IN THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

AUG 11 2021

David J. Smith Clerk

GENERAL ORDER NO. 51

SUPPLEMENTAL REQUIREMENTS TO ENTER COURT FACILITIES

This General Order is issued in response to the updated guidance from the President of the United States regarding the COVID-19 pandemic. It supplements the requirements established by General Order 50, which remain in effect. It is hereby ORDERED effective on Monday, August 16, 2021, that:

- All court staff, on-site contractors, and visitors must verify their vaccination status
 prior to being allowed entry to court facilities. Individuals choosing not to provide
 a response to inquiries concerning their vaccination status will be treated as
 unvaccinated persons.
- Fully vaccinated individuals must sign a statement attesting to the truthfulness of the response they provide.
- Individuals are considered fully vaccinated for COVID-19 two weeks after they have received their second dose in a two-dose series or two weeks after they have received a single-dose vaccine.
- Visitors to court facilities who are not fully vaccinated must:
 - O Provide proof of a negative COVID-19 test from no later than the previous three days prior to entering court facilities;
 - o Always wear a mask that covers their nose and mouth, and that is in accordance with current Centers for Disease Control and Prevention ("CDC") guidance; and
 - o To the extent practicable and consistent with CDC guidelines, always maintain a distance of at least six feet from others, including in offices, conference rooms, courtrooms, communal spaces, and workspaces.
- Employees and on-site contractors entering court facilities who are not fully vaccinated must:
 - O Undergo testing for COVID-19 at least once per week and as required by the Court;
 - Provide proof of at least one negative COVID-19 test result per week as soon as the results are received;

- O Wear a mask that covers their nose and mouth, and that is in accordance with current CDC guidance, except when alone in an office with floor to ceiling walls and a closed door, or for a limited time when eating or drinking and maintaining distancing in accordance with CDC guidance; and
- O To the extent practicable and consistent with CDC guidelines, always maintain a distance of at least six feet from others, including in offices, conference rooms, courtrooms, communal spaces, and workspaces.
- Masked individuals may be asked to lower their masks briefly for identification purposes in compliance with safety and security requirements.

The Court will continue to assess the ongoing need for entry restrictions and update such restrictions as warranted. The Court takes this temporary action in response to the COVID-19 pandemic and out of concern for the health and safety of the federal judiciary and staff, members of the Bar, and the public.

Questions regarding this Order may be directed to the Clerk's Office at (404) 335-6100 or clerks_office@call.uscourts.gov.

Chief Judge

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA

IN RE: REQUIREMENTS TO ENTER) CIV. MISC. NO. 2:20-mc-3910-EC	'M
COURT FACILITIES DUE TO)	
CORONAVIRUS (COVID-19))	

GENERAL ORDER

This General Order is being issued in response to the ongoing national emergency regarding the novel Coronavirus ("COVID-19") pandemic and the rise of infection rates in the Middle District of Alabama. The Centers for Disease Control and Prevention (CDC) and other public health authorities have advised public and private agencies to continue to take necessary and appropriate precautions to reduce the possibility of exposure to COVID-19 and slow the spread of the disease. Accordingly, in order to protect the public health and for good cause, it is

ORDERED that effective Wednesday, August 25, 2021

- 1. All employees and on-site contractors of the U.S. District and Bankruptcy Courts, and the U.S. Probation Office for the Middle District of Alabama, must verify their vaccination status prior to being allowed entry to court facilities. Individuals choosing not to provide a response to inquiries concerning their vaccination status will be treated as unvaccinated persons.
- 2. All court employees and on-site contractors must sign a statement attesting to the truthfulness of the response they provide.
- 3. Individuals are considered fully vaccinated for COVID-19 two weeks after they have received their second dose in a two-dose series or two weeks after they received

a single-dose vaccine, or if they provide evidence of a past positive COVID-19 test result within the last 90 days from which they have been fully recovered for at least two weeks and have medical evidence of antibody levels comparable to those in vaccinated individuals.

- 4. Court employees and on-site contractors entering court facilities who are not fully vaccinated must:
 - Undergo testing for COVID-19 at their own expense at least once per week and as required by the Court;
 - Provide proof of at least one negative COVID-19 test result per week
 as soon as the results are received;

Inability to obtain the required test will not, on that basis alone, entitle an individual to telework.

- Fully vaccinated court employees and on-site contractors SHALL NOT BE
 ALLOWED ACCESS to court facilities if they
 - Tested positive for COVID-19 within the previous 10 days;
 - Are undergoing testing for suspected COVID-19; or
 - Currently have symptoms consistent with COVID-19, including fever
 (100.4 degrees Fahrenheit and above) or chills, cough, shortness of
 breath or difficulty breathing, fatigue, muscle or body aches,
 headache, new loss of taste or smell, sore throat, congestion or runny
 nose, nausea or vomiting, or diarrhea.

- 6. Court employees and on-site contractors who are not fully vaccinated SHALL NOT BE ALLOWED ACCESS to court facilities if they
 - Tested positive for COVID-19 within the previous 10 days;
 - Are undergoing testing for suspected COVID-19;
 - Within the previous 14 days, have had known close contact with a person who has COVID-19 or have been asked or required to selfquarantine; or
 - Within the previous 14 days, have had symptoms consistent with COVID-19, including fever (100.4 degrees Fahrenheit and above) or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea.
- 7. By entering court facilities, all court employees and on-site contractors are self-certifying that they meet the requirements for doing so and that they will comply with this Order. If an individual is prohibited from entering court facilities for any of the reasons described above, he or she must immediately notify his or her supervisor or court unit executive of the reason why entry is not permitted.
- 8. The Court will continue to assess the ongoing need for entry restrictions and update such restrictions as warranted. The Court takes this temporary action in response to the COVID-19 pandemic and out of concern for the health and safety of the federal judiciary, court employees and contractors, members of the Bar, and the public. The Court reserves the right to alter any employee's or on-site contractor's obligations hereunder on

a case-by-case basis in a manner that is consistent with the purpose of this Order. This Order does not supersede any previous Orders entered by the Court.

9. Questions regarding this Order may be directed to the Clerk's Office at 334-954-3600

DONE this the 23rd day of August, 2021.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE

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IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA

REQUIRED EMPLOYEE AND ON-SITE CONTRACTOR CERTIFCATION AND ATTESTATION FOR ENTERING COURT FACILITIES

Employee and On-Site Contractor Certification

From this date forward, each time I enter any court facility in the Middle District of Alabama,		
, am certifying that I meet the health criteria set forth in Genera		
Order, Doc. 17, 2:20-mc-3910-ECM. If I do not meet the criteria, I will not enter any court facility in the		
Middle District of Alabama and will immediately inform my supervisor and/or court unit executive of my		
COVID-19 related absence. If I develop symptoms of COVID-19 while in court facilities, I wil		
immediately inform my supervisor and/or court unit executive and leave the building. If I test positive for		
COVID-19, I will immediately inform my supervisor and/or court unit executive of my diagnosis so that		
contact tracing procedures can begin for the safety of my colleagues.		
Attestation		
By checking one box and signing below, I certify that		
☐ I am fully vaccinated for COVID-19.		
☐ I have not been vaccinated for COVID-19.		
I have not been vaccinated for COVID-19 but tested positive for COVID within the last 90 days and have antibody levels comparable to those in vaccinated individuals.		
☐ I have begun the vaccination process but am not yet fully vaccinated for COVID-19.		
I decline to disclose my vaccination status, and I understand that I will be treated by the Court as i I am not vaccinated.		
By signing below, I certify that the information provided above is truthful and accurate.		
Employee/On-Site Contractor:Date:		
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NOTE: This information will be treated as confidential and will be accessible only by your unit executive, his or her chief deputy, and other individuals who may need to be informed in order to take actions consistent with guidance from the CDC and other public health authorities. Further, this form will be maintained in a secure file and will not be included in your personnel file.

Return this form via email to your supervisor or Court Unit Executive.

RECEIVED

MAR 16 2020

UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF ALABAMA

U,S, BANKRUPTCY COURT MIDDLE DISTRICT OF ALABAMA

In re:)	
)	
COURT OPERATIONS DURING)	
COVID-19 OUTBREAK,)	Administrative Order No. 2020-05
)	

ADMINISTRATIVE ORDER

Whereas there are developing issues with the COVID-19 virus, and new recommendations from the Centers for Disease Control and other public health officials are being disseminated, it is necessary and prudent in the interest of public health and for the safety and welfare of court employees that the Bankruptcy Court for the Middle District of Alabama will cease all in-person hearings effective as of the date of this order.

EFFECTIVE MARCH 16, 2020 THROUGH MAY 1, 2020, ALL HEARINGS NOTICED FOR THE BANKRUPTCY COURT IN THE MIDDLE DISTRICT OF ALABAMA WILL BE HELD TELEPHONICALLY ONLY. THIS APPLIES TO ALL DIVISIONS AND ALL LOCATIONS.

In-person appearances at the courthouse by parties or their counsel are prohibited absent extraordinary circumstances.

Any request for an evidentiary hearing or proceeding shall be made during the telephonic hearing and the Court will make a determination.

CALL-IN INSTRUCTIONS AND PROTOCOL: The hearings will be held via AT&T call-in numbers. The call-in number and passcode for hearings held in this District may be found on the individual hearing dockets posted on the Court's website, www.almb.uscourts.gov.

Under special circumstances, the Court may specially set a hearing to be held via video teleconference ("VTC"). The VTC hearing will be held via video portal and separate connection instructions will accompany the notice of hearing.

All counsel and parties are hereby directed (1) that all participants shall mute the phone when it is not their case, (2) that no participant shall use a 'speaker' function, and (3) that no participant shall place the call on hold while participating in the telephonic hearing (in order to avoid hold music or other noises playing on the call).

Procedures have been implemented for conducting all § 341 meetings of creditors telephonically without in-person appearances. Call-in information, telephone numbers, and instructions are available at the Bankruptcy Administrator's website, www.almba.uscourts.gov, and the Bankruptcy Court's website, www.almba.uscourts.gov.

Further, unless or until otherwise notified, motions to extend the stay and motions to impose the stay may be handled by attaching an appropriate and complete affidavit of the Debtor.

The Court and its staff are prepared to handle any emergencies that may arise in our cases.

Done this the 16th day of March, 2020.

William R. Sawyer

Chief United States Bankruptcy Judge

Bess M. Parrish Creswell

United States Bankruptcy Judge

FILED

MAR 2 7 2020

UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF ALABAMA

United States Bankruptcy Court Middle District of Alabams

In re:)	
)	
COURT OPERATIONS DURING)	
COVID-19 OUTBREAK.)	Administrative Order No. 2020-06
	1	

AMENDED ADMINISTRATIVE ORDER

This Amended Administrative Order amends Administrative Order No. 2020-05 entered on March 16, 2020, and further extends the suspension of all in-court hearings through May 31, 2020.

Due to the continued issues with the COVID-19 virus, it is necessary and prudent in the interest of public health and for the safety and welfare of court employees that the Bankruptcy Court for the Middle District of Alabama will cease all in-person hearings effective as of the date of this order.

EFFECTIVE MARCH 27, 2020 THROUGH MAY 31, 2020, ALL HEARINGS NOTICED FOR THE BANKRUPTCY COURT IN THE MIDDLE DISTRICT OF ALABAMA WILL BE HELD TELEPHONICALLY ONLY. THIS APPLIES TO ALL DIVISIONS AND ALL LOCATIONS.

In-person appearances at the courthouse by parties or their counsel are prohibited absent extraordinary circumstances.

Any request for an evidentiary hearing or proceeding shall be made during the telephonic hearing and the Court will make a determination.

CALL-IN INSTRUCTIONS AND PROTOCOL: The hearings will be held via AT&T call-in numbers. The call-in number and passcode for hearings held in this District may be found on the individual hearing dockets posted on the Court's website, www.almb.uscourts.gov.

Under special circumstances, the Court may specially set a hearing to be held via video teleconference ("VTC"). The VTC hearing will be held via video portal and separate connection instructions will accompany the notice of hearing.

All counsel and parties are hereby directed (1) that all participants shall mute the phone when it is not their case, (2) that no participant shall use a 'speaker' function, and (3) that no participant shall place the call on hold while participating in the telephonic hearing (in order to avoid hold music or other noises playing on the call).

Procedures have been implemented for conducting all § 341 meetings of creditors telephonically without in-person appearances. Call-in information, telephone numbers, and instructions are available at the Bankruptcy Administrator's website, www.almba.uscourts.gov, and the Bankruptcy Court's website, www.almba.uscourts.gov.

Further, unless or until otherwise notified, motions to extend the stay and motions to impose the stay may be handled by attaching an appropriate and complete affidavit of the Debtor.

The Court and its staff are prepared to handle any emergencies that may arise in our cases.

Done this the 27th day of March, 2020.

/s/ William R. Sawyer
William R. Sawyer
Chief United States Bankruptcy Judge

/s/ Bess M. Parrish Creswell
Bess M. Parrish Creswell
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF ALABAMA

IN RE:		
A DODTION OF INTEDIM)	ADMINISTRATIVE
ADOPTION OF INTERIM	,	
BANKRUPTCY RULES RELATING)	ORDER 2020-10
TO SBRA INTERIM RULES WITH)	
REVISIONS NECESSITATED BY)	
CARES ACT; AND NOTICE OF)	
AMENDED OFFICIAL FORMS)	

ADMINISTRATIVE ORDER ADOPTING INTERIM BANKRUPTCY RULES AS AMENDED BY THE CARES ACT

In Administrative Order No. 2020-03, this court adopted Interim Rules (including Interim Rule 1020) relating to the *Small Business Reorganization Act of 2019* (the "SBRA"). On March 27, 2020, the *Coronavirus Aid, Relief, and Economic Security Act* (the "CARES Act") was signed into law, and that legislation requires a revision of Interim Rule 1020. ¹ The previously adopted SBRA-related Interim Rules, with the revision of Interim Rule 1020 now necessitated by the CARES Act, are attached hereto. ² The changes incorporated therein need to be in place long before the Bankruptcy Rules can be amended under the three-year process required by the Rules

A copy of the amendment to Interim Rule 1020 showing the CARES Act-related changes can be found at: https://www.uscourts.gov/rules-policies/current-rules-practice-procedure. The amendment to the Bankruptcy Code (11 U.S.C. § 101, et seq.) by the CARES Act that has necessitated the amendment of Interim Rule 1020 will terminate one year after the date of enactment of the CARES Act.

² The attached Interim Rules include an Interim Rule 1007 reflecting a needed change in light of SBRA which ought not be confused with Interim Rule 1007-I. The National Guard and Reservists Debt Relief Act of 2008, Pub. L. No. 110-438, as amended by Public Law No.116-53, provides a temporary exclusion from the bankruptcy means test for certain reservists and members of the National Guard.

Enabling Act. The Judicial Conference has authorized distribution of these Interim Rules to courts for adoption locally to facilitate uniform implementation of the changes mandated by the SBRA and the CARES Act.

NOW THEREFORE, pursuant to 28 U.S.C. § 2071, Rule 83 of the Federal Rules of Civil Procedure, and Rule 9029 of the Federal Rules of Bankruptcy Procedure, it is ORDERED that the attached SBRA-related Interim Rules, with the revision of Interim Rule 1020 necessitated by the CARES Act, are adopted in their entirety without change by the judges of this Court to be effective as of the date of this order. This Administrative Order No. 2020-09 revises Administrative Order No. 2020-03 only to add the change, effective April ___, 2020, to Interim Rule 1020 necessitated by the CARES Act. In other words, Administrative Order No. 2020-03 remains effective as to filings made before the date of this order.³

It is further **ORDERED** that notice is given that the Judicial Conference's Advisory Committee on Bankruptcy Rules has approved conforming one-year technical changes to five bankruptcy forms (Official Forms 101, 122A-1, 122B, 122C-1, and 201) in light of the CARES Act amendments to the Bankruptcy Code. The Official Forms are posted at:

https://www.uscourts.gov/forms/bankruptcy-forms, and the Committee Notes to the Official Forms explain the significant changes to these forms.

³ The Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules of this Court, except to the extent inconsistent with these Interim Rules, continue to apply to cases and proceedings in this Court.

⁴The CARES Act modifies the definition of "debtor" in 11 U.S.C. § 1182(1); and modifies the definitions of "current monthly income" in 11 U.S.C. § 101(10A) and of "disposable income" in 11 U.S.C. § 1325(b)(2) to exclude certain payments under the CARES Act. These amendments to the Bankruptcy Code will terminate one year after the date of enactment of the CARES Act.

DATED: May 11, 2020

William R. Sawyer
Chief Judge, U.S. Bankruptcy Court

Bess M Parrish Creswell

Judge, U.S. Bankruptcy Court

UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF ALABAMA

In re:)	
)	
COURT OPERATIONS DURING)	
COVID-19 OUTBREAK.)	Administrative Order No. 2020-11
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AMENDED ADMINISTRATIVE ORDER

This Amended Administrative Order further amends Administrative Order No. 2020-05 entered on March 16, 2020 and Amended Administrative Order No. 2020-06 entered on March 27, 2020, and further extends the suspension of all in-court hearings until further notice.

Due to the continued issues with the COVID-19 virus, it is necessary and prudent in the interest of public health and for the safety and welfare of court employees that the Bankruptcy Court for the Middle District of Alabama will cease all in-person hearings effective as of the date of this order.

UNTIL FURTHER NOTICE, ALL HEARINGS NOTICED FOR THE BANKRUPTCY COURT IN THE MIDDLE DISTRICT OF ALABAMA WILL BE HELD TELEPHONICALLY ONLY. THIS APPLIES TO ALL DIVISIONS AND ALL LOCATIONS.

In-person appearances at the courthouse by parties or their counsel are prohibited absent extraordinary circumstances.

Done this the 11th day of May, 2020.

William R. Sawyer

Chief United States Bankruptcy Judge

Bess M. Parrish Creswell

United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF ALABAMA

In re:)	
)	
COURT OPERATIONS DURING COVID-19 OUTBREAK.)	Administrative Order No. 2021-05

ADMINISTRATIVE ORDER

In response to the updated guidance from the Centers for Disease Control and Prevention (CDC), the Bankruptcy Court for the Middle District of Alabama hereby finds that hearings may safely resume in-person beginning October 1, 2021. This applies to all hearings before Chief Judge Creswell and Judge Sawyer unless specifically ordered otherwise on a case-by-case basis. The Bankruptcy Administrator may, in her discretion, maintain procedures for conducting all § 341 meetings of creditors without in-person appearances. Updates and instructions for policies regarding § 341 meetings are available at the Bankruptcy Administrator's website, www.almba.uscourts.gov.

Accordingly, and for good cause, it is hereby ORDERED that Administrative Orders 2020-05, 2020-06, and 2020-11 are due to be VACATED effective October 1, 2021.

Done this the 3 day of July, 2021.

Bess M. Parrish Creswell

Chief Judge, U.S. Bankruptcy Court

William R. Sawyer

Judge, U.S. Bankruptcy Court

UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF ALABAMA

In re:)
)
COURT OPERATIONS DURING)
COVID-19 OUTBREAK.) Administrative Order No. 2021-03
	,)

ADMINISTRATIVE ORDER

In response to the updated guidance from the Centers for Disease Control and Prevention (CDC), the Bankruptcy Court for the Middle District of Alabama hereby finds that hearings may safely resume in-person beginning January 2, 2022. This applies to all hearings before Chief Judge Creswell and Judge Sawyer unless specifically ordered otherwise on a case-by-case basis. The Bankruptcy Administrator may, in her discretion, maintain procedures for conducting all § 341 meetings of creditors without in-person appearances. Updates and instructions for policies regarding § 341 meetings are available at the Bankruptcy Administrator's website, www.almba.uscourts.gov.

Accordingly, and for good cause, it is hereby ORDERED that Administrative Order 2021-05 is hereby AMENDED and Administrative Orders 2020-05, 2020-06, and 2020-11 are due to be VACATED effective January 2, 2022.

Done this the O day of August, 2021.

Bess M. Parrish Creswell

Chief Judge, U.S. Bankruptcy Court

William R. Sawyer

Judge, U.S. Bankruptcy Court

In re:)	
)	
COURT OPERATIONS DURING)	
COVID-19 OUTBREAK.)	Administrative Order No. 20-004
	1	

ADMINISTRATIVE ORDER

Whereas there are developing issues with the COVID-19 virus, and new recommendations from the Centers for Disease Control and other public health officials are being disseminated, it is necessary and prudent in the interest of public health and for the safety and welfare of court employees that the Bankruptcy Court for the Northern District of Alabama will cease all in-person hearings at the conclusion of the day on March 20, 2020.

BEGINNING MONDAY, MARCH 23, 2020, ALL HEARINGS NOTICED FOR THE BANKRUPTCY COURT IN THE NORTHERN DISTRICT OF ALABAMA WILL BE HELD TELEPHONICALLY ONLY. THIS APPLIES TO ALL DIVISIONS AND ALL LOCATIONS.

In-person appearances at the courthouse by parties or their counsel are prohibited absent extraordinary circumstances.

Any request for an evidentiary hearing or proceeding shall be made during the telephonic hearing and the Court will make a determination.

CALL-IN INSTRUCTIONS AND PROTOCOL: The hearings will be held via AT&T call-in numbers. The call-in number and passcode for each of the Judges in this District may be found on each "Judge's" tab on the Court's webpage at www.alnb.uscourts.gov.

All counsel and parties are hereby directed (1) that all participants shall mute the phone when it is not their case, (2) that no participant shall use a 'speaker' function, and (3) that no participant shall place the call on hold while participating in the telephonic hearing (in order to avoid hold music or other noises playing on the call).

As soon as practicable, procedures shall be implemented for conducting all § 341 meetings of creditors telephonically without in-person appearances. Call-in information, telephone numbers, and instructions are available at the Bankruptcy Administrator's website, www.alnba.uscourts.gov, and the Bankruptcy Clerk's website, www.alnba.uscourts.gov.

Further, unless or until otherwise notified, motions to extend the stay and motions to impose the stay may be handled by attaching an appropriate and complete affidavit of the Debtor. The affidavit should include all information generally referenced in Local Rule 4001-1.1.

The Court will continue to be open and staff will continue to be present. The Court and its staff are prepared to handle any emergencies that may arise in our cases.

Done this the 13th day of March, 2020.

/s/ James J. Robinson
James J. Robinson, Chief Judge
U.S. Bankruptcy Court

/s/ Tamara O. Mitchell
Tamara O. Mitchell, Judge
U.S. Bankruptcy Court

/s/ Jennifer H. Henderson
Jennifer H. Henderson, Judge
U.S. Bankruptcy Court

/s/ Clifton R. Jessup, Jr., Clifton R. Jessup, Jr., Judge U.S. Bankruptey Court

/s/ D. Sims Crawford
D. Sims Crawford, Judge
U.S. Bankruptcy Court

UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ALABAMA NORTHERN DIVISION

In the Matter of: Internal Chapter 13 Procedures and Controls	}	Administrative Order No. 20-005 Northern Division Only
	}	

ADMINISTRATIVE ORDER

The Chapter 13 Trustee for the Northern District of Alabama, Northern Division has formally requested authorization to temporarily suspend the filing of Motions to Dismiss and Motions to Modify Chapter 13 Plans for delinquency given the developing issues with the COVID-19 virus and the resulting global pandemic.

IT IS THEREFORE ORDERED, effective March 25, 2020, that the Chapter 13 Trustee for the Northern District of Alabama, Northern Division is hereby authorized, at the Chapter 13 Trustee's discretion, to suspend the filing of Motions to Dismiss Chapter 13 Cases and Motions to Modify Chapter 13 Plans for delinquency pending further Order of this Court.

IT IS SO ORDERED March 24, 2020.

/s/ Clifton R. Jessup, Jr. Clifton R. Jessup, Jr. United States Bankruptcy Judge

IN RE:		
	} }	Administrative Order 20-06
Order Temporarily Suspending	}	
Requirement to Obtain Original	}	All Divisions
Signatures from Debtors for Electronic	}	
Filings	}	

ORDER TEMPORARILY SUSPENDING REQUIREMENT TO OBTAIN ORIGINAL SIGNATURES FROM DEBTORS FOR ELECTRONIC FILINGS

This order is issued in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) in the United States and the State of Alabama. On March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic.

On March 13, 2020, the President of the United States declared a national emergency as a result of the COVID-19 outbreak. The Centers for Disease Control and Prevention ("CDC") advises that individuals should engage in "social distancing" to prevent the spread of COVID-19.

In addition, there are individuals who may be in isolation because they are sick or have been exposed to someone who has or is suspected to have COVID-19. Accordingly, to reduce the need for personal contact, there is good cause to suspend temporarily and conditionally the requirement that an attorney obtain a debtor's original physical signature for an electronic filing; now, therefore,

For all documents requiring a debtor's signature, the court temporarily suspends the requirement that an attorney secure the debtor's original, physical signature prior to electronically filing such documents on the condition that, prior to filing, the attorney has verified with the debtor that the debtor has received the entire document(s) to be filed and has communicated with the debtor regarding the substance and purpose of the document(s), including the review of a bankruptcy petition, schedules, and statements; and further that the attorney has either (a) obtained the debtor's digital signature via any commercially available digital signed software that provides signature authentication and maintains a copy of the digitally signed document(s) in the debtor's case file; or (b) obtains express written permission (including electronic mail) from the debtor to affix the debtor's signature to the document(s), and maintains a hard copy thereof in the file.

This order shall terminate and expire on May 31, 2020, unless extended by further order of the court.

Done this the 27th day of March 2020.

/s/ James J. Robinson
James J. Robinson, Chief Judge
U.S. Bankruptey Court

/s/ Tamara O. Mitchell
Tamara O. Mitchell, Judge
U.S. Bankruptcy Court

/s/ Jennifer H. Henderson
Jennifer H. Henderson, Judge
U.S. Bankruptcy Court

/s/ Clifton R. Jessup, Jr.
Clifton R. Jessup, Jr., Judge
U.S. Bankruptcy Court

/s/D. Sims Crawford
D. Sims Crawford, Judge
U.S. Bankruptcy Court

UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ALABAMA NORTHERN DIVISION

In the Matter of: TEMPORARY AMENDMENT OF PROCEDURE FOR SUSPENDING CHAPTER 13 PLAN PAYMENTS AND	Administrative Order No. 20-08 Northern Division Only }
EXTENDING PLAN TERMS	}

ADMINISTRATIVE ORDER

As stated during the Telephonic Attorney Meeting held on April 6, 2020 and pursuant to the Coronavirus Aid, Relief, and Economic Security Act or CARES Act, the Court will temporarily amend the negative notice procedure for suspending Chapter 13 Plan payments and extending Plan terms for debtors who have experienced a material financial hardship due, directly or indirectly, to the COVID-19 pandemic. Motions to Suspend Chapter 13 Plan Payments and Extend Plan Terms must be filed in substantial compliance with the form found on this Court's website at https://www.alnb.uscourts.gov/forms/all-forms?page=2 and must be served upon: (a) the Trustee; (b) creditors and interested parties according to the Clerk's mailing matrix; and (c) any other entity requesting notice. The notice must advise the parties of the date by which a response is required, but the notice shall not include a hearing date. If a timely response is filed, the Court will schedule the matter for hearing.

Motions to Suspend Chapter 13 Plan Payments and Extend Plan Terms may be filed with fourteen (14) days' Negative Notice, provided that:

- a. The Motion may not request more than a three-month suspension of Plan payments with negative notice;
- b. The Motion must specifically plead cause or reason for the suspension and extension with supporting facts sufficient to allow the Trustee and creditors to evaluate the merits of the Motion;
- c. The Motion must propose a three-month monitoring period upon resumption of Plan payments;
- d. Counsel for the Debtor(s) must contact the Trustee upon expiration of the negative notice period for the number of months necessary for extension of the Plan term to be incorporated into an Order; and

e. The Order Approving the Motion must be submitted to the Court within seven (7) calendar days of expiration of the negative notice period by Counsel for the Debtor(s) or the Motion will be denied.

This Administrative Order is effective pending further Order.

IT IS SO ORDERED this the 14th day of April 2020.

/s/ Clifton R. Jessup, Jr. Clifton R. Jessup, Jr. United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ALABAMA

IN RE:		
)	
ADOPTION OF INTERIM)	ADMIN. ORDER 20-09
BANKRUPTCY RULES RELATING)	ALL DIVISIONS
TO SBRA INTERIM RULES WITH)	
REVISIONS NECESSITATED BY)	
CARES ACT; AND NOTICE OF)	

ADMINISTRATIVE ORDER ADOPTING INTERIM BANKRUPTCY RULES AS AMENDED BY THE CARES ACT

)

AMENDED OFFICIAL FORMS

In Administrative Order No. 20-02, this court adopted Interim Rules (including Interim Rule 1020) relating to the *Small Business Reorganization Act of 2019* (the "SBRA"). On March 27, 2020, the *Coronavirus Aid, Relief, and Economic Security Act* (the "CARES Act") was signed into law, and that legislation requires a revision of Interim Rule 1020. The previously adopted SBRA-related Interim Rules, with the revision of Interim Rule 1020 now necessitated by the CARES Act, are attached hereto. The changes incorporated therein need to be in place long before

¹ A copy of the amendment to Interim Rule 1020 showing the CARES Act-related changes can be found at: https://www.uscourts.gov/rules-policies/current-rules-practice-procedure. The amendment to the Bankruptcy Code (11 U.S.C. § 101, et seq.) by the CARES Act that has necessitated the amendment of Interim Rule 1020 will terminate one year after the date of enactment of the CARES Act.

² The attached Interim Rules include an Interim Rule 1007 reflecting a needed change in light of SBRA which ought not be confused with Interim Rule 1007-I. The National Guard and Reservists Debt Relief Act of 2008, Pub. L. No. 110-438, as amended by Public Law No.116-53, provides a temporary exclusion from the bankruptcy means test for certain reservists and members of the National Guard. Interim Rule 1007-I implemented that provision, and it was adopted in Administrative Order No. 12-02.

the Bankruptcy Rules can be amended under the three-year process required by the Rules Enabling Act. The Judicial Conference has authorized distribution of these Interim Rules to courts for adoption locally to facilitate uniform implementation of the changes mandated by the SBRA and the CARES Act.

NOW THEREFORE, pursuant to 28 U.S.C. § 2071, Rule 83 of the Federal Rules of Civil Procedure, and Rule 9029 of the Federal Rules of Bankruptcy Procedure, it is ORDERED that the attached SBRA-related Interim Rules, with the revision of Interim Rule 1020 necessitated by the CARES Act, are adopted in their entirety without change by the judges of this Court to be effective April 22, 2020. This Administrative Order No. 20-09 revises Administrative Order No. 20-02 only to add the change, effective April 22, 2020, to Interim Rule 1020 necessitated by the CARES Act. In other words, Administrative Order No. 20-02 remains effective as to filings made before April 22, 2020.³

It is further **ORDERED** that notice is given that the Judicial Conference's Advisory Committee on Bankruptcy Rules has approved conforming one-year technical changes to five bankruptcy forms (Official Forms 101, 122A-1, 122B, 122C-1, and 201) in light of the CARES Act amendments to the Bankruptcy Code.⁴ The Official Forms are posted at: https://www.uscourts.gov/forms/bankruptcy-forms, and the Committee Notes to the Official Forms explain the significant changes to these forms.

³ The Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules of this Court, except to the extent inconsistent with these Interim Rules, continue to apply to cases and proceedings in this Court.

⁴The CARES Act modifies the definition of "debtor" in 11 U.S.C. § 1182(1); and modifies the definitions of "current monthly income" in 11 U.S.C. § 101(10A) and of "disposable income" in 11 U.S.C. § 1325(b)(2) to exclude certain payments under the CARES Act. These amendments to the Bankruptcy Code will terminate one year after the date of enactment of the CARES Act.

DATED: April 21, 2020

/s/ James J. Robinson

JAMES J. ROBINSON

Chief Judge, U.S. Bankruptcy Court

/s/ Tamara O. Mitchell

TAMARA O. MITCHELL

Judge, U.S. Bankruptcy Court

/s/ Jennifer H. Henderson

JENNIFER H. HENDERSON

Judge, U.S. Bankruptcy Court

/s/ Clifton R. Jessup, Jr.

CLIFTON R. JESSUP, JR.

Judge, U.S. Bankruptcy Court

/s/ D. Sims Crawford

D. SIMS CRAWFORD

Judge, U.S. Bankruptcy Court

IN KE;		
Order Extending Provisions of	}	Administrative Order 20-10
Administrative Order 20-06.	}	All Divisions

ORDER EXTENDING THE PROVISIONS OF ADMINISTRATIVE ORDER 20-06

On March 27, 2020, the United States Bankruptcy Court for the Northern District of Alabama entered Administrative Order 20-06, <u>Order Temporarily Suspending Requirement to Obtain Original Signatures from Debtors for Electronic Filings</u>. The March 27, 2020 Order provided "[t]his order shall terminate and expire on May 31, 2020, unless extended by further order of the court."

The court has determined and hereby orders that the provisions of the order should remain effective pending further order of the court.

IT IS SO ORDERED this the 26th day of May, 2020.

/s/ James J. Robinson
James J. Robinson, Chief Judge
U.S. Bankruptcy Court
/s/ Tamara O. Mitchell
Tamara O. Mitchell, Judge
U.S. Bankruptcy Court
/s/ Jennifer H. Henderson
Jennifer H. Henderson, Judge
U.S. Bankruptcy Court
/s/ Clifton R. Jessup, Jr.
Clifton R. Jessup, Jr., Judge
U.S. Bankruptcy Court
/s/ D. Sims Crawford
D. Sims Crawford, Judge
U.S. Bankruptcy Court

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IN RE:	
ORDER RESCINDING:	Administrative Order 21-02
(1). Admin. Order 20-06: Order Temporarily Suspending Requirement to Obtain Original Signatures from Debtors for Electronic Filings (entered March 27, 2020, as extended by Admin. Order 20-10, }	All Divisions
entered May 26, 2020); } AND }	
(2). Admin. Order 20-04:	
Order on Court Operations During COVID-19 Outbreak (entered March 13, 2020)	

ADMINISTRATIVE ORDER RESCINDING ADMINISTRATIVE ORDERS 20-04, and 20-06 (AS EXTENDED BY ADMINISTRATIVE ORDER 20-10)

This order is issued in response to the recent reduction in the infection rate of Coronavirus Disease 2019 (COVID-19) in the United States and the State of Alabama. In an effort to resume normal court operations and access, in light of similar easing of restrictions throughout the various courts in the State of Alabama, effective OCTOBER 1, 2021, the following COVID-19 related Administrative Orders are hereby rescinded and will no longer be in effect:

- (1) Admin. Order 20-06: Order Temporarily Suspending Requirement to Obtain Original Signatures from Debtors for Electronic Filings (entered March 27, 2020, as extended by Admin. Order 20-10, entered May 26, 2020); and
- (2) Admin. Order 20-04: Order on Court Operations During COVID-19 Outbreak (entered March 13, 2020).

The rescission of Admin. Order 20-06 (as extended by Admin. Order 20-10) effective as of October 1, 2021, returns the court's signature requirements and e-filing procedures to the status quo ante, including the requirement that counsel obtain and preserve original signatures for documents so requiring, and applies to documents filed with the court on or after October 1, 2021, regardless of when the document was prepared, and regardless of whether the document is an

original or is an amendment of a document that was previously filed while Admin. Order 20-06 (as extended by Admin. Order 20-10) was in effect.

The rescission of Admin. Order 20-04 effective as of October 1, 2021, returns to each Judge the discretion to schedule hearings via telephone or video, as well as in person. It is contemplated that most hearings in all divisions other than the Northern Division will be in-person from October 1, 2021 forward. The notice of hearing for each matter will indicate the courtroom location or the telephonic or video access information for each matter set.

Counsel are encouraged to take note of the effective date of October 1, 2021, and prepare in the interim to avoid conflicts and to pay particular attention to the language of every notice of hearing to ensure each is correctly calendared and communicated to the client.

Done this the 22nd day of June 2021.

/s/ James J. Robinson
James J. Robinson, Chief Judge
U.S. Bankruptcy Court

/s/ Tamara O. Mitchell
Tamara O. Mitchell, Judge
U.S. Bankruptcy Court

/s/ Jennifer H. Henderson
Jennifer H. Henderson, Judge
U.S. Bankruptcy Court

/s/ Clifton R. Jessup, Jr., Judge U.S. Bankruptey Court

/s/ D. Sims Crawford
D. Sims Crawford, Judge
U.S. Bankruptcy Court

IN RE:)
Docket Changes to Address the Coronavirus Epidemic) Administrative Order No. 2020-3
)

DOCKET CHANGES TO ADDRESS THE CORONAVIRUS EPIDEMIC

In order to reduce the public's and court staff's exposure to coronavirus, the U.S. Bankruptcy Court for the Southern District of Alabama will conduct all hearings by telephone rather than in person until further notice, starting immediately. The hearing notices from the court will continue to specify a physical courthouse location, but those notices are superseded by this administrative order.

Attorneys are responsible for letting their clients know of this change and informing them not to appear at the courthouse. Attorneys are also requested to discourage their clients from calling in for motion dockets (as opposed to 341's and confirmation hearings). Matters on the motion dockets which require an evidentiary hearing will be rescheduled to a separate date. If chapter 13 debtors' counsel agrees with the trustee's plan payment calculations as shown on the trustee's website, the attorney should let the trustee's office know and is not required to attend the telephonic docket.

The dockets for the week of March 16 will be held at the regular times. The call-in number for Judge Callaway's dockets is 1-877-336-1831, access code 1356129#, security code 1886#. The call-in number for Judge Oldshue's dockets is 1-888-363-4749, access code 1729588#, security code 8818#.

The Selma chapter 7 meetings of creditors for March 20 will be continued until April.

The Selma chapter 13 meetings of creditors will be conducted telephonically; call-in information will be provided within the next day or two. The Selma motion docket and chapter 13 confirmation docket will proceed telephonically. The call-in number will be Judge Callaway's number of 1-877-336-1831, access code 1356129#, security code 1886#.

Dated: March 16, 2020

Henry A. Callaway

Chief U.S. Bankruptcy Judge

Jerry C. Oldshue

IN RE:)	
Order Temporarily Suspending Requirement to Obtain Original) Administrative Order No. :	2020-4
Signatures from Debtors for Electronic	Ś	
Filings)	

ORDER TEMPORARILY SUSPENDING REQUIREMENT TO OBTAIN ORIGINAL SIGNATURES FROM DEBTORS FOR ELECTRONIC FILINGS

This order is issued in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) in the United States and the State of Alabama. On March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic.

On March 13, 2020, the President of the United States declared a national emergency as a result of the COVID-19 outbreak. The Centers for Disease Control and Prevention ("CDC") advises that individuals should engage in "social distancing" to prevent the spread of COVID-19.

In addition, there are individuals who may be in isolation because they are sick or have been exposed to someone who has or is suspected to have COVID-19. Accordingly, to reduce the need for personal contact, there is good cause to suspend temporarily and conditionally the requirement that an attorney obtain a debtor's original, physical signature for an electronic filing; now therefore,

For all documents requiring a debtor's signature, the court temporarily suspends the requirement that an attorney secure the debtor's original, physical signature prior to electronically filing such documents on the condition that, prior to filing, the attorney has either (a) obtained the debtor's digital signature via any commercially available digital signed software that provides signature authentication and maintains a copy of the digitally signed documents(s) in the debtor's case file; or (b) obtains express written permission (including electronic mail) from the debtor to affix the debtor's signature to the document(s), and maintains a hard copy thereof in the file

This order shall terminate and expire on May 31, 2020 unless extended by further order of the court.

Dated: March 23, 2020

Henry A. Callaway

Chief U.S. Bankruptcy Judge

Jerry C. Oldshue U.S. Bankruptcy Judge

IN RE:)	
Temporary Modification of Internal Controls During Covid-19 Outbreak)) A	Administrative Order No. 2020-5
	}	

TEMPORARY MODIFICATION OF INTERNAL CONTROLS DURING COVID-19 OUTBREAK

In response to the outbreak of the coronavirus/COVID-19, the national and state declarations of emergency by the President of the United States and the Governor of Alabama, and the guidance issued by the Centers for Disease Control and local health officials, the clerk of court is authorized to temporarily suspend the internal controls procedures of the court only to the extent necessary to maintain operations.

Dated: March 26, 2020

Henry A Callaway Chief U.S. Bankruptcy Judge

Jorry C. Oldshue U.S. Bankruptcy Judge

IN RE:)
Amendment of Interim Bankruptcy Rule 1020 Pursuant to CARES Act) Administrative Order No. 2020-6
	í

AMENDMENT OF INTERIM BANKRUPTCY RULE 1020 PURSUANT TO CARES ACT

On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act") was signed into law. Section 1113 of that legislation made several temporary changes to the Bankruptcy Code to provide financial assistance during the coronavirus crisis. These changes necessitate a corresponding amendment to Interim Bankruptcy Rule 1020, which was implemented in this district by Administrative Order No. 2020-1.

The CARES Act modifies the definition of "debtor" for determining eligibility to proceed under subchapter V of chapter 11. Previously, § 1182(1) defined "debtor" under subchapter V as "a small business debtor." A "small business debtor" is defined in § 101(51D) and requires that the prospective debtor have "aggregate noncontingent liquidated secured and unsecured debts ... in an amount not more than \$2,725,265" (a figure subject to adjustment every three years under § 104). Under the CARES Act, § 1182(1) was amended to include a separate definition of "debtor" for subchapter V purposes that is identical to the definition of "small business debtor" in all respects except that the debt limitation is \$7,500,000. The CARES Act also amended § 103(i) to provide that subchapter V of chapter 11 applies to a "debtor (as defined in section 1182(1))" who elects such treatment, rather than a "small business debtor" who so elects. The definition of "debtor" in § 1182(1) will revert to its prior version one year after the March 27, 2020 effective date of the CARES Act.

Bankruptcy Rule 1020 provides procedural rules for "small business chapter 11 reorganization cases." In response to the enactment of the Small Business Reorganization Act of 2019, which took effect in February, and upon the recommendation of the Advisory Committee on Bankruptcy Rules, this court pursuant to Administrative Order 2020-1 adopted an interim Bankruptcy Rule 1020 that reflected the new option for a small business debtor of proceeding under subchapter V of chapter 11. Now, in response to the CARES Act, that interim rule must be modified for one year to include references to "a debtor as defined in § 1182(1) of the Code." Although a small business debtor (debts not more than \$2,725,625) will always satisfy the definition of debtor in § 1182(1) (debts not more than \$7,500,000), a debtor's status as a small business debtor must still be designated because special provisions of the Code apply to such debtors who do not elect to proceed under subchapter V of chapter 11.

Thus, pursuant to 28 U.S.C. § 2071, Rule 83 of the Federal Rules of Civil Procedure, and Rule 9029 of the Federal Rules of Bankruptcy Procedure, the attached amended Interim Bankruptcy Rule 1020 is adopted effective March 27, 2020.

Dated: 4/20/2020

Henry A. Callaway

Chief U.S. Bankruptcy Judge

Jerry C. Oldshue

For the sake of clarity, the attachment is a "redline" version highlighting the most recent amendments.

Attachment

1	Rule 1020. Chapter 11 Reorganization Case for Small
2	Business Debtors or Debtors Under Subchapter V
3	(a) SMALL BUSINESS DEBTOR
4	DESIGNATION. In a voluntary chapter 11 case, the debtor
5	shall state in the petition whether the debtor is a small
6	business debtor or a debtor as defined in § 1182(1) of the
7	Code and, if the latter so, whether the debtor elects to have
8	subchapter V of chapter 11 apply. In an involuntary chapter
9	11 case, the debtor shall file within 14 days after entry of the
10	order for relief a statement as to whether the debtor is a small
11	business debtor or a debtor as defined in § 1182(1) of the
12	Code and, if the latter so, whether the debtor elects to have
13	subchapter V of chapter 11 apply. The status of the case as
14	a small business case or a case under subchapter V of chapter
15	11 shall be in accordance with the debtor's statement under
16	this subdivision, unless and until the court enters an order
17	finding that the debtor's statement is incorrect.
18	(b) OBJECTING TO DESIGNATION. The United
19	States trustee or a party in interest may file an objection to
20	the debtor's statement under subdivision (a) no later than 30
21	days after the conclusion of the meeting of creditors held

- 22 under § 341(a) of the Code, or within 30 days after any
- amendment to the statement, whichever is later.
- 24 (c) PROCEDURE FOR OBJECTION OR
- 25 DETERMINATION. Any objection or request for a
- 26 determination under this rule shall be governed by Rule 9014
- and served on: the debtor; the debtor's attorney; the United
- 28 States trustee; the trustee; the creditors included on the list
- 29 filed under Rule 1007(d) or, if a committee has been
- 30 appointed under § 1102(a)(3), the committee or its
- 31 authorized agent; and any other entity as the court directs.

Committee Note

The interim rule is amended in response to the enactment of the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"), Pub. L. No. 116-136, 134 Stat. 281. That law provides a new definition of "debtor" for determining eligibility to proceed under subchapter V of chapter 11. Subdivision (a) of the rule is amended to reflect that change. This amendment to the Code will terminate one year after the date of enactment of the CARES Act.

IN RE:)	
Extension of "Wet Signature" Suspension Through July 31, 2020)	Administrative Order No. 2020-8
	1	

EXTENSION OF "WET SIGNATURE" SUSPENSION THROUGH JULY 31, 2020

The suspension of the "wet signature" requirement as set out in Administrative Order 2020-4 is hereby extended on the same terms through July 31, 2020. It shall terminate after that date unless extended by further order of the court.

Dated: 5/26/20

Henry A. Callaway

Chief U.S. Bankruptcy Judge

Jerry C. Oldshue

IN RE:)	
Extension of "Wet Signature" Suspension)	Administrative Order No. 2020-9

EXTENSION OF "WET SIGNATURE" SUSPENSION

Because of the ongoing COVID-19 pandemie, the suspension of the "wet signature" requirement as set out in Administrative Order 2020-4 is hereby extended on the same terms until further order of the court.

Dated: 7/27/20

Henry A, Callaway

Chief U.S. Bankruptcy Judge

Jerry C! Oldshue

IN RE:)	
Continued Amendment of Interim Bankruptcy Rule 1020)))	Administrative Order No. 2021-7
	}	

CONTINUED AMENDMENT OF INTERIM BANKRUPTCY RULE 1020

The COVID-19 Bankruptcy Relief Extension Act, which was signed into law on March 27, 2021, extended the provisions of the CARES Act affecting subchapter V debt limits for an additional year. The amended Interim Bankruptcy Rule 1020 which is attached to the court's Administrative Order 2020-6 shall thus remain in effect through March 26, 2022.

Dated: 4/15/2/

Henry A. Callaway

Chief U.S. Bankruptcy Judge

Jerry C. Oldshue