

The order below is hereby signed.

Signed: November 18 2013



A handwritten signature in black ink, reading "S. Martin Teel, Jr.", written over a horizontal line.

S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

**ADMINISTRATIVE ORDER
RELATING TO ELECTRONIC CASE FILING**

Federal Rule of Civil Procedure 5(d)(3) and Federal Rules of Bankruptcy Procedure 5005(a)(2), 9011, 9029, and 9036 authorize this Court to establish practices and procedures for the filing, signing, and verification of filings and documents by electronic means. This Order sets forth those practices and procedures.

IT IS ORDERED that:

1. The *Administrative Procedures for Filing, Signing, and Verifying Documents by Electronic Means* with amendments effective December 1, 2013, have been presented to this Court and are hereby approved. The Court will revise and update the *Administrative Procedures* as needed and notify the bar of such revisions. The *Administrative Procedures* and subsequent revisions will be posted on the Court's web site at <http://www.dcb.uscourts.gov>

2. Beginning June 1, 2005, Electronic Case Filing (ECF) will be mandatory for:

- all active members, in good standing, of the United States District Court for the District of Columbia bar and all attorneys of the U.S. Trustee's office filing and practicing in the United States Bankruptcy Court for the District of Columbia.
- creditors and claimants who annually file more than ten (10) proofs of claim or similar documents (such as assignments of claims, and Federal Rule of Bankruptcy Procedure ("FRBP") 2002(g) requests) must file electronically. Creditors and claimants who annually file fewer than ten (10) proofs of claim or similar documents may file electronically, but are not required to do so.

Pro se debtors and other parties (other than creditors and claimants) not represented by counsel may not file electronically; therefore, the *Administrative Procedures* do **not** apply to such filers.

3. The provisions of this Order shall apply to all cases previously filed, proceedings presently pending, and those subsequently filed in the United States Bankruptcy Court for the District of Columbia.
4. Any Order/Paperless Minute Order signed electronically and hence without the original signature of the judge shall have the same force and effect as if the judge had affixed his signature to a paper copy of the order and entered it in a conventional manner. Papers (such as discharges of debtors and notices) that are issued and entered by the Clerk's Office are similarly effective when signed electronically.
5. Electronically filed documents may be filed twenty-four (24) hours a day in the Court's Case Management/Electronic Case Filing ("CM/ECF") system. Electronically filed documents will constitute simultaneous filing of the document and entry of that

document on the docket kept by the Clerk of Court in accordance with FRBP 5003.

6. The electronic filing of documents shall be suspended if, under extraordinary circumstances, CM/ECF is out of service. The Clerk's Office will maintain a log of these occurrences for reference purposes. If and when CM/ECF will be unavailable due to routine maintenance, the Clerk's Office will post advance notice on the Court's web site at <http://www.dcb.uscourts.gov> and on the CM/ECF login screen.
7. When the Clerk's Office scans paper documents filed by pro se filers and non-CM/ECF participants and docketed such filings in CM/ECF, the electronically scanned document shall constitute the official record of the Court. With the exception of the Voluntary Petition and the Statement of Social Security Number (Form B-21), the Clerk's Office may discard all filed paper documents that have been scanned electronically.
8. Amendments to this Order and the *Administrative Procedures for Filing, Signing, and Verifying Documents by Electronic Means* may be entered as necessary.
9. Nothing contained in this Order is intended, or shall be construed to alter or modify any party's duties under the provisions of the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure.

This Order is effective December 1, 2013.

[Signed and dated above]

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLUMBIA

ADMINISTRATIVE PROCEDURES FOR FILING, SIGNING, AND VERIFYING
DOCUMENTS BY ELECTRONIC MEANS

(NOTE: Pro se debtors and other parties (other than creditors and claimants) not represented by counsel may not file electronically; therefore, these Administrative Procedures do not apply to such filers.)

As Amended Effective December 1, 2013

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 Registration Form

I. REGISTRATION FOR ELECTRONIC CASE FILING (ECF)

A. Terms

1. "CM/ECF" refers to the Court's Case Management/Electronic Case Filing system that receives documents filed in electronic form.
2. "Electronic User" (or "User") refers to both of the following:
 - a. "Limited-Rights User" refers to users who can file with the limits as set forth in Part I.C.2.
 - b. "Full-Rights User" refers to users who can file without limitations.
3. "Filing Agent" refers to a person who a Full-Rights User has designated in CM/ECF to have authority to file documents on the User's behalf.
4. "Notice of Electronic Filing" ("NEF") refers to the notice automatically generated by CM/ECF each time a document is filed or a docket event is entered.

B. Designation of Cases

Cases filed **on and after October 6, 2003**, are completely electronic and are part of the Court's CM/ECF system. All cases opened **prior to October 6, 2003**, are in paper form prior to this date and in electronic form thereafter. Therefore, all petitions, motions, memoranda of law, or other documents filed after October 6, 2003, in cases opened prior to October 6, 2003, must be filed electronically, except as expressly provided or in circumstances where the User is prevented from filing electronically (i.e., CM/ECF system failure). Notwithstanding the foregoing, parties who are not Users in CM/ECF are not required to file documents electronically.

C. Registration

All Users must complete and submit a registration form even if the User uses CM/ECF in another federal court. Both the Attorney/Full-Rights User and Creditor/Claimant/Limited-Rights User Registration Forms are available on the Court's web site at <http://www.dcb.uscourts.gov/dcb/>

1. An Attorney/Full-Rights User Registration Form, in the form attached hereto as Exhibit A, must be submitted for each attorney User. A separate registration form must be submitted for each attorney within a particular law firm.
 - a. In order for an attorney User to register for CM/ECF, the attorney must be an active member, in good standing, of the bar of the United States District Court for the District of Columbia.
 - b. Failure to maintain good standing with the U.S. District Court for the District of Columbia will result in non-issuance of a login and password (See District Court LCvR 83.9).
 - c. Attorney Users must provide the Clerk's Office with a current e-mail account for use in CM/ECF. When an attorney changes his or her e-mail address, the attorney must update his or her CM/ECF account information to include the new e-mail address.
2. A Creditor/Claimant/Limited-Rights User Registration Form, in the form attached hereto as Exhibit B, may be submitted by any entity desiring to use CM/ECF for the following limited purposes that do not require the appearance of legal counsel:
 - a. Modification of Creditor Information

- b. Notices of Appearance and Request to Add Party to Matrix
 - c. Notices of Appearance (for Attorneys representing Creditors)
 - d. Proofs of Claim
 - e. Reaffirmation Agreements
 - f. Reclassifications of Claims
 - g. Request to Withdraw Document
 - h. Transfers of Claims
 - i. Withdrawals of Claims
 - j. Financial Management Course Certificate
3. Registration forms may be hand-delivered, mailed, or faxed to the Clerk's Office at 202-354-3128.
4. Upon approval of the submitted registration form, each User will receive training information from the Clerk's Office via e-mail. After successful completion of the Court's training, each User will receive a CM/ECF login and password.
- a. **Experienced Attorney Users.** Attorney Users who received classroom CM/ECF instruction in another federal court are required to complete on-line training exercises in this Court's CM/ECF training database. This on-line training is in lieu of additional classroom training. The exercises will be e-mailed to the attorney after the Clerk's Office receives the attorney's registration form.
 - b. **New Attorney Users.** Attorneys who are new to CM/ECF are required to attend one of the Clerk's Office's CM/ECF training sessions. Training dates and times are posted on the Court's web site at:
<http://www.dcb.uscourts.gov/dcb/ecf-training>
Attorneys may call the Clerk's Office CM/ECF Help Desk at 202-354-3281 in advance to schedule training, or sign up electronically

via the "ECF Training (Sign Up) & Help Desk" link on the court's home page.

5. The Clerk's Office has prepared training materials and User resources, including an Attorney User's Guide and a Creditor/Claimant/Limited-Rights User tutorial. These resources will be updated as necessary and are available on the Court's web site at <http://www.dcb.uscourts.gov/dcb/>. The Clerk's Office will send an e-mail notice to all Users when materials are updated and posted to the Court's web site or post them in a quarterly newsletter.
6. Upon successful completion of the training, each User will receive a login and password to the Court's live CM/ECF system.

Users may wish to change their Court-issued password. User account information may be modified by using the Account Maintenance option in the CM/ECF Utilities menu. After a User changes his or her password, the Court no longer has knowledge of the User's password. Therefore, if a User changes his or her password and subsequently loses or forgets the new password, the User will need to contact the Clerk's Office for issuance of a new password.

7. If any of the information on the registration form changes (e.g., mailing address, e-mail address, etc.) it is the responsibility of the User to update this information in CM/ECF's "Maintain User Account" menu option. Likewise, when an attorney changes law firms, the attorney must submit an amended registration form and receive a new password from the Clerk's Office. It is the attorney's responsibility to notify the Clerk's Office as soon as such changes occur.

D. Passwords

The login and password required to submit documents to CM/ECF serves as the User's original signature on all electronic documents filed with the Court. The login and password also serves as a signature for purposes of FRBP 9011, other Federal Rules of Bankruptcy Procedure, the local rules of this Court, and any other purpose for which a signature is required in connection with proceedings before this Court.

Electronically filed documents that are required to include a signature of the filer must include a signature block that sets forth the name, address, telephone number, and (in the case of an attorney) the attorney's bar registration number. In addition, the name of the User who is submitting a document (or on whose behalf a Filing Agent is submitting the document) must be preceded by an "/s/" and typed in the space where the signature would otherwise appear. (e.g., "/s/ Jane Doe")

Also acceptable is /s/_____ with a signature block below listing the name of that User as the signatory.

A User may not delegate or share the User's password with associates, paralegals, secretaries, and other individuals. A Full-Rights User may, however, designate in CM/ECF a Filing Agent or Filing Agents authorized to file documents on the User's behalf. The User is solely responsible for all documents filed via the User's password. The User is solely responsible for all documents filed via the User's Filing Agent's password: a filing under a Filing Agent's password is deemed to be a filing by the User. Likewise, if a User has e-mail Notices of Electronic Filing sent to associates, paralegals, secretaries, and other individuals, the User is solely responsible for managing, maintaining, and, when necessary, responding to all Notices of Electronic Filing.

1. Participation in CM/ECF, by receipt of a login and password from the Court, shall constitute a request from the User for electronic service and notice pursuant to FRBP 9036, except as provided by FRBP 9014 (papers commencing a contested matter), which in the case of service upon an individual, requires service by first class mail. For example, a motion for relief from stay must be mailed or hand delivered. Users, by receiving a login and password from the Court, agree to receive notice and service by electronic means. Registration and receipt of a CM/ECF login and password constitutes:
 - a. waiver of the right to receive notice by first class or certified mail and consent to receive notice electronically; and
 - b. waiver of the right to service by personal service, first class or certified mail, and consent to electronic service, except with regard to service commencing an adversary proceeding or a contested matter. Waiver of service and notice by first class or certified mail also applies to notice of the entry of an order or judgment under FRBP 9022.

2. The Court may revoke a User's login and password, and, therefore, the User's authority and ability to electronically file documents, for:
 - a. failure to comply with any provision of the agreement contained in the User's registration form;
 - b. failure to adequately protect his or her login and password;
 - c. failure to comply with the provisions of this *Administrative Procedures for Filing, Signing, and Verifying Documents by Electronic Means*;
 - d. failure to pay fees required for documents filed electronically;
 - e. failure to maintain active membership in the Federal District and Bankruptcy Courts for the District of Columbia Bar;
 - f. as a sanction ordered by the Court after notice and opportunity for hearing; or
 - g. other misuse of CM/ECF.

II. ELECTRONIC FILING AND SERVICE

A. Filing

1. All petitions, motions, memoranda of law, or other documents, except for creditor matrices, are to be converted into Portable Document Format (PDF) and filed directly into CM/ECF. Creditor matrices are to be filed in a similar manner, but in text (.txt) format.
2. In order for a User to submit filings or documents in paper format, the User must request a judicial waiver via a motion and proposed order to the Court. If paper

filings or documents are submitted without a request for waiver, the Clerk's Office may proceed with steps to possibly strike the document.

- a. All documents less than 1500 pages must be filed electronically. Exhibits or attachments, including sealed material, that (A) exceed 1500 pages of text; or (B) are illegible when scanned into electronic format, may be filed by hand with the Clerk in original format, and may be viewed in the Clerk's Office during business hours. Documents or items filed pursuant to this subsection shall be served, if it is necessary to serve them, by mail or hand delivery, unless counsel have otherwise agreed. All other exhibits or attachments filed under seal shall be filed in paper form in conformity with the requirements of LCvR 5.1(j). Items not in a format that readily permits electronic filing, such as maps, charts or video tapes, are to be maintained in the possession of the attorney or pro se party responsible for the filing. These items must be made available for a party or the Court, and must be identified as such in a filed Notice with the Clerk.
3. For entities that file more than ten (10) proofs of claims in a calendar year, a judicial waiver will be required to file such documents in paper format. If paper documents are submitted without a waiver, the Clerk's Office may proceed with steps to strike the document.
4. Parties not represented by counsel (other than creditors filing proofs of claims) shall file documents in paper format with the Clerk's Office. These documents will be scanned into PDF format by the Clerk's Office. The Clerk's Office will then docket or file the documents in CM/ECF.

The paper documents filed by pro se filers after being docketed will be discarded without further notice. (In March 2005, the Judicial Conference determined that

the electronic record is the official record for all bankruptcy cases.)

5. Because CM/ECF is a "real-time" system, the receipt of filing will show the actual date and time a document was filed in CM/ECF. Documents submitted electronically in CM/ECF outside of normal business hours will be deemed filed on the date and time received. For example, if a document is received at 7:30 P.M. on April 13, 2005, the receipt of filing will show that date and time, and the document will be deemed filed as of that date and time. Deadlines will not change as a result of this policy. The deadline for filing, unless otherwise specifically set, is 11:59:59 P.M. of the due date (Eastern Time).
6. The User must designate a title for the filing by selecting the appropriate event title from the categories provided in CM/ECF. (See also paragraph II.D. of these *Administrative Procedures*.) Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the Clerk's Office.
7. Users seeking to file emergency motions or other expedited matters shall contact the Clerk's Office by telephone at 202-354-3178 immediately after filing such documents. Failure to notify the Clerk's Office of such filing within one hour of the time stated on the Notice of Electronic Filing may result in denial of the request for expedited or emergency relief, or a delay in action on the motion.
8. Filings relating to matters scheduled for hearing such as motions to continue, proposed consent orders, and similar filings that affect a matter that is scheduled for hearing, must be filed by 4:30 P.M. the day before the scheduled hearing or the matter will remain on the calendar and counsel will be required to attend the hearing. If a User files a document that affects a matter on the calendar after 4:30 P.M. the day before a scheduled hearing, the User shall also notify the

Courtroom Deputy of such filing by telephone at 202-354-3178.

B. Signature

1. The electronic filing of a petition, motion, claim, or other document by a User or by a User's Filing Agent purporting to bear the User's signature shall constitute a submission by that User under FRBP 9011 and other applicable rules.
2. Except as provided in paragraph 3, all documents electronically filed shall either contain a scanned image of any signature or indicate the signature by an "/s/" followed by the name of the signatory typed in the space where the signature would otherwise appear. Also acceptable is /s/_____ with a signature block below.
3. Except in the case of an affidavit or a document signed under penalty of perjury, a filed document may indicate that a signature has been authorized in writing (with the form of authorization—e.g., "faxed signature" or "e-mail-authorized signature"—indicated on the electronically filed document).
4. When filing a document, the User must have the paper document containing the original signature of each person (other than the User) who signed the document or proof of authorization under paragraph 3 to affix such signature. The user must retain that paper document (and any document that is proof of authorization under paragraph 3 to affix any signature) **for a period of five (5) years from the filing of the document. The document may be retained in either paper or electronically (i.e., a scanned copy of the originally-signed document).** This requirement does not apply to a document filed with a scanned image of the original signature.

C. Service

1. Whenever a document is filed electronically in accordance with these *Administrative Procedures*, CM/ECF will automatically generate a "Notice of Electronic Filing" ("NEF") at the time of docketing. The NEF will be sent automatically to all entities who are Full-Rights Users in CM/ECF who, in a bankruptcy case, have entered an appearance in the case or have requested to receive notice in the case or, in an adversary proceeding, have entered an appearance.
2. Participation in CM/ECF, by receipt of a login and password provided by the Court, shall constitute (1) a request for notice by electronic means pursuant to FRBP 9036, and (2) consent under FRCP 5(b)(2)(E) to service of papers by electronic means, with the transmission of the notice or paper being complete upon the transmission of the NEF relating to such notice or paper. Users in CM/ECF, by possessing a login and password from the Court, agree to receive such notice and service by electronic means, through NEFs, both from the Court and from other ECF Users. This does not apply to the commencement of an adversary proceeding (which requires service of a summons and complaint under FRBP 7004) or to service commencing a contested matter, or service prior to the filing of Rule 9011(c)(1)(A) motions, but does apply to other motions filed in an adversary proceeding or a contested matter that has already been commenced.
3. When an attorney files a document electronically, CM/ECF automatically e-mails an NEF with the document as a hyperlinked attachment **if and only if** the recipient is a Full-Rights User.
4. The attorney User must make service upon all entities not receiving electronic service in accordance with applicable rules.

5. Except when a paper commences an adversary proceeding or a contested matter, an acceptable form of certificate of service is to recite that: (a) "The following entities were served by Notice of Electronic Filing:"; and (b) "The following entities were served by first class mail at the indicated addresses:"
6. When a paper commences an adversary proceeding or a contested matter, electronic service is not adequate service.
7. The return of service on a summons in an adversary proceeding may be filed electronically by using the "summons service executed" event.

D. Title of Docket Entries

Users are responsible for designating appropriate docket entry titles for all filings by using one of the docket event categories prescribed by the Court. If a User is unable to locate an appropriate docket entry title for a filing, the User should call the Clerk's Office CM/ECF Help Desk at 202-354-3281 for clarification and further instruction.

E. Correcting Docket Entries

Once a document is filed in CM/ECF and the NEF is generated, the document becomes part of the case docket. If errors are found in documents filed by Users, the Clerk's Office may issue an Electronic Deficiency Notice ("EDN") in the case. The EDN advises the User of the problem and provides general instructions on how to correct it. Although the EDN is sent to all Users in the case, it is the responsibility of the User who submitted the deficient filing to correct the error within seventy-two (72) hours of the issuance of the EDN. If the User does not respond to the EDN or otherwise correct the filing within 72 hours, the Clerk's Office may strike the

document, or set a hearing in which the User must show cause why he or she has failed to comply with the EDN.

Users who repeatedly receive EDNs or who do not respond to EDNs in a timely manner may be required to attend additional training provided by the Clerk's Office.

F. Consequence of Electronic Filing

- i. Electronic transmission of a filing or document into CM/ECF or the docketing of an event in CM/ECF, consistent with these rules, together with the transmission of a Notice of Electronic Filing from the Court, constitute filing of the document for all purposes of the Federal Rules of Bankruptcy Procedure and the local rules of this Court, and constitute entry of the document on the docket kept by the Clerk of Court under FRBP 5003.
2. Whenever a document has been filed, whether, in paper and subsequently imaged or via an electronically docketed event, the official record is the electronic recording of the document as stored in CM/ECF. The filing party is bound by the document as filed or event docketed.

G. Fees Payable to the Clerk

The payment of fees generated by a filing is the responsibility of the User **at the time of filing, and the User is liable for such fees**. In the case of joint filings, the User who files the document is responsible for paying the fee at the time of filing. In CM/ECF, all filing fees must be paid electronically with a valid credit card by the User. All required fees must be paid via valid credit card within twenty-four (24) hours of the time of filing. Failure to make payment within this time period will result in the User being "locked out" of CM/ECF until the fee is paid. If fees are not received in a timely manner,

steps may be taken to either reject the document or dismiss the case.

Users who are locked out of CM/ECF for failure to pay required fees at the time of filing may file subsequent documents in paper pursuant to paragraph II.A.2 of these *Administrative Procedures*.

If an attorney User encounters a problem with the CM/ECF payment screen or is not prompted to pay a filing fee that is due, the User must call the Clerk's Office CM/ECF Help Desk at 202-354-3128. If a filing fee error occurs with a credit card payment the User may petition the court for a refund.

H. System Failure

When a document must be filed or an event must be docketed immediately during normal business hours, but electronic filing cannot be accomplished because of a CM/ECF system failure, the filing party shall, after making at least two attempts to file electronically, contact the Clerk's Office at **202-354-3281** to confirm that CM/ECF is not accessible. If it is confirmed that CM/ECF is not accessible, or, if CM/ECF cannot be accessed due to a system failure during non-business hours, the filing or document shall be sent as an attachment in PDF format via e-mail to the following address:

Michael_Wint@dcb.uscourts.gov with a carbon copy to Aimeee_Mathewes@dcb.uscourts.gov.

The User must file with the document an affidavit stating the reason(s) why the document is being filed via e-mail, demonstrating compliance with the prerequisites of these *Administrative Procedures*. Users who experience a CM/ECF system failure and file documents via e-mail must call the Clerk's Office prior to 10:00 a.m. the next business day to advise that a document has been filed via e-mail. The Clerk's Office will download and file the PDF document, which

will be deemed filed on the date and time of the e-mail transmission. Nothing contained in this paragraph is intended to alter rights contained elsewhere in these *Administrative Procedures* or in local or federal rules.

I. Exhibits

1. Exhibits to Motions/Pleadings:

Exhibits, including but not limited to leases, notes, and the like, shall be filed in electronic form.

2. Trial Exhibits:

Three copies (the original plus two photocopies for the court, plus additional copies for opposing counsel and any witnesses) of trial exhibits must be provided in paper format to the courtroom deputy prior to any hearing. Pursuant to the judge's ruling, the paper copies may be marked as received into evidence and docketed to the file as an attachment to the case hearing summary. Trial exhibits over 50 pages will not be scanned by the Court. Exhibits over 50 pages shall be presented to the courtroom deputy in CD format in addition to paper copies. Exhibits may be filed electronically in PDF format as part of a pre-trial statement or they may be filed electronically and linked to the pre-trial statement. Paper exhibits will be marked as received into evidence.

3. Exhibits to Proofs of Claim:

Exhibits in support of a proof of claim shall be filed electronically whenever possible and shall be docketed as one event with the proof of claim. The exhibits should be scanned and filed in PDF format together with the proof of claim.

J. Appeals

As with other electronically filed documents, Users are **no longer** required to file paper copies or courtesy copies of the Notice of Appeal with the Clerk's Office.

Pursuant to FRBP 8006, when filing the Designation of Record, Users must provide a list of documents, by docket entry number, to be included in the Designation of Records.

Pursuant to FRBP 8004, the Clerk's Office will mail a paper copy of the Notice of Appeal to any and all parties to the appeal as well as to the U. S. Trustee.

III. PAPER FILING OF SEALED DOCUMENTS

Notwithstanding Local Bankruptcy Rule 5005-1(c), a motion to file documents under seal shall be filed electronically without attaching the documents that are the subject of the motion. Contemporaneously with filing the motion to file documents under seal, the User shall conventionally file, in paper format, the documents sought to be placed under seal with the Court for its review. If the motion to file under seal is granted, the related documents will be maintained by the Clerk's Office under seal until further order.

The motion to file documents under seal should include a date or deadline for the unsealing of the documents.

IV. ORDERS

A. Proposed Orders

1. Requirement to Both Docket and Upload Proposed Orders

In CM/ECF, Users must file and docket all proposed orders as attachments to the related filings, or, if the proposed order is filed later, must file and docket the proposed order with a link to the filing to which it relates. **Additionally**, Users must upload all proposed orders into CM/ECF for the Court's use in the Electronic Order Processing System ("E-Orders"). Proposed orders in bankruptcy cases must be uploaded via the CM/ECF Bankruptcy menu. Likewise, proposed orders in adversary cases must be uploaded via the CM/ECF Adversary menu.

ii. Format of Proposed Orders

- a. All proposed orders must have a four (4) inch margin on the top of the first page.
- b. The proposed order must be in PDF format.

B. Consent Orders/Reaffirmation Agreements/Court-Directed Orders

A User seeking to file a consent order or reaffirmation agreement shall conform to the standards set forth in Section II.B. regarding signatures.

Unless otherwise ordered by the Court, the submission of consent orders and court-directed orders (i.e., proposed orders directed by the Court to be submitted following a hearing or trial) shall be accomplished by electronic means by using one of the following two CM/ECF docketing events located in the "Bankruptcy or Adversary" and "Other or Miscellaneous" menus:

1. Proposed Consent Order;
2. Proposed Order (Corrections, Deficiencies, OTBS, etc.).

C. Notice of Orders and Judgments by the Court

1. Immediately upon the entry of an order or judgment, CM/ECF will automatically generate to all Users in the case, an electronic NEF. Electronic transmission of the NEF constitutes the notice required by FRBP 9022. In accordance with the Federal Rules of Bankruptcy Procedure, the Clerk will provide paper notice to all parties who are not Users.
2. All orders signed electronically (i.e., utilizing the Judge's electronic signature and seal of the court) shall have the same force and effect as conventionally signed orders (i.e., paper orders with the Judge's signature signed by hand).

V. PUBLIC ACCESS TO CM/ECF DOCKETS

A. Internet Access

Documents filed in CM/ECF are not viewable via the Internet without a Public Access to Court Electronic Records (PACER) login and password. A PACER login and password can be secured by contacting the PACER Service Center to establish an account. Registration may be made online at <http://pacer.psc.uscourts.gov> or by calling the PACER Service Center at 800-676-6856.

PACER allows **only** for the **viewing** of docket sheets and documents. Upon receipt of the NEF, Users are allowed one free viewing of the document filed and thereafter must pay for all subsequent viewings. Documents **cannot** be filed electronically in or via PACER, they may be viewed only. Likewise documents **cannot** be viewed in CM/ECF, they may be filed only. Thus, PACER is for viewing docket sheets and documents, while CM/ECF is for filing documents.

Charges required by the Judicial Conference of the United States, as set out in 28 U.S.C. § 1930, for the usage of the electronic access to the Court's records,

are assessed in accordance with the fees and procedures established by the Administrative Office of the United States Courts.

B. Public Access at the Court

The public will have electronic access at the Clerk's Office during regular business hours for viewing the docket sheet and documents filed in CM/ECF. Filings and documents may be printed in the Clerk's Office at a cost of ten cents (\$.10) per page.

C. Privacy Provisions

In accordance with the E-Government Act of 2002 and its own policy regarding privacy and public access, the Judicial Conference of the United States (Judicial Conference), at its September 2003 session, promulgated Official Bankruptcy Form 21 (Form B 21), Statement of Social Security Number(s). This form has been created to satisfy the requirement set forth in FRBP 1007(f) that a debtor must submit a verified statement of his or her social security number along with the debtor's petition. All debtors, whether filing electronically (via counsel) or in paper, must file Form B 21.

For additional information regarding privacy provisions, please see the *Court's Rules and Policies Re Protecting Data Identifiers in Filed Documents and Transcripts* on the Court's website at:
<http://www.dcb.uscourts.gov/dcb/sites/www.dcb.uscourts.gov.dcb/files/privacy2.pdf>

Form B 21 is a "restricted" filing or event in the Court's CM/ECF system; therefore, only court personnel are able to view the PDF document. Neither the public nor any User is able to access or view Form B 21 in the Court's CM/ECF system.

1. Debtors Represented by Attorney Users

The attorney User must file electronically Form B 21 in CM/ECF. The filing attorney shall retain the signed original Form B 21 for five (5) years from the filing of the document.

2. Pro Se Filers

Pro se and pro bono filers shall submit a signed, original Form B 21, in paper format, to the Clerk's Office at the same time the voluntary petition is filed. The Clerk's Office will scan and file Form B 21, and retain the original document for five (5) years from the filing of the document.

D. Antiviral Software

All Users who retrieve and effect filings must have purchased, installed, utilized, and daily updated antiviral software on all computers used to access CM/ECF.

E. Conventional Paper Copies and Certified Copies

Conventional Paper and certified copies of electronically filed documents may be purchased at the Clerk's Office during regular business hours. The fee for copying and certification will be in accordance with the provisions of 28 U.S.C. § 1930.

EXHIBIT A

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

**ELECTRONIC CASE FILING (ECF) SYSTEM
ATTORNEY/FULL-RIGHTS USER REGISTRATION FORM**

This form shall be used to register for an account on the U.S. Bankruptcy Court’s Electronic Case Filing (ECF) System (hereafter “ECF”). Full-Rights Users will have privileges both to submit documents electronically, and to view and retrieve docket sheets and documents for all cases in the District of Columbia ECF system. (NOTE: a PACER account is necessary to view and retrieve docket sheets and documents. You may register for a PACER account either online at <http://pacer.psc.uscourts.gov/> or by calling 1-800-676-6856.)

The following information is required for ECF registration:

First/Middle/Last Name: _____

Firm Name: _____

Mailing Address: _____

Attorney Phone Number: _____

E-Mail Address: _____

U. S. District Court for the District of Columbia Bar ID#: _____

Currently E-File in the Following Jurisdictions: _____

Name of Staff Member(s) Who Will be Authorized to E-File on Behalf of Attorney

Attorney Contact Person(s) and Phone Number(s) to be used when Clerk’s Office Has Questions re: E-Filed Pleadings:

By submitting this registration form the applicant agrees to adhere to the Court’s Administrative Order Relating to Electronic Case Filing, including any amendments thereto as may be made from time to time, and the following rules:

1. This access is for use only in ECF cases filed in the U.S. Bankruptcy Court for the District of Columbia. It may be used to file and view electronic documents, docket sheets, and reports. NOTE: a PACER account is necessary to view and retrieve docket sheets and documents. (see above for registration information).
2. Pursuant to Federal Rule of Bankruptcy Procedure 9011, every pleading, motion, and other paper (except lists, schedules, statements or amendments thereto) shall be signed by at least one attorney of record or, if the party is not represented by an attorney, all papers shall be signed by the party. An attorney's/full-rights user's password issued by the court combined with the User's identification, serves as and constitutes the attorney's/full-rights user's signature. Therefore, an attorney/full-rights user must protect and secure the password issued by the Court. If there is any reason to suspect the password has been compromised in any way, it is the duty and responsibility of the attorney/full-rights user to immediately notify the Court. This would include the resignation or reassignment of the person with authority to use the password. The Court will immediately delete that password from ECF and issue a new password.
3. An attorney's/full-rights user's registration will not waive paper service of a summons and complaint, subpoena, or other judicial process; submit the client to the jurisdiction of the Court; or operate as a consent to accept service of pleadings, documents, and orders in actions in which such attorney/full-rights user has not entered an appearance. An attorney's/full-rights user's registration will constitute a waiver in law only of paper service of other non-process pleadings, documents, and orders in the case. The attorney/full-rights user agrees to accept, on behalf of the client, service of notice of the electronic filing by hand, facsimile, or authorized e-mail.
4. To file documents electronically in the U. S. Bankruptcy Court for the District of Columbia, an attorney must:
 - a) be an active member of the bar of the U. S. District Court for the District of Columbia, or
 - b) be an attorney who is a member in good standing of the bar of any United States Court or of the highest court of any State who is representing the attorney's client without compensation.

But, if the attorney is an e-filer pursuant to paragraph (b), that attorney is restricted to e-filing only in cases in which the attorney files a certificate that he is providing representation without compensation.

5. Attorneys/full-rights users are required to pay ALL filing fees via an Internet credit card at the time of filing. If you have any questions regarding the payment of a fee, you **MUST** contact the Court's Finance Department at 202-354-3103 or the CM/ECF Help Desk at 202-354-3281 **BEFORE** filing the pleading.
6. By e-filing a document, the User certifies that the User has complied with the requirement that if the document purports via the use of "/s/" to have been signed by someone other than the User,

then the User has a document (in paper or scanned electronic form) bearing the original signature. Attorneys/full-rights users are required to retain the original signed document of all e-filed pleadings for a period of five (5) years in either paper or electronically.

Applicant Signature

Date

Please return this form to:

CM/ECF Help Desk; U.S. Bankruptcy Court for the District of Columbia;
Room 1225; 333 Constitution Avenue, NW; Washington, DC 20001

or FAX to: 202-354-3128

Our CM/ECF Help Desk staff are available at 202-354-3281 to answer questions.

EXHIBIT B

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA**ELECTRONIC CASE FILING (ECF) SYSTEM
LIMITED-RIGHTS USER REGISTRATION FORM**

This form shall be used to register for an account as a Limited-Rights User (“User”) in the U.S. Bankruptcy Court’s Electronic Case Filing (“ECF”) System. Users will have privileges both to submit documents electronically, and to view and retrieve docket sheets and documents for all cases in the District of Columbia ECF system. (**Note:** a PACER account is necessary to view and retrieve docket sheets and documents. You may register for a PACER account either online at <http://pacer.psc.uscourts.gov/> or by calling 1-800-676-6856.)

Registering User’s Name: _____
[Name of individual registering as a User]

Business/Firm Name: _____
[Name of business/firm on whose behalf User is authorized to act]

If you are a Financial Management Course Provider, please check this box

Business/Firm Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone: _____ **Fax:** _____

E-Mail Address: _____

Currently E-File in the Following Jurisdictions: _____

Bar Identification Number (if applicable): _____ **State of:** _____

1. I agree to adhere to the local rules, orders, policies, and procedures governing electronic filing for the court. I understand that a limited filer’s privileges are narrow in scope. I will only use CM/ECF to electronically file the following documents such as: Proofs of Claim, Transfer of Claim, Withdrawal of Claim, Requests for Notice, Reaffirmation Agreements, and Personal Financial Management Course Certificate on behalf of the above named business/firm. The court reserves the right to modify these options or add additional options as deemed necessary.
2. The above-named business/firm, through its authorized officers, directors and agents, understands that the use of its Limited-Rights User password to file a document in a bankruptcy case or proceeding in the United States Bankruptcy Court for the District of Columbia will constitute an act on behalf of the above-named business/firm under the United States Code, the Federal Rules

of Bankruptcy Procedure, and any applicable non-bankruptcy law. For example, the User's signature on the document by way of the password constituting a signing of the document on behalf of the business/firm under Federal Rule of Bankruptcy Procedure 9011.

3. The above-named business/firm, through its authorized officers, directors and agents, understands that it is its responsibility to protect and secure the confidentiality of its password. If the above-named business/firm believes that its password has been compromised, then it is the responsibility of the above-named business/firm, through its authorized officers, directors and agents, to notify the Court in writing, immediately.
4. I agree to maintain my contact information (e.g., email address, mailing address, telephone number(s), and facsimile number). All changes will be made through my CM/ECF account.
5. I must pay any fees incurred for transactions made in CM/ECF in accordance with 28 U.S.C. § 1930 and the Bankruptcy Miscellaneous Fee Schedule.
6. Registration as a User constitutes waiver of the above-named business/firm's right, that would otherwise arise from a filing made by the User using the User's password to receive notice by first class mail (including a right arising from such filing to notice of entry of an order or judgment), and constitutes consent to receive such notice electronically instead. This waiver does not apply to service of a summons and complaint in an adversary proceeding under F.R. Bankr. P. 7004 or to service of papers commencing a contested matter (e.g., an objection to a proof of claim).
7. By affixing a User's electronic signature to a document and e-filing that document with the Court, the User certifies that the User has on file in the User's office the original signature of each other party whose signature appears on the document via the use of "/s/" (or proof that the signature was authorized, in writing, to be affixed to the document). The User is required to retain the original signed document (or the proof of written authorization to sign) of all e-filed documents for a period of five (5) years in either paper or electronically.
8. I understand that, if I am a provider of a post-petition instructional course concerning personal financial management and I am filing a certificate of the debtor's completion of the course, the certificate must be filed within a reasonable period of time. I understand that my limited filer privileges may be revoked if I do not file a certificate of a debtor's completion of the course within a reasonable period of time, as failure to do so could result in the closing of the debtor's case without a discharge. I understand that, if my filing privileges are revoked by the court, the court will notify the Executive Office for U.S. Trustees of the revocation.
9. By contacting the court, I may request to terminate my status as a limited filer at any time. If I cease to be an employee or agent of an entity on whose behalf documents are being electronically filed, or for any other reason cease to be authorized to file electronically on behalf of said entity, I will promptly contact the court and request to terminate my filing privileges.

10. By submitting this registration form the applicant agrees to adhere to the Court’s Administrative Order Relating to Electronic Case Filing, including any amendments thereto as may be made from time to time.

11. I, _____, hereby state that I am the
Name of registering User
_____ of _____
Title **Name of Business/Firm**

and am authorized to enter into this Limited-Rights User Registration on its behalf.

Signature of Individual Signing on Behalf of Business **Date**

Send Electronic Notices to these Additional E-mail Addresses:

I would like to receive electronic notification in the following cases (check as applicable):

- All cases and proceedings in which I am entitled to notice.
- The following additional cases or adversary proceedings (notification of all docket activity in each) (list case numbers):

Send Electronic Notice (check one): _____ of Each Filing or _____ as an End of Day Summary

Send Electronic Notices in the following format (check one):

- HTML or Netscape, ISP mail service (e.g. AOL, Hotmail, Yahoo, etc)
- Text for cc:mail; Groupwise, Outlook, Outlook Express, Other (please list)

Please return this form to:

CM/ECF Help Desk

U.S. Bankruptcy Court for the District of Columbia
Room 1225
333 Constitution Avenue, NW
Washington, DC 20001

or FAX to: 202-354-3128

Our CM/ECF Help Desk staff are available at 202-354-3281 to answer questions.