

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

In Re: Order of Succession for the	)	
Chief Judge of the United States	)	Standing Order No. 2011-10
Bankruptcy Court for the	)	
Western District of Virginia	)	

As it appears to the court that it is prudent and advisable to provide for an order of succession to the position of Chief Judge of the United States Bankruptcy Court for the Western District of Virginia, the court hereby adopts the same statutory provisions for Chief Bankruptcy Judge that govern designation of Chief United States District Judge as set forth under 28 U.S.C. § 136. Specifically, it is now

ORDERED

as follows:

- (1) The chief bankruptcy judge of the district shall be the bankruptcy judge in regular active service who is senior in commission of those judges who –
  - (a) are sixty-four years of age or under;
  - (b) have served for one year or more as a bankruptcy judge; and
  - (c) have not served previously as chief judge.
- (2) In any case in which no bankruptcy judge meets the qualifications of paragraph (1), the youngest bankruptcy judge in regular active service who is sixty-five years of age or over and who has served as bankruptcy judge for one year or more shall act as the chief bankruptcy judge until such time as another bankruptcy judge meets all the qualifications for chief judge under paragraph (1).

(3) In any case under paragraph (2) in which there is no bankruptcy judge in regular active service who has served as a bankruptcy judge for one year or more, the bankruptcy judge in regular active service who is senior in commission and who has not served previously as chief bankruptcy judge shall act as the chief bankruptcy judge.

(4) Except as provided in paragraph (6), the chief bankruptcy judge of the district appointed under paragraph (1) shall serve for a term of seven years and shall serve after expiration of such term until another judge is eligible under paragraph (1) to serve as chief bankruptcy judge of the district.

(5) Except as provided in paragraph (6), a bankruptcy judge acting as chief bankruptcy judge under paragraph (3) or (4) shall serve until a bankruptcy judge has been appointed who meets the qualifications under paragraph (1).

(6) No bankruptcy judge may serve or act as chief bankruptcy judge of the district after attaining the age of seventy years unless no other bankruptcy judge is qualified to serve as chief bankruptcy judge of the district under paragraph (1) or is qualified to act as chief bankruptcy judge under paragraph (2).

(7) The chief bankruptcy judge shall have precedence and preside at any session which he attends. Other bankruptcy judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age.

(8) If the chief bankruptcy judge desires to be relieved of his duties as chief bankruptcy judge while retaining his active status as bankruptcy judge, he may so certify to the

Chief Judge of the United States District Court for the Western District of Virginia, and thereafter, the chief bankruptcy judge of the district shall be such other bankruptcy judge who is qualified to serve or act as chief bankruptcy judge under paragraph (1).

(9) If a chief bankruptcy judge is temporarily unable to perform his duties as such, they shall be performed by the bankruptcy judge in active service, present in the district and able and qualified to act, who is next in precedence.

(10) If the judges of the district court determine that a chief bankruptcy judge will be unable to perform his duties for a prolonged period of time, or that a chief bankruptcy judge has not performed his duties in an appropriate fashion, the district court shall remove the chief bankruptcy judge, and replace that person with the bankruptcy judge in active service, present in the district, and able and qualified to act, who is next in precedence.

ENTER this 18th day of July, 2011.

FOR THE COURT:

A handwritten signature in cursive script, appearing to read "Glen E. Conrad".

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Glen E. Conrad, Chief United States District Judge