

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

**ADMINISTRATIVE PROCEDURES FOR ELECTRONICALLY
FILING CASE DOCUMENTS**

RECORD OF CHANGES		
Date	Section	Summary of Change
7/4/08	I. General.	Added reference to LBR 5005-4.
7/4/08	II.B.2., Activation	Deleted reference to initial (training) login/password.
7/4/08	III.A.2. Portable Document Format (PDF) Documents.	III.A.2.a. Expanded definition of "PDF". III.A.2.b. Updated LBR reference. III.A.2.c. Added requirement for TrueType fonts.
7/4/08	III.A.6. Documents to be Filed on Paper.	Removed LBF #1307, #1365, and #1378 from the list of documents that must be filed conventionally on paper.
7/4/08	III.A.8. Adversary Proceeding Coversheet.	Updated LBR reference.
7/4/08	III.B.3.b. Proposed orders/judgments	Clarifies placement of the three pound signs (###) designating the end of the body of an order/judgment.
7/4/08	III.B.5., Electronically Filed Stipulation Intended to Delay/Stop Entry of an Imminent Court Order	Clarifies that in order to stop/delay entry of an imminent order, the e-filer <u>must</u> file the stipulation using the event that would have been used if no stipulation had been reached, and also submit the same PDF using Upload Order on Previously Filed Motion or Document.
7/4/08	IV.A. Electronic Documents Filed in Error	Updated LBR reference.
12/8/06	III.A.5., Documents to be Filed Under Seal	Documents filed under seal shall be electronically filed.
12/8/06	III.A.8., Adversary Proceeding Cover Sheet	The cover sheet should not be filed electronically but may be used in the filer's office as a data entry aid.
12/8/06	III.B.3.b., Orders/Judgments	For a stipulated order, the stipulation language should only be placed after the 3 pound signs (###).
12/8/06	III.B.3.d., Orders/Judgments	Parties who will be served electronically as well as those requiring conventional service must be listed.

12/8/06	III.B.5., Stipulation Intended to Delay/Stop Entry of an Imminent Court Order	When filing a stipulated order to stop the entry of a imminent court order (e.g., discharge), it is necessary to first file it using the event that would have been used had the stipulation not been reached (e.g., motion to delay discharge), and then upload the same pdf using “Upload Order on Previously Filed Motion”.
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I. These procedures apply to the electronic filing of documents in the court’s Electronic Case File (ECF) system. They augment, and are to be used in conjunction with, each applicable Local Bankruptcy Rule (LBR), Local Bankruptcy Form (LBF), and General Order (GO) adopted by this court, and control in case of any conflict. For the purposes of ECF, and these procedures, the term “file”, and all derivations thereof, shall apply to all documents submitted to the court for any purpose. Also see LBR 5005-4.

II. REGISTRATION FOR USE OF THE COURT’S ELECTRONIC CASE FILE (ECF) SYSTEM.

II.A. Participants. Each attorney admitted to practice in this court and currently in good standing, and trustees and creditors, shall be eligible to request a login for the ECF system to permit the person to participate in the electronic filing and service of documents in accordance with these procedures. Other parties may also be eligible to request a login for possible ECF participation upon approval of the chief bankruptcy judge.

II.B. Registration.

II.B.1. General. To request a login:

II.B.1.a. Each Participant must complete a Registration form using LBF #130 if an attorney or trustee applying for full filing privileges, or LBF #130.2 if applying for a limited login to solely electronically file claims, address changes, special notice requests, notices of appearance, and reaffirmation agreements, then submit it to the clerk’s office; AND

II.B.1.b. If an attorney and training is needed, complete and submit an Application for Training using LBF #130.3.

II.B.2. Activation. The clerk’s office will notify Participants of their ECF login and password combination. The court will only activate a Participant’s login for the electronic filing of documents using the ECF system after the Participant completes any court pre-activation requirements.

II.B.3. Login/Password Security.

II.B.3.a. A password must be a combination of at least six (6) letters and numbers. Of those six characters, at least two (2) must be letters and two (2) must be numbers.

- II.B.3.b. Participants must change their password at least every 12 months, although they may change it more often. If a Participant believes the security of an existing password has been compromised, the Participant shall immediately change that password.
- II.B.3.c. The court may also change an assigned ECF login and/or password periodically at its discretion. The court will immediately notify the Participant of any such change.
- II.B.4. **Withdrawal Request.** A registered Participant may request to withdraw from participation in ECF by filing a written request including the specific reason(s) therefor. If approved by the court, the clerk's office will withdraw the registered Participant from ECF, deactivate the Participant's login, and delete the name of the registered Participant from any applicable electronic service list.
- II.B.5. **Suspension.** After notice and such opportunity for hearing as is appropriate, the court may suspend a Participant from the ECF system for cause. This suspension shall be effective upon the entry of the court's order. Upon entry of a suspension order, the clerk's office will withdraw the registered Participant from ECF, deactivate the Participant's login, and delete the name of the registered Participant from any applicable electronic service list.

III. FILING OF DOCUMENTS.

III.A. Filing.

- III.A.1. **General.** Participants with a login activated for ECF use shall effect all filings electronically using the Internet and the ECF system per these Administrative Procedures, the most current version of this court's Style Guide for Electronically Filing Case Documents (LBF #125.5), and all applicable GOs and LBRs, unless otherwise provided.
- III.A.2. **Portable Document Format (PDF) Documents.** The following apply to all documents, and exhibits thereto, filed electronically using ECF:
 - III.A.2.a. Each must be filed as a text-based PDF file, except as otherwise provided in an LBR, GO, and these Administrative Procedures. Per LBR 9009-1(cc), "PDF" means text-based Portable Document Format (*i.e.*, the PDF may not be created by scanning a paper document, even if the scanning process produces it in a text-searchable format, unless the original document could not be electronically created by, or a version electronically created by a third party could not be accessed by, the party filer). Before filing, a scanned document must be verified as legible.
 - III.A.2.b. No text or formatting provided by the court in a local bankruptcy form (LBF) may be altered in any way (e.g., see LBR 9009-1).

- III.A.2.c. All fonts must be embedded within a PDF document and must be TrueType. The only fonts that may be used are Arial, Times New Roman, or Courier New True Type (regular, bold, italics, or bold italics). The type size shall be no smaller than either Pica (10 cpi) or 12 pt.
 - III.A.2.d. The maximum file size for a PDF document is 4.0 (MB). PDF documents exceeding this maximum file size must be split into smaller files and submitted as separate attachments to a single docket entry.
 - III.A.2.e. The maximum dots per inch (DPI) must not exceed 300.
 - III.A.2.f. Color must not be used in any PDF document except if included by the court inside an LBF created in a “fillable” PDF format.
- III.A.3. Title of Docket Entries. The Participant electronically filing a pleading or other document will designate a docket entry title for the document by using one of the main categories and specific events provided in the ECF system (e.g., Motion for Relief From Stay, etc.).
- III.A.4. Exhibits/Attachments.
- III.A.4.a. Pleadings. All documents that form part of an electronically filed pleading (e.g., Responses filed together with a Notice of Hearing, exhibits, etc.) shall be filed as a single document, under one docket entry, except as otherwise required to comply with Pt. III.A.2.d. re: maximum file size.
 - III.A.4.b. Trial Lists and Memoranda. All witness and exhibit lists, and trial memoranda, shall be electronically filed using ECF.
 - III.A.4.c. Trial/Hearing Exhibits. Exhibits to be offered into evidence at trials and evidentiary hearings shall be submitted conventionally in accordance with other existing rules and orders.
- III.A.5. Documents to be Filed Under Seal. Participants shall electronically file a motion to file document(s) under seal. If granted, the document(s) filed under seal shall be electronically filed using the designated ECF menu item (i.e., Sealed Document).
- III.A.6. Documents to be Filed Conventionally on Paper. The following documents must be filed conventionally on paper: Unclaimed Funds List (LBF #390), Petition/Order Re: Unclaimed Funds (LBF #391), List of Creditors Entitled to Small Dividends (LBF #393), , and any debtor’s petition submitted with a rent deposit for cure per §362(1)(1).
- III.A.7. Irrelevant Documents. Participants must not file irrelevant documents (e.g., cover/transmittal memos or letters, blank Notice of Hearing forms attached to

another form such as a Notice of Motion, a separate original Notice of Motion attached to a Response with a Notice of Hearing).

- III.A.8. Adversary Proceeding Cover sheet. An Adversary Proceeding cover sheet should not be filed with an electronically filed complaint per LBR 7001-1(b)(2). However, the cover sheet may be used within the filer's office as a data entry aid.
- III.B. Orders/Judgments. All proposed orders and judgments, unless otherwise provided (e.g., III.A.6), must be submitted electronically as set forth in this Pt. III.B.
- III.B.1. An application or motion must be entered on the docket prior to submitting the order/judgment electronically unless the order or judgment is stipulated.
- III.B.2. **DO NOT SUBMIT A PROPOSED ORDER OR JUDGMENT TO THE COURT UNLESS IT IS TIMELY TO DO SO (e.g., see LBR 9021-1).**
- III.B.3. All orders/judgments submitted electronically must conform to the applicable GOs and LBRs, and the following specifications:
- III.B.3.a. The top margin on the FIRST PAGE must be four (4) inches and devoid of all text, except for pleading numbers which may be only within 3/4" of the left edge, unless the document is an LBF with a different format. All other pages of the order/judgment must have a top margin of one (1) inch.
- III.B.3.b. To verify the "entire" body of the submitted order/judgment has been properly transmitted, the next line in the order/judgment after the last line of substantive text must have three (3) pound symbols (###) centered in the middle of the page to indicate the order/judgment is completed. For a stipulated order/judgment, the stipulation/motion language and signatures must only be placed after the three (3) pound signs (###) denoting the end of the order or judgment text.
- III.B.3.c. Do NOT include a line for the date or the judge's signature unless one is included by the Court on an LBF. Most orders/judgments will be electronically signed by the judge in the space provided by the top margin on the first page.
- III.B.3.d. After the line with the three (3) pound symbols (###), all orders/judgments prepared by legal counsel shall indicate: (1) the name of the law firm, name of the attorney responsible for the order/judgment, Oregon State Bar number, mailing address and telephone number for the firm and, if desired, the fax number and/or e-mail address; **AND** (2) the names and addresses of all parties requiring conventional paper service of copies of the signed order/judgment, followed by a list of all parties requiring service that will be served electronically through ECF.

III.B.4. When a Participant seeks the entry of an emergency order, such as an order shortening time or order to show cause through the ECF system, the Participant must immediately notify the chambers of the presiding judge after filing the expedited matter.

III.B.5. Electronically Filed Stipulation Intended to Delay/Stop Entry of an Imminent Court Order (e.g., Discharge, Dismissal). If an electronically filed stipulated order/judgment is being submitted in an attempt to delay or stop the automatic and immediate entry of an imminent court order upon the expiration of pending deadlines for such entry, the e-filer must BOTH:

III.B.5.a. (a) File a PDF of the proposed order/judgment using the event that would have been used if a stipulation had not been reached (e.g., Motion to Delay Entry of Discharge). Examples of stipulations that should be filed in this manner include Objections to Dismissal for failure to timely comply with legal requirements, and Motions to Delay Entry of Discharge, Extend Time to File §727 Complaints and Extend Time to File Documents.

III.B.5.b. (b) Submit the same PDF again using the “Upload Order on Previously Filed Motion” option under the Order Upload event, and link it to the document filed in III.B.5.a.above, for judicial review.

IV. ELECTRONIC DOCUMENTS FILED IN ERROR.

IV.A. General. Once a document is electronically entered into the ECF system, it becomes part of the permanent case record (e.g., see LBR 5005-4).

IV.B. Causes. A document incorrectly filed in a case may be a result of a number of things such as attaching the wrong PDF file to a docket entry, selecting the wrong document type from the menu, or entering the wrong case number, and not catching the error before the transaction is completed.

IV.C. Correction. Immediately call the ECF Help Desk after an error is discovered. Be certain to have the case number and the document name/number for which the correction is being requested. If appropriate, the court will make an entry indicating the document was filed in error. You will be advised *if* you need to refile the document. The system will not permit you to make changes to the document(s) or docket entry filed in error once the transaction has been accepted. **DO NOT REFILE THE DOCUMENT UNLESS YOU INITIALLY FILED IT IN THE WRONG CASE, OR YOU ARE ADVISED TO DO SO BY THE COURT** (e.g., you are notified an Order Striking Document was entered)!