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6 **UNITED STATES BANKRUPTCY COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**

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9 In re:
10 MATTERS PENDING IN THE NORTHERN
11 DISTRICT OF CALIFORNIA

EIGHTH AMENDED GENERAL ORDER 38

12 **IN RE COVID-19 Public Health Emergency**

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14 **WHEREAS**, in March 2020, the United States Bankruptcy Court for the Northern
15 District of California (the "Court") closed its courtrooms and Clerk's office in response to the
16 COVID-19 pandemic;

17 **WHEREAS**, now that effective COVID-19 vaccinations are readily available to most
18 adults, and that masking and other safety protocols are well-established, the court believes
19 it is safe to commence the gradual reopening of in-person court proceedings;

20 **WHEREAS**, given that decisions concerning whether, when, and how to conduct in-
21 person proceedings necessarily involve health and safety considerations personal to each
22 judge, the Court believes it appropriate to afford each judge the discretion to promulgate
23 and implement their own practices and procedures regarding those evidentiary and/or non-
24 evidentiary hearings they wish to conduct in-person;

25 **NOW THEREFORE**, the United States Bankruptcy Court for the Northern District of
26 California issues the following Eighth Amended General Order 38, and **ORDERS** as follows:

27 Hearing information:
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1 1. In-person hearings may be held in the sole discretion of the presiding judge
2 and in accordance with practices and procedures adopted by each judge. No judge is
3 required to conduct in-person hearings. Each judge will publish their practices and
4 procedures for in-person hearings on their page on the court’s website.

5 2. All counsel, parties and other interested persons shall consult each judge’s
6 practices and procedures for in-person hearings (to be published on each judge’s page on
7 the court’s website) for information concerning whether a given hearing or calendar will be
8 conducted in-person and for other relevant instructions. All counsel, parties, and other
9 interested persons shall comply with each judge’s practices and procedures concerning in-
10 person hearings. Any failure to comply with such practices and procedures may result in
11 the imposition of sanctions.

12 3. **Recordation of any court hearing by any means is strictly prohibited.**
13 Any person recording a court hearing shall be subject to sanctions.

14 4. Until further notice, parties do not need to submit chambers’ copies.

15 5. Unless otherwise ordered by the presiding judge, there is no change to all
16 other scheduling procedures including, but not limited to, applications for injunctive relief,
17 orders shortening time, and hearings on “First Day” Chapter 11 motions.

18 6. Unless otherwise instructed by the presiding judge in their practices and
19 procedures concerning in-person hearings adopted pursuant to this order, all notices of any
20 motion or application filed with the Court and served on any party which sets a hearing date
21 for the motion or application must state that the hearing will not be conducted in the
22 presiding judge’s courtroom but instead will be conducted by telephone or video, and
23 include the following language:

24 “All interested parties should consult the Bankruptcy Court’s website at
25 www.canb.uscourts.gov for information about Court operations during the
26 COVID-19 pandemic. The Bankruptcy Court’s website provides information
27 regarding how to arrange a telephonic or video appearance. If you have any
28 questions regarding how to appear at a court hearing, you may contact the
Bankruptcy Court by calling 888-821-7606 or by using the Live Chat feature
on the Bankruptcy Court’s website.”

1 Filing information:

2 7. Information regarding Clerk's office Intake Counter hours of public operation,
3 the electronic submission of documents, mailing addresses and the location of drop-boxes
4 is available on the Court's website home page under the banner "Court Operations during
5 the COVID-19 Outbreak Information about Hearings, Filings, and Operations":

6 <https://www.canb.uscourts.gov/content/page/court-operations-during-covid-19-outbreak>.

7 8. ECF Registered Participants must continue to file all documents
8 electronically. All other parties may submit documents for filing by mail, electronically via
9 the Court's website, in designated drop-box locations or at the Clerk's office Intake Counter
10 during the posted hours of public operation. Filing fee payments (no cash) may be
11 submitted electronically, by mail or drop-box, or at the Clerk's office Intake Counter during
12 the posted hours of public operation.

13 9. This Order supersedes any inconsistent information or direction in any
14 standing order or notice related to the COVID-19 pandemic, and it replaces the Seventh
15 Amended General Order 38.

16 **IT IS SO ORDERED.**

17 Dated: December 1, 2021

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20 Charles Novack
21 Chief Bankruptcy Judge
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