

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**In re:** )  
)  
**ADOPTION OF REVISED** )  
**INTERIM RULE OF BANKRUPTCY** ) **Misc. Proc. #20-210**  
**PROCEDURE 1020 PURSUANT TO** )  
**THE CORONAVIRUS AID, RELIEF,** )  
**AND ECONOMIC SECURITY ACT** )  
**OF 2020 (THE “CARES ACT”)** )

**STANDING ORDER**

On December 29, 2019, the United States Bankruptcy Court for the Western District of Pennsylvania (the “Court”) issued Standing Order #19-217 adopting changes to the Federal Rules of Bankruptcy Procedure (“Interim Rules”) necessitated by the enactment of 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 enacted into law. Section 1113 of the CARES Act 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.

**AND NOW THEREFORE**, this **22nd** day of **April, 2020**, it is hereby **ORDERED** that:

1. 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 following changes to Interim Rule 1020 are adopted by the Judges of this Court to be **effective immediately**:

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.

2. The version of Interim Rule 1020 previously adopted by way of Standing Order #19-217 is hereby superseded. All other Interim Rules adopted by way of Standing Order #19-217 shall remain in full force and effect.

3. The resulting set of Interim Rules (the “SBRA and CARES Act Interim Rules”), and a link to the affected National Bankruptcy Forms, shall be posted on the Court’s website.

4. For cases and proceedings not governed by the SBRA or CARES Act, the Federal Rules of Bankruptcy Procedure and the Local Rules of this Court, other than the SBRA and CARES Act Interim Rules, shall apply.

5. This Order shall remain in effect until the Federal Rules of Bankruptcy Procedure are formally amended, unless otherwise terminated by further order of this Court.

/s/ Carlota M. Böhm

CARLOTA M. BÖHM, CHIEF JUDGE  
UNITED STATES BANKRUPTCY COURT