (clarifies that juror testimony may be received only for very limited purposes, including to prove that the verdict reported was the result of a clerical mistake) (PDF)

[Evidence Rule 609](#) (Impeachment by Evidence of Conviction of Crime) (permits automatic impeachment only when an element of the crime requires proof of deceit or if the underlying act of deceit readily can be determined from information such as the charging instrument) (PDF)