


The order below is hereby signed.

Signed: September 17 2021




Elizabeth L. Gunn
U.S. Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLUMBIA**

In re:

Debtor Signatures on Electronic Filings

General Order No. 2021-04

ORDER TEMPORARILY SUSPENDING REQUIREMENT TO OBTAIN ORIGINAL SIGNATURES FROM DEBTORS FOR ELECTRONIC FILINGS

This Order is being issued in response to the Coronavirus Disease 2019 (“COVID-19”) pandemic. On March 13, 2020, the President of the United States declared a national emergency because of the COVID-19 outbreak. The Centers for Disease Control and Prevention advised then and continues to advise that individuals should engage in social distancing to prevent the spread of COVID-19. Further, despite the availability of vaccines, individuals may be required to quarantine or otherwise self-isolate due to illness or exposure to a person known or suspected to have COVID-19. It has recently come to the Court’s attention that an order suspending the requirement that an attorney obtain a debtor’s original, physical signature for an electronic filing during the COVID-19 pandemic was not entered by this Court at the outset of the COVID-19 pandemic despite the clear need for social distancing and reducing personal contact.¹ As a result, the Court finds there is cause to issue an order retroactive to the onset of the pandemic waiving the requirement as more fully set forth herein.

¹ The Court notes that its two neighboring jurisdictions entered orders suspending their original, physical signature requirements in March 2020. See *Standing Order No. 20-6 Order Temporarily Suspending Requirement to Obtain Original Signatures from Debtors for Electronic Filings*, United States Bankruptcy Court, Eastern District of Virginia (March 17, 2020) (available at https://www.vaeb.uscourts.gov/wordpress/?wpfb_dl=818 (last visited September 16, 2021)); and *Administrative Order 20-05 Addressing Signatures on Electronic Filings*, United States Bankruptcy Court, District of Maryland (March 22, 2020) (available at <https://www.mdb.uscourts.gov/files/20-05.pdf> (last visited September 16, 2021)).

Now therefore it is hereby **ORDERED** that effective March 17, 2020, and until further notice:

1. For all documents requiring a debtor's signature, the Court temporarily suspends the requirement that an attorney secure the debtor's original, physical signature prior to electronically filing such document on the condition that, prior to filing, the attorney has either (a) obtained the debtor's digital signature via any commercially available digital signed software that signature authentication and maintains a copy of the digitally signed document(s) in the debtor's case file; (b) obtains a digital photo, image, or other facsimile of the signature page received either electronically (email or text) or by facsimile; or (c) obtains express written permission (including electronic mail) from the debtor to affix the debtor's signature to the document(s), and maintains a hard copy thereof in the file. Nothing herein modifies the requirement that the debtor's attorney provide the entire document to the debtor, communicate with the debtor regarding the substance and purpose of the document, and confirm that the debtor has signed or authorized the affixing of their signature to the document prior to filing any document. The filing of a document with a debtor's digital signature constitutes a certification by the filing attorney that they have either obtained the debtor's original, physical signature or has complied with the foregoing conditions.
2. This Order shall remain effective until further order of the Court.

[Signed and dated above.]