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8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

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11 **IN RE: PROCEDURES FOR**
12 **PHASED REOPENING DURING**
13 **COVID-19 PUBLIC EMERGENCY**
14 **PERMITTING LIMITED IN-PERSON**
15 **COURT HEARINGS**

GENERAL ORDER 21-04

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17 Upon consideration of the continuation of the Continuity of Operations Plan
18 (“COOP”) implemented on March 18, 2020, in response to the ongoing COVID-19
19 pandemic, and to further the operations of the United States Bankruptcy Court in light
20 of the reduction in COVID-19 related illnesses and increased vaccination rate,

21 **IT IS HEREBY ORDERED** as follows:

- 22 1. Courtrooms May Open Effective April 19, 2021. The Court buildings and
23 courtrooms in all divisions of the United States Bankruptcy Court may open to
24 in-person visits, effective April 19, 2021, subject to the additional requirements
25 detailed below. While it is contemplated that most matters will continue to be
26 conducted remotely through video or telephonic means, the assigned judge
27 may choose to hold a matter in person as follows:
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1 a. Evidentiary Hearings and Trials. Whether a trial or evidentiary hearing
2 will be held in person or by video or telephone will be determined
3 on a case-by-case basis in the discretion of the assigned judge
4 in consultation with the involved parties. Specific concerns should
5 be brought to the attention of the assigned judge. An in-person
6 hearing may not be required over a COVID-19-related objection
7 of any party at this time.

8 b. Other Remote Court Hearings. Until further order, if the assigned
9 judge permits an in-person hearing on any matter other than a trial
10 or evidentiary hearing, provision must be made for a telephonic
11 or video appearance by any attorney or litigant who chooses not
12 to appear in person for any reason.

13 2. Safety Measures in Court. Where any in-person matter is held in a courtroom,
14 all participants are to observe social distancing rules, face coverings, and
15 other safety protocols posted and announced in the courtroom. The presiding
16 judge will determine whether face coverings may be removed in the courtroom
17 after consideration of the number of people in court, the individuals involved,
18 and the nature of the proceeding.

19 3. Intake Areas. All Intake Areas of the United States Bankruptcy Court will
20 continue to be open to accept in-person filings.

21 a. Safety. Anyone in the Intake Area must observe all posted and
22 announced social distancing rules and other safety protocols or
23 be required to leave the Intake Area without further assistance.

24 b. Public Computers and Electronic Kiosks. At the discretion of
25 the Clerk of Court, public computers and electronic kiosks may
26 be disabled to reduce any spread of infection through their use.

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1 c. Cash Payments. Cash will not be accepted for filing or copying fees
2 unless an exception is made by the Clerk of Court.

3 4. Face Coverings. In all public areas, anyone not wearing a face covering
4 or not observing posted social distancing rules as required by the General
5 Services Administration and the Centers for Disease Control guidelines
6 may be refused service.

7 5. Self-Represented Filings. Individuals filing bankruptcy without an attorney
8 may file in person, by mail, or through the Court's Electronic Self-
9 Representation module. The rules for such filings are posted on the
10 court's website at <https://www.cacb.uscourts.gov/dont-have-attorney>.
11 Parties requiring further assistance may contact the Court at (855) 460-9641.

12 6. Chapter 13 Electronic Filing. Effective April 19, 2021, Chapter 13 petitions
13 may not be filed electronically through eSR. Chapter 7 petitions may still
14 be filed through eSR. Chapter 13 petitions may be filed in person, through
15 the mail or electronically through an attorney.

16 7. Signatures and Filing Fees for New Petitions. If a bankruptcy case is
17 submitted through mail or eSR, the debtor must mail the required signatures
18 and filing fee within 10 days, or the case will be dismissed. All petitions from
19 self-represented debtors filing through eSR or U.S. mail are automatically
20 granted a fee installment so that the full required filing fee is due no later
21 than 10 days after the filing of the petition. For petitions filed through eSR,
22 an application for a fee waiver must be mailed to the Court within five (5) days
23 of the electronic petition filing, on the form available on the website
24 at [https://www.cacb.uscourts.gov/forms/application-individuals-pay-filing-fee-](https://www.cacb.uscourts.gov/forms/application-individuals-pay-filing-fee-installmentsapplication-have-chapter-7-filing-fee)
25 [installmentsapplication-have-chapter-7-filing-fee](https://www.cacb.uscourts.gov/forms/application-individuals-pay-filing-fee-installmentsapplication-have-chapter-7-filing-fee). For petitions filed by mail,
26 an application for a fee waiver shall be submitted with the petition. The Court
27 will issue an Order on the Fee Waiver Application within five (5) days.
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1 If a fee waiver or installment order is entered in a specific case, it will
2 supersede this General Order requiring the full fee within 10 days.

3 If the requisite fee and/or signatures are not mailed within 10 days or the time
4 provided in a separate order, the Court will dismiss the case without a hearing.

5 8. F.R.B.P. 5001(a). The electronic, mail, telephonic, and appointment access
6 provided through the above procedures and those detailed on the Court's
7 website are deemed sufficient to meet the requirements of F.R.B.P. 5001(a).

8 9. Social Security Number Statements. A self-represented litigant filing
9 a voluntary bankruptcy case must include the signed "Statement About
10 Your Social Security Numbers" (Official Form 121) with the initial filing
11 when mailing the documents (F.R.B.P. 1007(f)). When filing a voluntary
12 bankruptcy case through the Court's eSR program, the signed "Statement
13 About Your Social Security Numbers" form must be mailed to the Court
14 within 10 days of filing or the case will be dismissed. Please view the
15 Court's website for more information specific to self-represented parties
16 at <https://www.cacb.uscourts.gov/dont-have-attorney>.

17 10. Mediations. Mediations will continue and are in the discretion of the mediator
18 in consultation with the parties as to whether to proceed in-person or remotely.

19 11. Judge's or Courtesy Copies. Except for documents over 25 pages, including
20 exhibits, the requirement to deliver judges' copies of documents to chambers
21 (LBR 5005-2(d)) continues to be temporarily suspended – including delivery
22 via U.S. mail, personal delivery, or any other means. Documents over
23 25 pages should still be provided unless the judge's specific updated
24 instructions have waived that requirement. Parties are reminded that
25 the judge and chambers' staff do not receive electronic notices of filings,
26 and therefore, (a) for documents that are filed late, and (b) for matters that
27 are either (i) not set for hearing, or (ii) not the subject of an electronically
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1 uploaded order (LOU), parties must contact the chambers of the presiding
2 judge and advise chambers of the filing.

3 12. Signatures. Local Bankruptcy Rule 9011-1 does not require in-person contact
4 as it permits an attorney to receive a signature page by electronic means.
5 Nothing in the rule precludes the filing of a signature page that has been
6 received by facsimile, pdf, text or photo. This signature can be filed
7 separately in whatever format is reasonably possible so that there is a clear
8 indication that the signor has read and is signing the actual document filed.

9 a. In light of the difficulty of obtaining any paper files during
10 this emergency, the requirement of LBR 9011-1(d) to maintain
11 a wet signature for five (5) years is temporarily suspended and
12 the attorney should maintain the electronic transmission of the client
13 with permission to file the document in whatever format is reasonable.

14 b. If there is a situation where a client cannot transmit a signature
15 electronically either due to lack of required technology or internet
16 access, etc., the attorney should so explain the circumstances
17 with the filing, verify that permission was obtained from the client
18 to sign the document on their behalf, and obtain the signature
19 as soon as possible after the filing through another means.

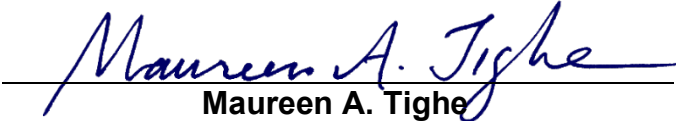
20 13. Phased Reopening Plans. The Court's COOP will remain in place and
21 be further modified as necessary. Details of these modifications will be posted
22 on the Court's website and communicated to staff as they are implemented.

23 14. Individual Courthouses May Be Closed. Should local suspected or confirmed
24 cases of COVID-19 or local, state and federal guidance change, individual
25 Court Divisions or Courtrooms may be closed without further order in the
26 discretion of the Chief Bankruptcy Judge after appropriate consultation.

1 Signs will be posted on the doors of the Division affected and directions
2 will be provided for obtaining needed court services. No further orders
3 will be issued for such temporary closures made pursuant to the ongoing
4 COOP.

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6 **IT IS SO ORDERED.**

7 DATED: April 8, 2021

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11 **Maureen A. Tighe**
12 Chief Judge, United States Bankruptcy Court
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