UNITED STATES BANKRUPTCY COURT
Western District of New York

Paul R. Warren
Clerk of Court

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MODIFICATION TO ADMINISTRATIVE PROCEDURES FOR FILING, SIGNING AND VERIFYING PLEADINGS AND PAPERS BY ELECTRONIC MEANS

No. 04-10 December 30, 2004

The Court's Administrative Procedures for Filing, Signing and Verifying Pleadings and Papers by Electronic Means has been modified to clarify procedures relating to Technical Failures.

X. **TECHNICAL FAILURES.**

A. Technical failure of the Court's CM/ECF site which prevents a registered user from being able to timely file documents may seek appropriate relief from the Court and/or file by conventional means available. Known systems outages [generally for maintenance and system upgrades] will be posted to the Court's web site with as much advance notification as possible.

B. Problems with the registered user's system(s), such as phone line problems, problems with the filer's Internet Service Provider (ISP), or hardware or software problems, do not constitute a "technical failure" under these procedures. A filer who cannot file a document electronically because of a problem–with the registered user's hardware, software, Internet connection or other such problems, may file the document(s) at the Clerk's Office during regular business hours, in person, using the Court's computer equipment and docketing such document(s) using the registered user's login and password. Registered users may seek appropriate relief from the Court in the event a technical failure of the registered user resulted in the inability to file a document(s) timely.

PAUL R. WARREN
Clerk of Court