



B. McKay Mignault
B. McKay Mignault, Chief Bankruptcy Judge
United States Bankruptcy Court

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

IN RE: BNC SERVICE DISRUPTION AND BANKRUPTCY RULES EMERGENCY	GENERAL ORDER NO. 26-04 JUDGE B. MCKAY MIGNAULT
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**ORDER REGARDING BANKRUPTCY NOTICING CENTER
SERVICE DISRUPTION AND BANKRUPTCY RULES EMERGENCY**

On October 22, 2026, the Judicial Conference of the United States declared a “Bankruptcy Rules emergency” under Federal Rule of Bankruptcy Procedure (Bankruptcy Rules) 9038 based on a finding that extraordinary circumstances affecting electronic access to the bankruptcy courts substantially impair the courts’ ability to perform their functions in compliance with the Bankruptcy Rules due to a nationwide disruption of services provided by the Bankruptcy Noticing Center (BNC).

The declared Bankruptcy Rules emergency extends to all bankruptcy courts and district courts that process bankruptcy cases and grants authority for a period of 90 days beginning on October 9, 2026, through January 7, 2027.

Pursuant to Bankruptcy Rule 9038(c)(1)(A), the chief bankruptcy judge may, for all cases and proceedings in the district or in a division, order the extension or tolling of a Bankruptcy Rule, local rule, or order that requires or allows the Court, the Clerk, a party in interest, or the United States trustee, by a specified deadline, to commence a proceeding, file or send a document, hold or conclude a hearing, or take any other action, despite any other Bankruptcy Rule, local rule, or order.

Pursuant to Bankruptcy Rule 9038(c)(1)(B), the chief bankruptcy judge may, for all cases and proceedings in the district or in a division, order that, when a Bankruptcy Rule, local rule, or order requires that an action be taken “promptly,” “forthwith,” “immediately,” or “without delay,” it be taken as soon as is practicable or by a date set by the Court in a specific case or proceeding. Pursuant to Bankruptcy Rule 9038(c)(2), a presiding judge may take the action described above in a specific case or proceeding.

IT IS HEREBY ORDERED:

This Order applies to bankruptcy cases and adversary proceedings pending in or commenced in this district while this Order remains effective.

No debtor, creditor, trustee, or other party in interest shall be prejudiced by a failure to take action within a specified deadline or period due to lack of notice resulting from the BNC service disruption or respond to a notice or order that was not served as a result of the BNC service disruption, subject to applicable law and further order of the Court.

This Order does not extend, shorten, or alter any statutory deadline.

This Order shall remain in effect until further order of the Court.

SO ORDERED.