

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

In re:)
)
CONTINUED EXTENSION OF)
DEADLINES FOR INSTALLMENT)
PAYMENTS OF THE VOLUNTARY) Standing Order 20-20
PETITION FILING FEE IN CONSUMER)
CASES DUE TO THE COVID-19)
PANDEMIC,)

ORDER SETTING DEADLINES FOR INSTALLMENT PAYMENTS OF THE VOLUNTARY
PETITION FILING FEE IN CONSUMER CASES

On March 31, 2020, in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) in the United States and the Commonwealth of Virginia, the Court entered Standing Order 20-13, which extended payment deadlines in then-existing consumer bankruptcy cases and set a schedule for filing fee installments due in consumer bankruptcy cases filed on April 1, 2020, through and including May 31, 2020. Standing Order 20-13 delayed installment payment due dates until later in bankruptcy cases to afford debtors more time to make installment payments in light of the economic impacts of the COVID-19 pandemic. Statistics for April 2020 reveal a 7.3 percent increase in Virginia’s seasonally adjusted unemployment rate compared to the prior month, bringing the Commonwealth’s seasonally adjusted unemployment rate to 10.6 percent.¹ The dramatic increase in the unemployment rate reveals the sudden and significant negative impact of the COVID-19 pandemic on Virginia’s economy.

Although the Governor of Virginia recently entered a “safer at home” order that instituted Phase One easing of certain COVID-19-related restrictions, many businesses are operating at

¹ See Timothy Aylor, *The Virginia unemployment rate rose to 10.6 percent in April while total nonfarm payroll employment fell by 383,400*, Va. Emp’t Comm’n (May 22, 2020), <https://www.vec.virginia.gov/node/11938>

reduced capacities while other business are not yet permitted to reopen to the public.² In addition, because COVID-19 infection rates are higher in certain areas of Virginia, the Governor entered an additional executive order that excepts thirteen (13) municipalities in Northern Virginia, the City of Richmond, and the County of Accomack from Phase One, returning those areas of Virginia to Phase Zero through May 28, 2020.³

Therefore, the Court finds that there remains good cause to continue to set installment payment deadlines for the petition filing fee in newly filed individual consumer bankruptcy cases at intervals of ten (10) weeks for the first installment payment, fifteen (15) weeks for the second installment payment, and twenty (20) weeks for the final installment payment.

Accordingly, it is hereby ORDERED that for individual cases under chapter 7 or chapter 13 of Title 11 filed beginning on April 1, 2020, and continuing until further notice, 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) 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: May 27, 2020

² See Am. Exec. Order 61, [https://www.governor.virginia.gov/media/governorviriniagov/executive-actions/EO-61-and-Order-Of-Public-Health-Emergency-Three-AMENDED---Phase-One-Easing-Of-Certain-Temporary-Restrictions-Due-To-Novel-Coronavirus-\(COVID-19\).pdf](https://www.governor.virginia.gov/media/governorviriniagov/executive-actions/EO-61-and-Order-Of-Public-Health-Emergency-Three-AMENDED---Phase-One-Easing-Of-Certain-Temporary-Restrictions-Due-To-Novel-Coronavirus-(COVID-19).pdf)

³ See Am. Exec. Order 62, <https://www.governor.virginia.gov/media/governorviriniagov/executive-actions/EO-62-and-Order-of-Public-Health-Emergency-Four-AMENDED.pdf>