



# UNITED STATES BANKRUPTCY COURT DISTRICT OF MARYLAND

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## **Current Operational Status of the United States Bankruptcy Court for the District of Maryland During the COVID-19 Pandemic**

Updated November 16, 2020

The COVID-19 pandemic has presented substantial challenges to the United States Bankruptcy Court for the District of Maryland, just as it has for all courts. As of March 16, 2020, all in-court proceedings were suspended and all deadlines were extended, pursuant to United States District Court Standing Order 2020-05, as subsequently [amended](#). The Court has modified operations as appropriate in response to changing conditions presented by the pandemic. After moving to Phase Three of the District's [recovery plan](#) on September 28, 2020, the District implemented a [reduction in phasing](#) in response to worsening COVID-19 virus data, effective November 16, 2020. This operational status report provides a summary of the Court's current reduced operations. All pertinent Bankruptcy Court and District Court orders and notices are on the Bankruptcy Court's website, available by clicking [here](#), and should be referred to for more complete information.

### **Bankruptcy Hearings**

Pursuant to District Court [Standing Order 2020-11](#), all hearings, trials, and proceedings in the U.S. Bankruptcy Court for the District of Maryland scheduled to commence after June 5, 2020, will be held as scheduled, unless otherwise ordered or rescheduled by the presiding judge.

All hearing in Bankruptcy Court are being conducted as video conferences on the ZoomGov platform, unless the parties are otherwise notified. Instructions and resources for participating in virtual hearings are posted here – [www.mdb.uscourts.gov/hearings](http://www.mdb.uscourts.gov/hearings). Bar members are encouraged to review the materials posted on this webpage and are expected to be fully capable of participating in the virtual hearings.

The Bankruptcy Court continues to be available to hear and resolve emergency matters, including first day filings. Any emergency matters should be filed consistent with past practice and brought to the attention of the courtroom deputy for the presiding judge or the clerk of court. The Court prefers that such communications be made by email where possible.

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### **Bankruptcy Filing Deadlines**

All filing deadlines falling after June 5, 2020 are determined in accordance with the usual applicable rules and procedures, without regard to any temporary extensions that previously applied under pandemic related administrative or standing orders. Previously, filing

deadlines falling between March 16, 2020 and June 5, 2020, were extended by eighty-four (84) days, unless the presiding judge in an individual case set a different date by order or a new date was established by a Bankruptcy Court Administrative Order. The last of these extended deadlines expired on or about August 28, 2020. The Bankruptcy Court's Administrative Order 20-09, setting deadlines for certain motions and applications filed after April 15, 2020, was rescinded as no longer necessary on September 9, 2020 by [Administrative Order 20-16](#).<sup>1</sup>

### **Deadlines Related to Meetings of Creditors**

The United States Trustee issued a notice that it will hold all Chapter 7, 12, and 13 Section 341 Meetings remotely, by telephone or Zoom, commencing April 13, 2020 and during the period of the President's "Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak" issued March 13, 2020, and ending on the date that is 60 days after such declaration terminates. However, the U.S. Trustee may approve a request by a trustee in a particular case to continue the Section 341 meeting to an in-person meeting in a manner that complies with local public health guidance, if the U.S. Trustee determines that an in-person examination of the debtor is required to ensure the completeness of the meeting or the protection of estate property. Instructions and information to participate in the remote Meetings can be found [here](#).

Previously, the Bankruptcy Court entered [Amended Administrative Order 20-06](#) Addressing Certain Deadlines Related to Meetings of Creditors Under 11 U.S.C. § 341, and

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<sup>1</sup> Bankruptcy Court Administrative Order 20-10, which set a deadline for Chapter 13 plan modification motions under the CARES Act and set an expedited deadline for motions to temporarily suspend Chapter 13 plan payments or wage orders, was rescinded as no longer necessary on July 7, 2020 by [Administrative Order 20-15](#).

ordering that the rescheduled Section § 341 date for cases during the March and April timeframe constituted the “first date set for the meeting of creditors under 11 U.S.C. § 341(a)” and “the date on which the meeting of creditors is first scheduled to be held” under 11 U.S.C. § 1308(a). These dates are pertinent in calculating deadlines set under various Bankruptcy Rules from the rescheduled Section 341 meeting date. All such deadline dates for the rescheduled meetings have lapsed.

### **Courthouse and Clerk’s Office Operations**

In-person access to the Baltimore and Greenbelt Courthouses is limited. Until further notice, the Bankruptcy court’s public intake counters are open, by appointment only, Monday, Wednesday and Friday (except for federal holidays) from 9 a.m. to 2:30 p.m. Click [here](#) to make an appointment. The Clerk’s Office is also open to the public through telephone access during regular business hours and the drop boxes located in the lobby of each courthouse. The drop boxes will be available from 9:00 a.m. to midnight in Baltimore and 9:00 a.m. to 6:00 p.m. in Greenbelt. Unrepresented parties can also electronically submit documents via the Court’s [Electronic Document Submission System Pilot Program \(EDSS\)](#). CM/ECF will continue to be available for electronic filing.

### **Affidavits Encouraged to Increase Social Distancing**

The Court anticipates that parties will be encouraged to maximize social distancing for the foreseeable future. Counsel are strongly encouraged to file motions or objections with affidavits or declarations and authenticated documentary evidence that may establish a prima

facie case sufficient to enable the Court to rule on the matter without live testimony, as appropriate.

### **Other Pertinent Changes**

The Court has entered other Administrative Orders, as follows:

[Administrative Order 20-05](#) – temporarily suspending the requirement for counsel to obtain original ink “wet” signatures on petitions, Chapter 13 plans, declarations, and other documents described in the order.

[Administrative Order 20-07](#) – providing that Local Bankruptcy Rule 5073-1 applies to all court proceedings however conducted, and prohibiting any person or device, other than official electronic recorders employed by the Court, from recording any court proceeding, whether conducted in court, on telephone, or by video conference

[Administrative Order 20-13](#) – authorizing as presumptively reasonable certain attorneys’ fees in Chapter 13 cases related to work necessitated by the COVID-19 Pandemic, as a supplement to Appendix F of the Local Bankruptcy Rules.