

SUPREME COURT OF THE UNITED STATES

MONDAY, MARCH 18, 1974

ORDERED:

1. That the rules and forms as approved by the Judicial Conference of the United States and annexed hereto, to be known as the Chapter XI Rules and Official Chapter XI Forms, be, and they hereby are, prescribed pursuant to Section 2075, Title 28, United States Code, to govern the forms of process, writs, pleadings and motions and the practice and procedure under Chapter XI of the Bankruptcy Act, in the proceedings and to the extent set forth therein, in the United States district courts, the District Court for the District of the Canal Zone, and the District Courts of Guam and the Virgin Islands.

[See *infra*, pp. 1011-1053.]

2. That the aforementioned Chapter XI Rules and Official Chapter XI Forms shall take effect on July 1, 1974, and shall be applicable to proceedings then pending except to the extent that in the opinion of the court their application in a particular proceeding then pending would not be feasible or would work injustice, in which event the former procedure applies.

3. That General Order in Bankruptcy 48 and Official Forms in Bankruptcy 48 to 52 inclusive, heretofore prescribed by this Court be, and they hereby are, abrogated, effective July 1, 1974.

4. That THE CHIEF JUSTICE be, and he hereby is, authorized to transmit the aforementioned new Chapter XI Rules and Official Chapter XI Forms to the Congress in accordance with the provisions of Title 28, U. S. C. § 2075.

MR. JUSTICE DOUGLAS.

I dissent from the transmittal to Congress of these Chapter XI Bankruptcy Rules. With all respect, we have no expertise in this area, very few bankruptcy cases reaching us. Matters of this kind should therefore not bear our imprimatur but only that of judges who are active in the administration of the Bankruptcy Act.

ORDERED:

1. That subdivision 14 of Official Bankruptcy Form 7 prescribed by this Court by Order entered April 24, 1973, be, and it hereby is, amended, effective July 1, 1974, to read as follows:

[See *infra*, p. 1055.]

2. That subdivision (a) of Rule 41 and the first paragraph of Rule 50 of the Federal Rules of Criminal Procedure be, and they hereby are, amended, effective July 1, 1974, to read as follows:

[See *infra*, p. 1057.]

3. That THE CHIEF JUSTICE be, and he hereby is, authorized to transmit the foregoing amendments to Official Bankruptcy Form 7 and Rules 41 and 50 of the Federal Rules of Criminal Procedure to the Congress in accordance with Title 28 U. S. C. § 2075 and Title 18, U. S. C. § 3771.