

THE UNITED STATES TRUSTEE PROGRAM'S NEW CHAPTER 11 PERIODIC REPORTS

Effective June 21, 2021, the U.S. Trustee Program will be implementing a new rule concerning reporting requirements in Chapter 11 bankruptcy cases. The rule, titled, "Procedures for Completing Uniform Periodic Reports in Non-Small Business Cases Filed Under Chapter 11 of Title 11," requires Chapter 11 debtors in possession and trustees to file monthly operating reports and post-confirmation reports using new streamlined, data-embedded, uniform forms. As the rule's name suggests, it is **inapplicable** to Small Business and Subchapter V debtors, including those debtors covered by temporarily expanded debt limits.

Using the uniform forms is mandatory. They are intended to provide all stakeholders meaningful access to information, facilitate efficient preparation and review of reports, and provide the U.S. Trustee Program the opportunity to collect aggregated national data concerning Chapter 11 cases. The Bankruptcy Court suggests practitioners familiarize themselves with the forms and instructions. The uniform forms, and instructions for their use and filing, are available on the U.S. Trustee Program's website: <https://www.justice.gov/ust/chapter-11-operating-reports>.

The new rule has required the Bankruptcy Court to make changes to its CM/ECF system. Specifically, new CM/ECF events have been created to allow for the filing of monthly operating reports.

Filers in Non-Small Business cases should follow the pathways laid out below to file the appropriate reports:

Monthly Operating Report

**Bankruptcy → Other Miscellaneous Events → Chapter 11 Monthly Operating Report
UST Form 11-MOR**

Post Confirmation Report

Bankruptcy → Other Miscellaneous Events → Chapter 11 Post-Confirmation Report

Filers in Small Business and Subchapter V cases should follow the pathway laid out below to file the appropriate reports:

Small Business Monthly Operating Report

Bankruptcy → Other Miscellaneous Events → Small Business Monthly Operating Report

Counsel should contact their local U.S. Trustee Program office with any questions concerning this new rule and the uniform forms. A copy of the Public Notice released by the U.S. Trustee Program detailing the new rule can be accessed [HERE](#).