

Local Outreach (Region 6) - USTP Final Rule on Uniform Periodic Reports

Dates (sessions are identical):

- Wednesday, June 30, 2021, from 12:00 p.m. to 1:30 p.m.
- Friday, July 9, 2021, from 9:00 a.m. to 10:30 a.m.

Location: Virtual Teams Meeting (Join via Google Chrome or Microsoft Edge NOT via the MS Teams app)

Please join the session by clicking one of the **Join Microsoft Teams Meeting** links below, as detailed in the attached instructions. Note that you do not need to have the Microsoft Teams software downloaded onto your system to join the session, as you may join the session from your web browser. Alternatively, if you cannot join the session with the Join Microsoft Teams Meeting link, you may join by telephone using the number and conference ID listed below. For additional technical assistance on joining the meeting, please email Sandra Nixon at Sandra.F.Nixon@usdoj.gov.

<p>Wednesday, June 30, 2021 12:00 p.m. to 1:30 p.m.</p> <p><u>Join Microsoft Teams Meeting</u> +1 202-235-7900 United States, Washington (Toll) Conference ID: 254 684 259#</p>	<p>Friday, July 9, 2021 9:00 a.m. to 10:30 a.m.</p> <p><u>Join Microsoft Teams Meeting</u> +1 202-235-7900 United States, Washington (Toll) Conference ID: 277 813 185#</p>
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Speakers:

- Lisa Lambert, Assistant U.S. Trustee for the Northern District of TX
- Kendra Rust, CPA, Bankruptcy Analyst for the Northern District of TX
- Sam Baker, MBA, Bankruptcy Analyst for the Eastern District of TX

RSVP:

None required.

Cost:

\$0.00

Details:

The Region 6 Office of the United States Trustee will be providing two identical informational sessions regarding the changes to the operating reports for non-small business debtors required by 28 C.F.R. Part 58, Procedures for Completing Uniform Periodic Reports in Non-Small Business Cases Filed Under Chapter 11 of Title 11 (the "Final Rule"). To comply with the statutory mandate of 28 U.S.C. § 589b, the Final Rule streamlines, simplifies, modernizes, and makes uniform across the country the financial reporting requirements for non-small business chapter 11 debtors.

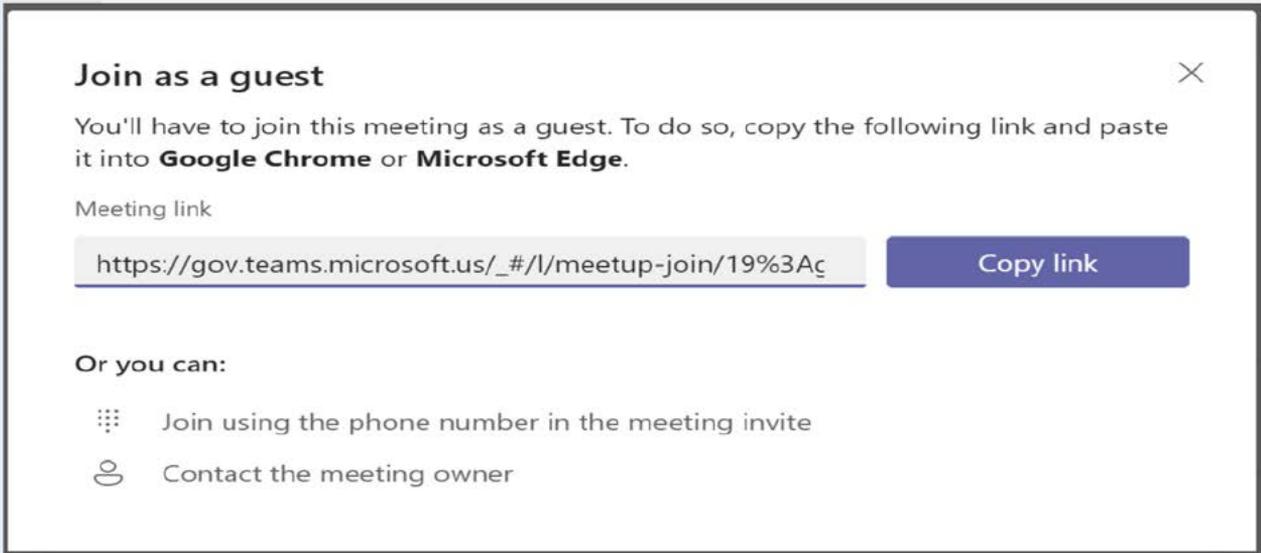
The effective date for the Final Rule is June 21, 2021. The new forms and instructions are publicly available at <https://www.justice.gov/ust/chapter-11-operating-reports> and we encourage that you review them beforehand and have them at the ready during the training session.

Attachments:

- Joining a MS Teams meeting
- Public Notice of Final Rule

How to Join with Your Teams Link

1. Open the email with the link in it.
2. Click on the **Join Microsoft Teams Meeting** link.
3. (a) If you already have MS Teams installed, you will receive the following pop-up.



- (b) If don't have teams, your web browser will automatically open when you click on the link. If not, then paste the link into the address bar on your browser.
4. You will need to join via your web browser in all cases (**Google Chrome** or **Microsoft Edge** only).
5. You maybe asked to "Allow the use of your camera and microphone" click **Allow**.
6. Before joining the meeting, you will be asked to input your name and select whether your video and microphone are active. Please use your full name.

**NOTICE REGARDING THE UNITED STATES TRUSTEE PROGRAM'S
NEW CHAPTER 11 PERIODIC REPORTS (28 C.F.R. § 58.8)
(Effective June 21, 2021)**

On December 21, 2020, the U.S. Trustee Program (USTP) promulgated a final rule, “Procedures for Completing Uniform Periodic Reports in Non-Small Business Cases Filed Under Chapter 11 of Title 11” (hereinafter referred to as the “Final Rule”).¹ The Final Rule, which is authorized by 28 U.S.C. § 589b, requires that chapter 11 debtors in possession and trustees — other than small business debtors² — file monthly operating reports (MORs) and post-confirmation reports (PCRs) using streamlined, data-embedded, uniform forms in every case in every judicial district where the USTP operates.

The Final Rule will become effective for all reports filed on or after June 21, 2021. Before the effective date, the USTP encourages bankruptcy professionals to engage with their local USTP offices to learn more about the Final Rule and forms and to be ready to file data-embedded MORs and PCRs after June 21, 2021. Local USTP offices will make training available for bankruptcy professionals about completing, filing, and serving the new uniform MOR and PCR forms.

The uniform forms, and instructions for their use and filing, which may be periodically updated prior to the effective date, are available on the USTP’s website:
<https://www.justice.gov/ust/chapter-11-operating-reports>.

In addition to familiarizing themselves with the forms, practitioners should understand potential changes to applicable filing and service requirements. Unless otherwise provided by local rule, each report must be filed with the bankruptcy court no later than the 21st day of the month immediately following the covered reporting period.

Debtors in possession (DIP) should confer with local USTP representatives early in the case, whether at the initial debtor interview or some other initial meeting, to discuss the DIP’s reporting capabilities and the supplemental documentation that the DIP may be required to file in conjunction with the reports.

¹ 28 C.F.R. § 58.8.

² Small business and subchapter V debtors (including those covered by the temporarily expanded debt limits) file MORs on official forms promulgated by the Judicial Conference of the United States. *See* 11 U.S.C. §§ 308, 1187; Fed. R. Bankr. P. 2015 (a)(6); [Official Bankruptcy Form 425C](#). Contact the U.S. Trustee in the district in which the case is pending for further instructions regarding post-confirmation reporting requirements in small business and subchapter V cases.