

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

EXTENSION OF TEMPORARY CHANGES
TO INTERIM BANKRUPTCY RULE 1020
PURSUANT TO THE COVID-19
BANKRUPTCY RELIEF EXTENSION ACT

GENERAL ORDER

On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was enacted and became immediately effective. Section 113 of that legislation made several changes to the Bankruptcy Code, most of them temporary, to provide financial assistance during the coronavirus crisis.

The CARES Act modified the definition of “debtor” for determining eligibility to proceed under subchapter V of Chapter 11. Section 1182(1) of Chapter 11 of the U.S. Bankruptcy Code 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 definition of “debtor” in Section 1182(1) was to revert to its prior version one year after the effective date of the CARES Act.

In response to the CARES Act changes, Interim Rule 1020, which was adopted for use in this District by General Order dated February 5, 2020, was modified for one year to include references to “a debtor as defined in Section 1182(1) of the Code.”

On March 27, 2021, the COVID-19 Bankruptcy Relief Extension Act of 2021 (Extension Act) was signed into law and extended the CARES Act’s bankruptcy-related amendments for an additional year.

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, the amendment to Interim Rule 1020 shall remain in effect without interruption.

Unless otherwise ordered by this Court, upon the expiration of the one-year extension enacted by the Extension Act, this amendment to Interim Rule 1020 shall also expire and shall revert to the Interim Rule 1020 as adopted by this District on February 5, 2020.

Dated: APR - 1 2021

Carl L. Bucki

HONORABLE CARL L. BUCKI
Chief Judge, United States Bankruptcy Court

