



SIGNED THIS 2nd day of July, 2024

A handwritten signature in black ink that reads "Paul M. Black".

Paul M. Black
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

IN RE:

**EFFECTIVENESS OF AMENDED
INTERIM BANKRUPTCY RULE 1020**

Standing Order No. 24-001

ORDER

On August 23, 2019, the Small Business Reorganization Act of 2019 (SBRA) was enacted into law. SBRA made substantive and procedural changes to the Bankruptcy Code and required changes to the Federal Rules of Bankruptcy Procedure (FRBP) to implement those changes. The effective date for SBRA was February 19, 2020, which was before the bankruptcy rules could be amended under the three-year process mandated by the Rules Enabling Act. Accordingly, the Advisory Committee on Bankruptcy Rules drafted, published for comment, and subsequently approved interim bankruptcy rules (Interim Rules) for distribution to the courts. The Committee of Rules of Practice and Procedure approved the Interim Rules, and the Judicial Conference authorized distribution of the Interim Rules to courts for adoption locally to facilitate uniform implementation of the changes mandated by SBRA. Pursuant to Standing Order No. 20-1, signed on February 7, 2020, this Court adopted the Interim Rules and made them effective on February 19, 2020.

On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (the CARES Act) was signed into law. The CARES Act made several temporary changes to the Bankruptcy Code, and those changes necessitated the amendment of Interim Bankruptcy Rule 1020. The Advisory Committee on Bankruptcy Rules recommended that the amendment of Interim Bankruptcy Rule 1020 be adopted as a local rule by each judicial district. The Committee of Rules of Practice and Procedure and the Executive Committee, acting on behalf of the Judicial Conference, approved the recommendation. Pursuant to Standing Order No. 20-5, signed on April 27, 2020, this Court adopted the Amended Interim Rule 1020 and made it effective retroactively to March 27, 2020, until further order of this Court.

On June 21, 2022, the Bankruptcy Threshold and Technical Corrections Act (BTATC Act), Pub. L. 117-151, temporarily extended until June 21, 2024, the provisions that necessitated the adoption of Amended Interim Rule 1020. Because the BTATC Act's debt limit for subchapter V cases expired on June 21, 2024, Interim Rule 1020 is applicable only to cases filed prior to June 21, 2024. The Court issues this order to clarify the applicability of this Court's adoption of Amended Interim Rule 1020.

NOW THEREFORE, it is ordered that Amended Interim Bankruptcy Rule 1020 shall apply only to cases filed before June 21, 2024.

IT IS SO ORDERED.

**** END OF ORDER ****