

**MAR 16 2020**

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE

**IN RE:**

**INTERIM ORDER RELATING  
TO COURT OPERATIONS  
DUE TO CIRCUMSTANCES  
CAUSED BY COVID-19**

**ADMINISTRATIVE ORDER 20-4**

This Order is entered due to the exigent circumstances created by COVID-19 and after considering the interests of parties and attorneys who have matters before the Court, as well as the health and safety of Court personnel and the general public. This is an interim order to address immediate issues, and it will likely be followed by the implementation of additional procedures as the situation dictates. These changes will be in effect until further order of the Court.

1. **Effective immediately, there will be no in-person appearances in Bankruptcy Court hearings and conferences in Nashville, Cookeville, and Columbia. All hearings will be conducted telephonically or through some other type of electronic means as directed by the Court.**

2. The Chapter 13 hearing docket scheduled in Nashville for Wednesday, March 18, 2020; the Cookeville hearing docket scheduled for Thursday, March 19, 2020; and the Columbia hearing docket scheduled for Friday, March 20, 2020, will all be conducted via telephonic call-in arrangement. Instructions are attached. If a witness is necessary for any of those three dockets, the hearing will be continued for at least one week. However, counsel in any matter requiring a witness is still expected to

appear telephonically to discuss the nature of the required hearing and the timing of any continuance.

3. Beginning with the week of March 23, 2020, the Court will continue with no in-person appearances, utilizing an electronic process and is exploring various telephonic and video options to suit specific situations. The Clerk of the Court will post on the Court's website instructions for appearing at hearings, trials, pretrial conferences, status conferences, and motion dockets beginning with the week of March 23, 2020. Judges may also enter separate orders in specific proceedings to address particular types of situations.

4. It is anticipated that any hearing set on a regular motion docket that cannot be handled through stipulations and that requires testimony from a witness will be reset at a separate time. Counsel are encouraged to confer in advance regarding the timing of any such evidentiary hearing.

5. Local Bankruptcy Rule 9014-1(e) dealing with first-time continuances by agreement is altered as follows: the confirmation hearing in a Chapter 13 case may be continued multiple times by agreement so long as the continued hearing date is not later than 120 days after the filing of the petition. In the event of a continuance meeting that requirement, the Chapter 13 Trustee may make the announcement at the scheduled hearing or provide notice of the continuance to the Court by including it on the "no call" list provided in advance of the hearing.

6. In connection with a hearing on a motion to dismiss in a Chapter 13 case based on a failure of the debtor to comply with 11 U.S.C. Sec. 1326(a)(1)(a) due to making the first payment later than 30 days from the bankruptcy filing, the motion will be denied if (a) the initial payment was made within 60 days of filing, (b) all payments are current at the time of the hearing on the motion to dismiss, and (c) the debtor has

filed an affidavit or declaration under penalty of perjury explaining the reason for the initial untimely payment and such explanation is satisfactory to the Court.

7. It is not currently anticipated that there will be any disruption in acceptance of electronic filings through the Court's CM/ECF filing system. Paper filings from pro se parties will still be accepted by regular mail. The intake counter for paper filings will continue to be open at the present time, but the Clerk of the Court is authorized, in her discretion, to close the intake counter and implement a drop box system if justified by the circumstances.

IT IS SO ORDERED.

Dated: 3-16-20

  
MARIAN F. HARRISON, CHIEF JUDGE

  
RANDAL S. MASHBURN, JUDGE

  
CHARLES M. WALKER, JUDGE *by mfh*

## **Instructions for Motion Dockets on March 18, 19 & 20, 2020**

Toll-Free Call-In Number: **1-888-363-4749**

March 18, 2020, Nashville Chapter 13 Docket -- **Access Code 451 1038#**

March 19, 2020, Cookeville Docket -- **Access Code 897 9228#**

March 20, 2020, Columbia Docket -- **Access Code 451 1038#**

Please mute your phone unless you need to speak at the hearing.

Please do not put your phone on hold during the hearing if your hold function includes any recorded music or message.

Parties may not record court proceedings. Official recordings can be obtained by completing the appropriate form and delivering it to the clerk's office.