

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND**

**NOTICE OF JUDICIAL RECUSAL FOR MATTERS IN WHICH
ROBERT A. GORDON APPEARS**

WHEREAS, Robert A. Gordon served as a Judge on the United States Bankruptcy Court for this District from June 18, 2006, until June 18, 2020; and

WHEREAS, former Judge Gordon previously informed the Court that he plans to return to the practice of law, and thus may appear before this Court; and

WHEREAS, Advisory Opinion No. 70, issued by the Committee on the Codes of Conduct of the Judicial Conference, recommends that, in furtherance of the Code of Conduct for United States Judges and 28 U.S.C. §455(a), a court should consider adopting a policy that judges should recuse themselves in any case in which a former colleague appears as counsel for a fixed period after the end of a judicial appointment; and

WHEREAS, the United States Bankruptcy Court for the District of Maryland has not previously established a recusal policy for when a former colleague appears before it, but has adopted a recusal period for matters in which former Judge Gordon enters his appearance, and has concluded it is in the best interest of all concerned to make the determination public; and

WHEREAS, the Court has determined that Judge Designate Maria Ellena Chavez-Ruark, selected for appointment to this Court on June 8, 2020 by the United States Court of Appeals for the Fourth Circuit, should be included in the period of recusal adopted by the Court.

NOW, THEREFORE, it is by the United States Bankruptcy Court for the District of Maryland, hereby agreed and determined:

- (1) Effective June 18, 2020 through December 31, 2021, and subject to the following provisions, all active and recalled members of this Court, including Judge Designate Maria Ellena Chavez-Ruark upon her appointment, will recuse themselves from a matter in which former Judge Gordon enters his appearance as counsel.
- (2) Consistent with Federal Rule of Bankruptcy Procedure 5004(a), the recusal provided herein will be over the proceeding or contested matter in which former Judge Gordon appears, or if appropriate, over the entire case, as determined by the presiding judge.
- (3) Other than Judge Designate Chavez-Ruark, the period of recusal established by this policy shall not apply to any judge who may be subsequently appointed to this Court.
- (4) Because the entire bench is subject to the recusal determination, the Bench's recusal is subject to the appropriate application of the doctrine of necessity or other similar principles.

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