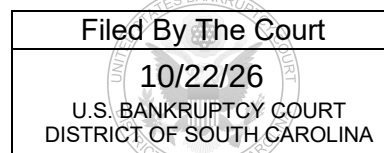


**UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA**



IN RE:

**NOTICE DISRUPTION DUE TO
BANKRUPTCY NOTICING CENTER
OUTAGE AND TEMPORARY
DELEGATION OF ADDITIONAL
NOTICES AND SERVICE OF
ORDERS,**

**OPERATING ORDER 26-03
URGENT**

Debtor(s).

The Bankruptcy Noticing Center (“BNC”) has experienced a nationwide disruption that prevents it from transmitting notices and orders to parties in the ordinary course (“notice disruption”). The notice disruption may have begun as early as October 6, 2026. The BNC is responsible for effecting service of notices and orders on behalf of the Clerk of Court. The BNC also maintains a list of preferred addresses submitted by parties in interest for serving documents in bankruptcy cases. As a result, notice performed by the BNC on that date and thereafter is not occurring, including U.S. mail notice to creditors and parties in interest, electronic notice to debtors electing to receive electronic notice through the Debtor Electronic Bankruptcy Noticing (DeBN) program, and national creditor notices pursuant to 11 U.S.C. § 342 and Fed. R. Bankr. P. 2002(g). The notice disruption does not affect Notices of Electronic Filing (“NEFs”) transmitted through the CM/ECF system, which continue to function normally. Since the notice disruption occurred, the Court has assessed the effects and possible mitigation on a daily basis and is now compelled to take action. At this time, it is unknown how long the notice disruption will last.

This notice disruption is nationwide and places a significant burden on courts and affected parties. The Court has assumed selective noticing of items delegated to the BNC in certain instances on an emergency basis, but does not have the resources to replace the services of the

BNC.¹ A significant backlog of items to be noticed exists that must be processed by the BNC when the notice disruption ends.

SC LBR 9013-4, Ex. A & B provide guidance to aid with service and notice, including service of any resulting order. Those exhibits list the Clerk of Court as the notice source for various orders. These items and others are affected, as well as the Notice of Bankruptcy Case, which sets forth several important deadlines or dates—i.e., notice of the 11 U.S.C. § 341 Meeting of Creditors, confirmation hearing information for chapter 13 cases, proof of claim deadlines, etc. SC LBR 5075-1 and 9013-4 currently delegate service and notice of various items pursuant to parties and SC LBR 9013-3 obligates the party delegated service to file a certificate of service within seven (7) days. While those Local Rules remain in full force and effect, persistence of the BNC notice disruption is cause to modify the service obligations for certain notices and orders entered by the Court to ensure the continued administration of bankruptcy cases and adversary proceedings. Accordingly, it is necessary for the Court to implement emergency temporary procedures as set forth below.

Pursuant to 11 U.S.C. § 105, Fed. R. Bankr. P. 2002 and 9006, SC LBR 5075-1, and the Court's authority to administer its docket, and subject to all applicable statutes, Rules, and other applicable law, to supplement any notice by the BNC that should occur when the notice disruption is resolved, it is **THEREFORE ORDERED THAT:**

1. **Applicability.** This Operating Order applies to all bankruptcy cases and adversary proceedings pending or commenced in this District while this Operating Order remains in effect.
2. **Notice of Bankruptcy Case.**

¹ The Clerk of Court serves thousands of orders and notices monthly through the BNC, multiplied by the number of parties on a mailing matrix to be served.

- a. **Status.** Since the date of the disruption, NEFs have been transmitted, ensuring receipt by the United States Trustee, the case trustee where applicable, and debtor's counsel. The Court has made efforts to notice *pro se* debtors and docket service details in the affected case. Debtors, creditors and other parties in interest likely have not been noticed with the Notice of Bankruptcy Case and await notice when the BNC notice disruption ends.
 - b. **Action Required.** Parties should be aware of this deficiency. For represented parties, counsel shall ensure their clients are notified of relevant dates. Unless otherwise notified by the Office of the United States Trustee or a case trustee, the examination of debtors at § 341 meetings will be conducted as scheduled.
3. **Orders and Other Notices Entered After the Notice Disruption.**
- a. **Status.** Since the date of the notice disruption, NEFs have been transmitted to CM/ECF users who have noted an appearance in a particular case, and notice of judgments and orders are provided to “contesting parties” as required by Rule 9022(a)-(b). The Court has made efforts to provide notice of some items such as dismissal orders, rules to show cause, some hearing notices and orders to debtors, and various orders and notices in *pro se* cases, and to docket those notice details in affected cases. All other parties and orders not delegated by the Local Rules await service when the BNC notice disruption ends.
 - b. **Action Required.** Parties should be aware of this deficiency. To mitigate the effects of the notice disruption, CM/ECF users should inform clients of upcoming hearings, deadlines, and other docketed items for which they receive NEFs. Parties

not already receiving NEFs are encouraged to file a notice of appearance in the individual case of interest to receive NEFs.

4. **Additional Notice Delegations.**

- a. **Status.** The Court has identified items essential and time sensitive, for which notice can feasibly be delegated to others to supplement any notice by the BNC when the notice disruption is resolved.
- b. **Action Required.** To supplement any notice by the BNC when the notice disruption ends, and in addition to the delegations set forth in SC LBR 5075-1, 9013-4, or in any other applicable Code section or Rule, the following additional notice and service delegations are temporarily implemented, and the party charged with notice shall make best efforts to promptly provide notice of the following items on the most accurate mailing addresses currently available (*see* (5) below), and file a certificate of service thereafter pursuant to SC LBR 9013-3. This requirement applies to all such items docketed on or after the date of entry of this Operating Order:²
 - i. Trustee's Order to Pay Wages to the case trustee (*Debtor, Debtor's Counsel, Payor*);
 - ii. Order denying confirmation of plan to the prevailing party (*Mailing Matrix*);
 - iii. Order confirming plan to the debtor or the plan proponent (*Mailing Matrix*);
 - iv. Order on motion to modify any confirmed plan to the debtor (*Mailing Matrix*);
 - v. Order on Trustee's notice of plan payment change to the case trustee (*Debtor, Debtor's Counsel*);

² Chapter 13 debtors' counsel are reminded that costs can be requested pursuant to SC LBR 2016-1(b)(7). Unless otherwise indicated on the case docket, these items have not been noticed to parties in interest from the date of the BNC notice disruption through the date of this Operating Order.

- vi. Order regarding motion to reopen or reconsider to the movant (*Mailing Matrix*); and
- vii. Order to divide a case or for joint administration to the movant (*Mailing Matrix*).

5. **Mailing Matrix.**

- a. **Status.** The notice disruption may also affect the ability to access the current and complete mailing matrices through usual means in the Case Management/Electronic Case Files (“CM/ECF”) system. Because the BNC disruption has impacted the National Creditor Registration Service, creditors’ preferred addresses pursuant to § 342 are currently unavailable.
 - b. **Action Required.** The following instructions should be followed to obtain the most accurate mailing matrix currently available. Note that this list of creditors does not include interested parties to a case, such as the debtor(s), trustees, or the U.S. Trustee. Therefore, the parties and counsel should review the mailing list to ensure that notice is provided to all appropriate parties when delegated to serve the mailing matrix:
 - Select “Query” from the top menu in CM/ECF.
 - Input the case number and select the “Run Query” button.
 - Select the “Creditor” link.
 - The next screen will ask what Creditor type that you are searching.
 - You may leave the “Creditor type” selection blank and select “Run Query” to list all creditors.
 - The next screen will display the list of the creditors and addresses to assist with service.
6. **Additional Measures.** The Court may amend this Operating Order or require additional measures to mitigate the notice disruption. Nothing herein prevents a party in interest from supplementing any notice or service provided or intended to be provided by the BNC, the

Court, applicable Rules, or this Operating Order, or from requesting other relief from the Court if affected by the notice disruption, including extensions of time and other relief. This Operating Order does not cure the notice disruption but is intended to mitigate some of the effects thereof. The Court appreciates the cooperation of the bar, regrets that it must share the burden of notice, and will continue to keep the bar informed.

/s/ Hon. Helen E. Burris
Chief United States Bankruptcy Judge
District of South Carolina

October 22, 2026