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ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

WASHINGTON, D.C. 20544

November 4, 2004

MEMORANDUM TO ALL: JUDGES, UNITED STATES BANKRUPTCY COURTS
CLERKS, UNITED STATES BANKRUPTCY COURTS
BANKRUPTCY ADMINISTRATORS

SUBJECT: Re-enactment of Chapter 12 of the Bankruptcy Code
(IMPORTANT INFORMATION)

On October 25, 2004, the President signed into law S. 2864 (P. L. 108-369, 118 Stat. 1749), extending chapter 12 of the Bankruptcy Code for eighteen months, retroactive to January 1, 2004, and ending July 1, 2005. Chapter 12 of the Bankruptcy Code expired on January 1, 2004, pursuant to Pub. L. No. 108-73, and has not been available to family farmers for over nine months. Family farmers who, on or after January 1, 2004, filed for relief under another chapter of the Bankruptcy Code may convert their cases to chapter 12.

Chapter 12 was originally enacted as an emergency measure in the mid 1980's, and thus had a sunset provision. It has been temporarily extended many times by Congress. If enacted, pending bankruptcy reform legislation would make chapter 12 a permanent feature of the Bankruptcy Code.

Should you have any questions about this issue, please contact the Bankruptcy Judges Division at (202) 502-1900 or the Bankruptcy Court Administration Division at (202) 502-1540.

Leonidas Ralph Mecham