

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

In re:)
)
EXTENSION OF DEADLINE FOR)
PAYMENT OF VOLUNTARY PETITION) Standing Order 20-13
FILING FEES IN CONSUMER CASES)
DUE TO THE COVID-19 OUTBREAK,)
)

ORDER EXTENDING DEADLINE FOR PAYMENT OF VOLUNTARY PETITION FILING
FEES IN CONSUMER CASES

This Order is being issued in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) in the United States and the Commonwealth of Virginia. On March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic. On March 12, 2020, the Governor declared a state of emergency in the Commonwealth of Virginia due to the continued spread of COVID-19. On March 13, 2020, the President of the United States declared a national emergency as a result of the COVID-19 outbreak. Public health officials urge all people to practice “social distancing” to combat the continued spread of COVID-19.¹ To slow the transmission of COVID-19 in the Commonwealth of Virginia, the Governor issued a statewide executive order which became effective on March 24, 2020, through April 23, 2020, that closed certain non-essential businesses, banned gatherings of more than 10 people, and closed K-12 schools through the end of the academic year.² Loss of income or employment is a consequence of the executive order. As a result, there are many people who may require

¹ See Va. Dep’t of Health, <http://www.vdh.virginia.gov/coronavirus/frequently-asked-questions/disease-prevention/> (last visited March 30, 2020).

² See Exec. Order 53, [https://www.governor.virginia.gov/media/governorvirginiagov/executive-actions/EO-53-Temporary-Restrictions-Due-To-Novel-Coronavirus-\(COVID-19\).pdf](https://www.governor.virginia.gov/media/governorvirginiagov/executive-actions/EO-53-Temporary-Restrictions-Due-To-Novel-Coronavirus-(COVID-19).pdf) (last visited March 30, 2020).

bankruptcy relief under Title 11 of the United States Code, but are temporarily unable to pay the filing fee for the voluntary petition due to a temporary, unanticipated decrease in income or loss of employment. Therefore, the Court finds good cause exists to except the voluntary petition filing fee in consumer bankruptcy cases from the terms of Standing Order 20-12 and instead extend the voluntary petition filing fee payment deadlines as set forth below.

Accordingly, it is hereby ORDERED that in individual cases under chapter 7 or chapter 13 of Title 11, in which the voluntary petition filing fee was not waived and the voluntary petition filing fee or any installment of the voluntary petition filing fee has an original due date between April 1, 2020, and May 31, 2020, the payment deadline is extended by six (6) weeks from the date the payment was originally due.³

It is further ORDERED that in individual cases under chapter 7 or chapter 13 of Title 11, in which the voluntary petition filing fee was not waived and the voluntary petition filing fee or any installment of the voluntary petition filing fee has an extended due date pursuant to Standing Order 20-7 between April 1, 2020, and April 14, 2020, the payment deadline is extended by six (6) weeks from the date the payment was originally due.⁴

It is further ORDERED that for individual cases under chapter 7 or chapter 13 of Title 11 filed on or after April 1, 2020, through and including May 31, 2020, if the debtor files an application to pay the petition filing fee in installments or receives an installment payment schedule upon denial of a fee waiver application, the first payment due date will be ten (10)

³ For example, if the original payment due date is April 8, 2020, then the new payment deadline is May 20, 2020.

⁴ For example, if the filing fee payment was originally due on March 25, 2020, and the payment deadline was automatically extended to April 8, 2020, under Standing Order 20-7, then the new payment deadline is May 6, 2020, which is six (6) weeks from March 25, 2020.

weeks after the petition date, the second payment due date will be fifteen (15) weeks after the petition date, and the third payment due date will be twenty (20) weeks after the petition date.

IT IS SO ORDERED.

FOR THE COURT:


FRANK J. SANTORO
Chief United States Bankruptcy Judge

Dated: March 31, 2020