

6/4/2021

Clerk, U.S. Bankruptcy Court
District of Montana
Butte Division**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA****In Re: BANKRUPTCY COURT
OPERATIONS****GENERAL ORDER NO.
2021-3-BPH****O R D E R**

By Order dated May 25, 2021, and effective June 1, 2021, the District Court rescinded its order requiring face coverings and social distancing as to all staff and visitors. *See* Administrative Order 21-8. In connection with any bankruptcy proceedings, this Court adopts the protocols outlined in Administrative Order 21-8 at paragraphs 1-4. Consistent with the Court's adoption of Administrative Order 21-8, **IT IS HEREBY ORDERED** that:

1. This Order supersedes General Order Nos. 2020-4, 5, 6, 9 and 10.
2. The temporary elimination of the Butte Division outlined in General Order 2020-10 is rescinded.¹
3. Subject to Paragraph 6 below, hearing participants may continue to elect to appear remotely via "Zoom." Anyone electing to appear remotely shall utilize the procedure identified by Montana Local Bankruptcy Rule ("LBR") 5074-1(b). "Video" for purposes of LBR 5074-1(b) shall refer to "Zoom." To appear remotely, parties must complete the form and follow the procedures for remote appearance, which are found on the Court's website at <https://www.mtb.uscourts.gov/request-remote-appearance>. Following submission of the form, the clerk's office will contact you to conduct any necessary testing that must be completed prior to the hearing. A party requesting to appear by video shall be responsible for ensuring a stable internet connection.
4. To maintain the decorum of the proceedings any party, counsel or witness appearing via Zoom shall:
 - a. Dress professionally;
 - b. If a participant chooses to use a "background," the background should reflect

¹ The temporary elimination of the Butte Division was caused by construction in the courtroom, not the COVID-19 pandemic.

professionalism and not detract from the proceedings;²

- c. If a party is appearing from home, or other shared space, the other occupants of the space should be advised that Court is proceeding, and the party appearing remotely cannot be interrupted;
- d. Participants appearing remotely should mute their microphone until their case is called and their participation is necessary; and,
- e. If for some reason, a connection to a participant is lost, the Court will stop the proceedings and the Court's IT staff will endeavor to fix the problem.

5. To allow the Court sufficient time to prepare and efficiently manage its docket, the Request for Remote Appearance form shall be submitted to the clerk of court's office at least three (3) business days prior to the hearing.

6. Requests to appear remotely in matters that are contested may not be permitted at the Court's discretion depending on the issues to be adjudicated.

Dated June 4, 2021.

BY THE COURT:



Hon. Benjamin P. Hursh
United States Bankruptcy Court
District of Montana

² For example, beaches, sunsets, mountains, sporting events, or other creative backgrounds are discouraged.