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## UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA

IN RE: PROCEDURES FOR
PHASED REOPENING DURING
COVID-19 PUBLIC EMERGENCY –
RECLOSURE OF SANTA ANA PUBLIC

**GENERAL ORDER 20-11** 

**INTAKE AREA** 

Based on the continuation of the Continuity of Operations Plan ("COOP") implemented on March 18, 2020, in response to the ongoing COVID-19 pandemic and in an effort to align with District Court operations,

IT IS HEREBY ORDERED as follows

- Santa Ana Intake Closed. The Bankruptcy Intake in the Ronald Reagan
   Federal Building and U.S. Courthouse located in Santa Ana will be closed
   until further order of the Court.
- 2. Bankruptcy Intake in the Los Angeles, San Fernando Valley, and Northern Division Courthouses Are Open. The Intake areas of the United States Bankruptcy Court for the Central District of California at the Edward R. Roybal Federal Building and U.S. Courthouse in Los Angeles, and both the Woodland Hills and the Santa Barbara Courthouses will continue to be open to accept in-person filings. The Intake area in the Riverside Division remains closed.

The Intake area of the Ronald Reagan Federal Building and U.S.

Courthouse located in Santa Ana will again be closed to the public beginning Monday, November 30. The two Intake areas remain closed pending further order of the Court.

- a. <u>Face Coverings</u>. Anyone not wearing a face covering
  without an approved medical exemption or anyone not
  observing posted social distancing rules may be refused service.
- b. <u>Public Computers and Electronic Kiosks</u>. At the discretion of the Clerk of Court, public computers and electronic kiosks may be disabled until methods can be developed to reduce any spread of infection through their use.
- c. <u>Cash Payments</u>. Cash will not be accepted for filing or copying fees unless an exception is made by the Clerk of Court.
- 3. <u>Limited Emergency In-Person Hearings</u>. In-person access to the United States Bankruptcy Court will generally not be permitted except for the filing Intake areas of the Los Angeles, Woodland Hills, and Santa Barbara Courthouses. Bankruptcy Judges will continue to hear matters remotely through telephonic or video services, except a judge may order an in-person hearing where necessary in an emergency.
- 4. Self-Represented Filings. Individuals filing bankruptcy without an attorney may file in person at the United States Bankruptcy Court in downtown Los Angeles, Woodland Hills, or Santa Barbara, by mail, or through the Court's Electronic Self-Representation module. Through the Court's existing electronic filing program for self-represented debtors (eSR), both Chapter 7 and 13 petitions will be accepted. All Chapter 7 and 13 petitions not filed in person shall be filed through either eSR or by mail. Other chapter petitions must be filed either through CM/ECF with an attorney or by mail-in to the Court. Please view the Court's website for more information

- specific to self-represented parties at <a href="https://www.cacb.uscourts.gov/filing-without-an-attorney">https://www.cacb.uscourts.gov/filing-without-an-attorney</a>. Parties requiring assistance or guidance may contact the Court at (855) 460-9641.
- 5. Signatures and Filing Fees. If a bankruptcy case is submitted through eSR or by mail, the debtor must mail the required signatures and the required filing fee within 10 days, or the case will be dismissed. Please view the Court's website for more information specific to self-represented parties at https://www.cacb.uscourts.gov/filing-without-an-attorney. All petitions from self-represented parties are automatically granted a fee installment so that the full required filing fee is due no later than 10 days after the filing of the petition. For petitions filed through eSR, an application for a fee waiver must be mailed to the Court within five (5) days of the electronic petition filing, on the form available on the website at https://www.cacb.uscourts.gov/forms/application-individuals-pay-filingfeeinstallmentsapplication-have-chapter-7-filing-fee. For petitions filed in person or by mail, an application for a fee waiver shall be submitted with the petition. The Court will issue an Order on the Fee Waiver Application within five (5) days. If a fee waiver or installment order is entered in a specific case, it will supersede this General Order requiring the full fee within 10 days. If the requisite fee and/or signatures are not mailed within 10 days, the Court will dismiss the case without a hearing.
- 6. Social Security Number Statements. A self-represented litigant filing a voluntary bankruptcy case must include the signed "Statement About Your Social Security Numbers" (Official Form 121) with the initial filing when mailing the documents (F.R.B.P. 1007(f)). When filing a voluntary bankruptcy case through the Court's eSR program, the signed "Statement About Your Social Security Numbers" form must be mailed to the Court within 10 days of filing or the case will be dismissed.

Please view the Court's website for more information specific to self-represented parties at https://www.cacb.uscourts.gov/filing-without-an-attorney.

- 7. Mediations. Mediations will proceed remotely.
- 8. Judges' or Courtesy Copies. Except for documents over 25 pages, including exhibits, the requirement to deliver judges' copies of documents to chambers (LBR 5005-2(d)) continues to be temporarily suspended including delivery via U.S. mail, personal delivery, or any other means. Documents over 25 pages should still be provided unless the judge's specific updated instructions have waived that requirement. Parties are reminded that the judge and chambers' staff do not receive electronic notices of filings, and therefore, (a) for documents that are filed late, and (b) for matters that are either (i) not set for hearing or (ii) not the subject of an electronically uploaded order (LOU), parties must contact the chambers of the presiding judge and advise chambers of the filing.
- 9. <u>Signatures</u>. Local Bankruptcy Rule 9011-1 does not require in-person contact as it permits an attorney to receive a signature page by electronic means. Nothing in the rule precludes the filing of a signature page that has been received by facsimile, pdf, text or photo. This signature can be filed separately in whatever format is reasonably possible so that there is a clear indication that the signor has read and is signing the actual document filed.
  - a. In light of the difficulty of obtaining any paper files during this emergency, the requirement of LBR 9011-1(d) to maintain a wet signature for five (5) years is temporarily suspended and the attorney should maintain the electronic transmission of the client to file the document in whatever format is reasonable at this time.
  - b. If there is a situation where a client cannot transmit a signature electronically either due to lack of required technology or internet

access, etc., the attorney should so explain the circumstances with the filing, verify that permission was obtained from the client to sign the document on their behalf, and obtain the signature as soon as possible after the filing through another means.

10. <u>Phased Reopening Plans</u>. The Court's COOP will remain in place and be modified gradually as necessary. Details of these modifications will be posted on the Court's website and communicated to staff as they are implemented.

## IT IS SO ORDERED.

DATED: November 27, 2020

Chief Judge, United States Bankruptcy Court