

**IN THE UNITED STATES DISTRICT AND BANKRUPTCY COURTS
FOR THE DISTRICT OF IDAHO**

In Re:

**CARES-Act Related Amendment to
Bankruptcy Interim Rule 1020**

GENERAL ORDER NO. 366

On April 20, 2020 the Committee on Rules of Practice and Procedure and the Advisory Committee on Bankruptcy Rules recommended that local courts adopt the CARES-Act-related amendment to Interim Rule 1020. The United States Bankruptcy Court Advisory Committee on Local Rules for the District of Idaho followed that recommendation and adopted the amendment. Accordingly,

IT IS HEREBY ORDERED that Interim Rule 1020 is amended as follows:

**Rule 1020. Chapter 11 Reorganization Case for Small Business Debtors or Debtors
Under Subchapter V**

(a) **DEBTOR DESIGNATION.** In a voluntary chapter 11 case, the debtor shall state in the petition whether the debtor is a small business debtor or a debtor as defined in § 1182(1) of the Code and, if the latter, whether the debtor elects to have subchapter V of chapter 11 apply. In an involuntary chapter 11 case, the debtor shall file within 14 days after entry of the order for relief a statement as to whether the debtor is a small business debtor or a debtor as defined in § 1182(1) of the Code and, if the latter, whether the debtor elects to have subchapter V of chapter 11 apply. The status of the case as a small business case or a case under subchapter V of chapter 11 shall be in accordance with the

debtor's statement under this subdivision, unless and until the court enters an order finding that the debtor's statement is incorrect.

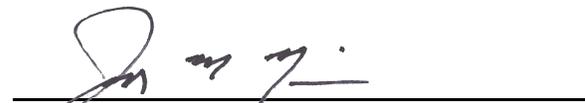
(b) OBJECTING TO DESIGNATION. The United States trustee or a party in interest may file an objection to the debtor's statement under subdivision (a) no later than 30 days after the conclusion of the meeting of creditors held under § 341(a) of the Code, or within 30 days after any amendment to the statement, whichever is later.

(c) PROCEDURE FOR OBJECTION OR DETERMINATION. Any objection or request for a determination under this rule shall be governed by Rule 9014 and served on: the debtor; the debtor's attorney; the United States trustee; the trustee; the creditors included on the list filed under Rule 1007(d) or, if a committee has been appointed under § 1102(a)(3), the committee or its authorized agent; and any other entity as the court directs.

DATED: This 23rd day of April, 2020.



David C. Nye
Chief Judge
United States District Court



Joseph M. Meier
Chief Judge
United States Bankruptcy Court