

ORDER AND NOTICE FOR HEARING ON DISCLOSURE STATEMENT

General Information

Official Form 312 is used in chapter 9 municipality cases and chapter 11 reorganization cases to provide certain parties in interest with an order and notice of a hearing to consider the approval of the disclosure statement. The disclosure statement is a document that contains information concerning the assets, liabilities, and business affairs of the debtor sufficient to enable a creditor holding a claim or interest to make an informed judgment about the plan of reorganization. 11 U.S.C. § 1125.

This form, while legally sufficient, is often simply the starting point for drafting a longer notice containing additional provisions applicable to a particular case. Although issued in the name of the court, the Order and Notice for Hearing on Disclosure Statement normally will be drafted by the attorney for the debtor or other plan proponent. It must be approved by the court before being sent to creditors and other parties in interest.

Applicability of Rule 9009(a)

Rule 9009(a) provides that “[t]he Official Forms prescribed by the Judicial Conference of the United States must be used without alteration—unless alteration is authorized by ... the national instructions for a particular form.”

Alterations may be made to this form.