



ELECTRONIC MEANS FOR FILING, SIGNING AND
VERIFICATION OF DOCUMENTS

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

ADMINISTRATIVE PROCEDURES
FOR
ELECTRONICALLY FILED CASES

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ADMINISTRATIVE PROCEDURES

- I. REGISTRATION FOR THE ELECTRONIC FILING SYSTEM (“ECF System”)
 - A. Designation of Cases. All new and open chapter 7, 13 and 11 cases and their related adversary proceedings shall be assigned to the Electronic Filing System.
 - B. Passwords. Each attorney admitted to practice in this Court and in good standing shall be entitled to an ECF System password to permit the attorney to participate in the electronic retrieval and filing of pleadings and other documents in accordance with the ECF System. Additional passwords may be issued, on a case by case basis, as deemed appropriate by the Court. Registration for a password is governed by paragraph I.C.
 - C. Registration.
 - 1. A registration form shall be submitted for each attorney and each password.
 - 2. All registration forms shall be mailed or delivered to the United States Bankruptcy Court, District of Delaware, ATTN: Automation Dept., 824 Market Street, 3rd Floor, Wilmington, Delaware 19801.
 - 3. Each attorney registering in the System will receive an internet e-mail message after their password has been assigned. This is to insure that the attorney’s e-mail address has been entered correctly in the ECF System. The password information will then

be mailed to the attorney by regular, first-class mail, or the attorney may arrange to pick-up his/her password at the Office of the Clerk.

4. No attorney shall knowingly permit, or cause to permit, his/her login/password to be utilized by anyone other than an authorized member or employee of the attorney's law firm. The ECF System login/password constitutes the attorney's signature for all purposes.
5. Attorneys may find it desirable to change their court assigned passwords periodically. This can be done by accessing the menu option "Maintain Your ECF Account" under utilities. In the event that an attorney believes that the security of an existing password has been compromised, and that a threat to the ECF System exists, the attorney shall give immediate notice by telephone to the Clerk of Court, Chief Deputy or Systems Manager, and confirm by facsimile, in order to prevent access to the System by use of that password.

II. ELECTRONIC FILING AND SERVICE OF DOCUMENTS

A. Filing.

1. Accept as expressly provided for in paragraph III.A. below, or as ordered by the Court, all motions, pleadings, memoranda of law, or other documents required to be filed with the Court in connection with a case assigned to the ECF System shall be electronically filed on the System.

2. All documents which form part of a pleading and which are being filed at the same time and by the same party may be electronically filed together under one docket number. Each component shall be broken down into attachments, i.e., when filing a motion, attachments will include the Form of Order, Notice of Motion and Certificate of Service filed as attachments with the appropriate event codes.
3. In the event that the Electronic Filing System is unavailable due to the Court experiencing technical difficulties, the filing party should contact the appropriate Clerk's office staff as indicated in the Contact List for ECF Support to arrange to file the document electronically via other electronic means. The first method should be via e-mail and the second method via disk or CD Rom. In the event that the end-user is experiencing technical difficulties, the same procedure should be followed regarding contacting the Clerk's office and the first method would be to arrange to come to the Clerk's office to use one of the public access terminals. The second method would be via e-mail and the third via disk or CD Rom.
4. If the document is being filed conventionally, except as expressly provided in Paragraph III A, it must be accompanied by an affidavit stating the reason(s) as to why the document is being filed conventionally.

B. Service.

1. Each person electronically filing a pleading or other document shall serve the pleading or document on those parties entitled by the Federal Rules of Bankruptcy Procedure (FRBP) or the Local Rules (LR). When required, service of a paper copy is to be done in the manner provided in the FRBP and the LR.
2. Courtesy copies shall be provided to the assigned judge upon request. Paper copies of the “Notice of Electronic Filing” shall accompany the paper copy of the electronically filed pleading or document. The paper copy of the electronically filed pleading or document shall be clearly marked “ECF CASE - COURTESY COPY.” Please see the Chambers Procedures section of the court web site for additional information regarding specific procedures for specific judges.
3. A party filing electronically is not required to serve the pleading or other document (other than the “Notice of Electronic Filing” generated by the ECF System) on any party who is a registered Electronic Case Filing participant and has been issued a live ECF System password. Upon filing of any pleading, the ECF System will send a Notice of Electronic Filing to all registered ECF participants and the confirmation received by the filing party will contain a list of all parties receiving such notice.

- C. Signatures.
1. Use of the attorney's login/password constitutes the attorney's signature for all purposes for documents which must contain original signatures.
 2. Any document containing original signatures shall indicate on the electronically filed document a signature by noting - "/s/ Jane Doe." The originally executed document shall be maintained by the filer.
- D. Fees Payable to the Clerk. Filers will pay any incurred filing fees in CM/ECF with a credit card at the time of filing or by the close of business. Attorneys and their staff should be prepared to have credit card information on hand at the time of filing any pleading which requires a filing fee. The Court accepts the following credit cards for payment: American Express, Discover, Diner's Club, VISA, and MasterCard.
- E. Orders. A form of proposed order must be filed with every pleading which request's relief (i.e., Application, Motion, Complaint, Answer or Objection).
- F. Hearing Dates. If the motion or other document electronically filed is to be set for hearing, the filing party must obtain a hearing date and time in accordance with Local Rules before filing.
- G. Docket Entries. The person electronically filing a pleading or other document will be responsible for designating a title for the document by using one of the entries contained in the Docket Event Dictionary.

H. Retention of Original Signature Documents. The attorney or other user electronically filing a document shall retain the paper document containing the original signature(s) for the longer period of one year after the case is closed or all appeals are finalized unless the court orders a different period. This retention does not affect or replace any other retention period required by other applicable laws or rules. If the original document is returned to the client, the attorney shall advise the client of the requirement to retain the document as stated above.

III. CONVENTIONAL FILING OF DOCUMENTS

A. Conventional Filings. The following documents shall be filed conventionally and not electronically unless authorized by the Court.

1. Motion to file documents under seal and document(s) to be filed under seal;
2. Trial or hearing exhibits;
3. Transcripts of court hearings; and
4. Documents as determined by the Court.

B. Service of Conventional or 3.5 Inch Disk Filings. Paper copies of pleadings or other documents which are filed conventionally or on 3.5 inch disk rather than electronically shall be served, and on those parties provided in the FRBP and LRBP accept as otherwise required by the Court.

IV. PUBLIC ACCESS TO THE SYSTEM DOCKET

- A. Internet Access Without a Password. Any person or organization other than those referred to in paragraph I.B. with a valid PACER login and password may access the ECF System at the Court's Internet site at <http://ecf.deb.uscourts.gov>. Such access to the ECF System through the Internet site will allow retrieval of the docket sheet and documents and will be on a "read only" basis.
- B. Public Access at the Court. The public will have electronic access to the documents filed in the ECF Systems and to the ECF System docket in the Office of the Clerk for viewing during regular business hours, Monday through Friday.
- C. Conventional Copies and Certified Copies. Paper copies and certified copies of the electronically filed documents may be purchased at the Office of the Clerk, 824 Market Street, 5th Floor, Wilmington, Delaware 19801 during regular business hours Monday through Friday or from the Courts copy service, Parcels, Inc. Parcels can be reached at (800) 343-1742. The fee for copying and certification will be in accordance with 28 USC Section 1930.