UNITED STATES BANKRUPTCY COURT DISTRICT OF OREGON

ADMINISTRATIVE PROCEDURES FOR ELECTRONICALLY FILING CASE DOCUMENTS

Introduction

These procedures apply to the electronic filing of documents in the court's Electronic Case File (ECF) system. They are to be used in conjunction with each applicable Local Bankruptcy Rule (LBR) and Local Bankruptcy Form (LBF) adopted by this court.

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.

See also <u>LBR 5005-4</u>.

ECF Registration

1. Participants

- A. 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.
- B. Other parties may also be eligible to request a login for possible ECF participation upon approval of the chief bankruptcy judge.

2. Registration Requests

A. To request a login, each applicant for ECF participation must obtain a PACER account and then register through PACER for the appropriate type of user access.

B. Activation

- i. The clerk's office will review e-filing registrations.
- ii. An email will be sent to the person who made the request upon activation of the login or rejection of the request.
- C. See the contact lists for the <u>Eugene</u> and <u>Portland</u> offices on the <u>court's website</u> for court staff to contact with questions about ECF registration and training.
- 3. It is the participant's responsibility to keep their e-mail address up to date.
- 4. To withdraw ECF registration, submit a deactivation request through PACER.

Filing of Documents

5. General

- A. Portable Document Format ("PDF")
 - i. Each document must be submitted in PDF format.
 - ii. Per LBR 9001-1(x), a PDF filed via ECF 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.
 - iii. Before filing, a scanned document must be verified as legible.
- B. No text or formatting provided by the court in an LBF may be altered in any way.
- C. Embedded fonts are recommended within a PDF document. Supported fonts include, but are not limited to:
 - Courier (Regular, Bold, Oblique, and Bold Oblique)
 - Helvetica (Regular, Bold, Oblique, and Bold Oblique)
 - Arial (Regular, Bold, Italic, and Bold Italic)
 - Times (Regular, Bold, Italic, and Bold Italic)
 - Times New Roman (Regular, Bold, Italic, and Bold Italic)
- D. Exception to Electronic Filing Requirement for Residential Rental Cure

Per LBR 4001-1(d), any debtor's petition submitted with a rent deposit for cure per § 362(I)(1) must be filed on paper.

E. Irrelevant Documents

Participants must not file irrelevant documents (for example, blank notice of hearing forms attached to another form such as a motion).

- F. Documents to be Filed Under Seal
 - i. Participant must electronically file a motion to file documents under seal before filing documents under seal.
 - ii. If a motion to file under seal is granted, use the designated ECF menu item (that is, Sealed Document) to file the documents under seal.

G. Adversary Proceeding Cover Sheet

An adversary proceeding cover sheet should not be filed with an electronically filed complaint.

6. Exhibits & Attachments

A. Pleadings

All documents that form part of an electronically filed pleading (responses filed together with a notice of hearing, exhibits, etc.) shall be filed as a single document, under one docket entry, except to comply with maximum file size requirements or if otherwise instructed by the court.

B. Trial Lists, Exhibits, and Memoranda

All witness lists, exhibit lists, exhibits, and trial memoranda must be electronically filed using ECF.

7. Orders & Judgments

- A. All proposed orders and judgments, unless otherwise provided, must be submitted electronically.
- B. An application or motion must be entered on the docket prior to submitting the order/judgment electronically unless the order or judgment is stipulated.
- C. Do not lodge a proposed order or judgment unless it is timely to do so (see LBR 9021-1(b)).
- D. All orders/judgments submitted electronically must conform to the formatting requirements of LBR 9021-1(b)(4).

Electronic Documents Filed in Error

- 8. Once a document is electronically entered into the ECF system, it becomes part of the permanent case record (see LBR 5005-4).
- 9. 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.

10. Correcting Errors

- A. Immediately call the court after an error is discovered and have the case number and the document name/number for which the correction is being requested.
- B. Do not refile documents unless it was initially filed in the wrong case or are advised to do so by the court.
- C. ECF will not permit participants to make changes to the document or docket entry once the transaction has been accepted. If appropriate, the court will make an entry indicating a document was filed in error.

Data Required to be Entered into ECF by Participant

- 11. The participant that files a document is solely responsible for the entry and accuracy of any data on that document that is also required to be entered in ECF. The clerk may not compare data provided on an electronically filed document with data from that document which is required to be entered into ECF by the filer.
- 12.A participant that enters data into ECF incorrectly must notify the court and take all steps necessary to notify interested parties of the error (for example, if hearing information in a notice was incorrect, notify recipients of the notice to inform them of the error).