



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MARYLAND  
OFFICE OF THE CLERK**

MARK A. NEAL  
Clerk of Court

THOMAS C. KEARNS  
Chief Deputy Clerk

[www.mdb.uscourts.gov](http://www.mdb.uscourts.gov)

November 30, 2022

**SUMMARY OF AMENDMENTS TO THE  
TO LOCAL RULES FOR THE U.S. BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND**

**EFFECTIVE DECEMBER 1, 2022**

The Court has approved several technical amendments to its Local Rules required by changes to the Federal Rules of Bankruptcy Procedure effective December 1, 2021 and the addition of a new fee payment method.

A brief explanation of the technical amendments follows. This summary was prepared by the Clerk's Office as an overview of the changes and should not serve as a substitute for reading the full text of the amendments. This summary does not include minor, non-substantive stylistic changes that were incorporated into the Local Rules as part of this amendment process.

- **Local Rule 1006-1** is amended to add Pay.Gov as a new method by which court fees may be paid by parties.
- **Appendix I** – Except for Interim Federal Bankruptcy Rule 1020, the Small Business Reorganization Act related interim Federal Rules of Bankruptcy Procedure are rescinded as superseded by promulgation of the final Federal Rules. Interim Federal Rule of Bankruptcy Procedure 1020 is retained as necessary to implement the temporary increased debt eligibility limits as set forth in the Bankruptcy Threshold Adjustment and Technical Corrections Act of 2022.

Redline copies of the local rule amendments are attached and are also available on the Court's website at: [www.mdb.uscourts.gov](http://www.mdb.uscourts.gov). The pending December 1, 2022 amendments to the Federal Bankruptcy Rules are available at: <http://www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments>.

###

**RULE 1006-1 FILING FEES - INSTALLMENT PAYMENTS**

(a) Tender of Payment. The filing fee may be paid in cash or by cashier’s check, certified check or negotiable money order made payable to “Clerk, United States Bankruptcy Court,” [or by debit card, PayPal or ACH \(electronic payment from a bank account\) via Pay.Gov.](#) Only counsel may pay filing fees by credit card. Payment by counsel’s check will be accepted only if the check is drawn on the account of the attorney for the debtor or on the account of a law firm of which the attorney for the debtor is a member, partner, associate or of counsel. The Clerk shall maintain a list of attorneys and law firms whose checks have been dishonored and may refuse to accept the checks of such attorneys or firms.

(b) Payment of Fees in Installments. Unless cause is shown or appears of record, the court will approve an application by an individual to pay the filing and administrative fees in installments that proposes a payment plan with minimum payments in accordance with the following schedule:

	At Filing	Within 30 Days After Filing	Within 60 Days After Filing	Within 90 Days After Filing
Chapter 7	25%	25%	25%	25%
Chapter 11	50%	50%	--	--
Chapter 12	25%	25%	25%	25%
Chapter 13	25%	25%	25%	25%

(c) Overpayment of Fees. Any overpayment of fees of \$25.00 or less will not be refunded.

# **APPENDIX I**

## **INTERIM AMENDMENTS TO THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

*(See Local Bankruptcy Rule 9029-2)*

1 **Interim Rule 1020. Chapter 11 Reorganization Case for**  
2 **Small 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.

18 (b) OBJECTING TO DESIGNATION. The United  
19 States trustee or a party in interest may file an objection to  
20 the debtor's statement under subdivision (a) no later than 30  
21 days after the conclusion of the meeting of creditors held  
22 under § 341(a) of the Code, or within 30 days after any  
23 amendment to the statement, whichever is later.

24           (c)     PROCEDURE FOR OBJECTION OR  
25 DETERMINATION. Any objection or request for a  
26 determination under this rule shall be governed by Rule 9014  
27 and served on: the debtor; the debtor’s attorney; the United  
28 States trustee; the trustee; the creditors included on the list  
29 filed under Rule 1007(d) or, if a committee has been  
30 appointed under § 1102(a)(3), the committee or its  
31 authorized agent; and any other entity as the court directs.

#### **Committee Note**

The Interim Rule is amended in response to the enactment of the Bankruptcy Threshold Adjustment and Technical Correction Act (the “BTATC Act”), Pub. L. No. 117-151, \_\_\_ Stat. \_\_\_\_\_. The BTATC reinstates the definition of “debtor” for determining eligibility to proceed under subchapter V of chapter 11 that was in effect from March 27, 2020 through March 27, 2022, under the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, 134 Stat. 281, as amended. Subdivision (a) of the rule is amended to reflect that change. This Interim Rule will terminate two years after the date of enactment of the BTATC, unless the Act is extended.