

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE: )  
 )  
ESTABLISHING AN INITIAL DEPOSIT )  
REQUIREMENT FOR CASES FILED )  
UNDER SUBCHAPTER V OF CHAPTER 11 )

**GENERAL ORDER 21-5**

To facilitate the administration of cases filed under Subchapter V of Chapter 11, and to ensure that the Subchapter V Trustees have a fund from which they may receive a minimum amount of compensation for their work in a case, it is hereby

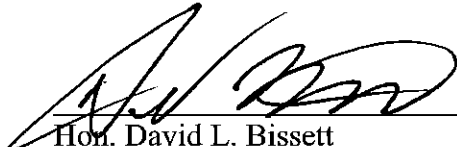
**ORDERED** that in all cases filed under Subchapter V of Chapter 11 after the date of the entry of this General Order, no later than seven (7) days after the filing of the Notice of Appointment of the Subchapter V Trustee, and unless the court orders otherwise, the debtor's attorney must segregate and hold the sum of one thousand dollars (\$1,000.00) in the attorney's trust account on behalf of the Subchapter V Trustee.

In *pro se* cases filed under Subchapter V of Chapter 11, the *pro se* debtor must tender to the Subchapter V Trustee the sum of one thousand dollars (\$1,000.00). The Subchapter V Trustee must hold these funds in escrow.

The purpose of the segregation of funds by the debtor's attorney and the tender of funds by the *pro se* party is to provide a minimum source of funds from which the Subchapter V Trustee may receive compensation for services rendered and obtain reimbursement for out-of-pocket expenses. The dollar amount required to be initially segregated or tendered is subject to adjustment by the Court upon the request of any interested party.

Payment of compensation and reimbursement of expenses to the Subchapter V Trustee from the segregated or tendered funds may not occur absent Court approval of the Subchapter V Trustee's application for compensation and reimbursement of expenses under §§ 503(b), 330, 331 and 1194 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 2016. Failure of the debtor to segregate or tender the required amount within seven (7) days after notification of the appointment of the Subchapter V Trustee may be cause for dismissal of the case pursuant to 11 U.S.C. § 1112(b).

**IT IS FURTHER ORDERED** that General Order 21-4 be and hereby is RESCINDED.

  
Hon. David L. Bissett  
United States Bankruptcy Court, N.D.W. Va.

12/17/2021  
(Date)