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

In re

DISCONTINUE USE OF INTERIM RULE  
1020 AND TEMPORARY AMENDED  
OFFICIAL FORM 201; and  
  
ABROGATION OF FOURTH AMENDED  
GENERAL ORDER 37.

**Fifth Amended General Order 37**

**Dated: July 9, 2024**

Since 2019, with adoption of the *Small Business Reorganization Act of 2019* (the “SBRA”), the debt limit to qualify as a debtor in a case filed under Subchapter V of Chapter 11, and the rules and forms to implement the debt limit, have changed several times.<sup>1</sup> For one of the more recent changes, effective June 21, 2022, the *Bankruptcy Threshold Adjustment and Technical Corrections Act* (the “BTATC Act”) reinstated a \$7,500,000 debt limit for Subchapter V cases. To implement this debt limit the Court adopted, *inter alia*, a BTATC Act based Interim Rule 1020, and a temporary amended Official Form 201. ([Third Amended General Order 37](#)).

Thereafter, effective December 1, 2022, most of the initial SBRA-based interim rules ceased being interim and became regular Bankruptcy Rules, and the temporary form changes became permanent, *except* the BTATC Act based Interim Rule 1020 remained interim, and the temporary amended Official Form 201 remained temporary. Accordingly, this Court retained the continued use of the BTATC Act based Interim Rule 1020, and the temporary amended Official Form 201 for Subchapter V cases. ([Fourth Amended General Order 37](#)).

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<sup>1</sup> SBRA required the adoption of several SBRA interim rules and temporary changes to Official Forms. In addition to the SBRA, the *Coronavirus Aid, Relief, and Economic Security Act* (the “CARES Act”), and the *Bankruptcy Threshold Adjustment and Technical Corrections Act* also modified the Subchapter V debt limit. For an extensive history of the Subchapter V debt limit increases and reductions, and the related rule and form changes see the [Fourth Amended General Order 37](#).

1 Effective June 22, 2024, pursuant the BTATC Act, the \$7,500,000 debt ceiling in  
2 Subchapter V cases expired, and as a result the BTATC Act based Interim Rule 1020 and the  
3 temporarily amended *Official Form 201* are no longer effective or required.

4 **NOW THEREFORE**, pursuant to 28 U.S.C. § 2071, Rule 83 of the Federal Rules of  
5 Civil Procedure, and Rule 9029 of the Federal Rules of Bankruptcy Procedure, the Court  
6 **ORDERS** as follows:

- 7 **1)** *Fourth Amended General Order 37* is hereby abrogated, and  
8 **2)** Use of the BTATC Act based *Interim Rule 1020*, and temporary amended *Official*  
9 *Form 201* in this Court are discontinued.

10 **IT IS SO ORDERED.**

11 Dated: July 9, 2024

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14 Stephen L. Johnson  
15 Chief Bankruptcy Judge  
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