

**From:** [Catherine McEwen](#)  
**To:** [RulesCommittee Secretary](#)  
**Subject:** Suggestion re Fed. R. Bankr. 1007(h)  
**Date:** Friday, July 29, 2022 7:28:22 PM

---

22-BK-H

Fed. R. Bankr. P. 1007(h) deals with the deadline to schedule assets described in 11 U.S.C. s. 541(a)(5) (the 180-day dragnet for three types of property). But property of the estate in chapters 11 (for individuals), 12, and 13 also includes post-petition property in addition to those items described in s. 541(a)(5). See 11 U.S.C. ss. 1115, 1207, 1306.

Shouldn't we have a deadline for disclosure of post-petition acquisition of these other assets in chapters 11, 12, and 13 cases? After all, transparency and disclosure are common bankruptcy policy mantras.

Presently, it appears that courts deal with the absence of such a deadline through local rules or administrative orders. For examples of cases discussing the lack of a deadline, see *In re Stanke*, 638 B.R. 571 (Bankr. N.D. Tex. 2022); *In re Boyd*, 618 B.R. 133 (Bankr. D.S.C. 2020). For an example of an administrative order setting a deadline ("promptly"), see my district's: [DataFileOrder.asp \(uscourts.gov\)](#) at ¶ 22.

Thanks for your consideration.

Catherine Peek McEwen  
U.S. Bankruptcy Judge  
Middle District of Florida  
801 N. Florida Avenue  
Tampa, FL 33602