United States District Court
Southern District of Texas
ENTERED

MAY 21 2004

Michael N. Milby, Clerk
By Deputy Clerk M. Gesselt

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN THE MATTER WITH RESPECT TO RECUSAL OF JUDGES ON APPEARANCE OF FORMER BANKRUPTCY JUDGE COLLEAGUE

GENERAL ORDER NO. 2004-7

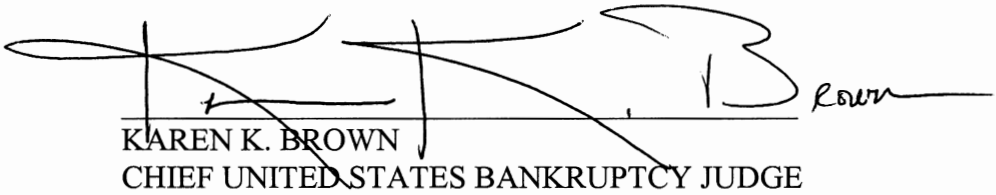
ORDER

It has become necessary for the Court to announce a policy concerning recusal when a former judge appears as counsel. After careful consideration of the Code of Conduct for United States Judges and 28 U.S.C. § 455(A) (See Canon 2A and Canon 3B(3)), it is this Court's determination that each Southern District of Texas bankruptcy judge whose tenure has overlapped that of a resigning judge should recuse for a period of two years after the effective date of the resignation. This recusal period applies to all appearances in court, on pleadings, and/or to billing time in fee applications reviewed by the Court.

Any judge resigning from the bench may not appear as counsel in any case which was pending on the docket of the United States Bankruptcy Court for the Southern District of Texas as of the date of his/her resignation. This prohibition also applies to any case reinstated or refiled which

was ever on the docket prior to the resignation. Failure to comply will result in the disqualification of counsel by the presiding judge.

Signed this 21 day of May, 2004 at Houston, Texas.



KAREN K. BROWN
CHIEF UNITED STATES BANKRUPTCY JUDGE