

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**



**AMENDED
ADMINISTRATIVE PROCEDURES
FOR FILING, SIGNING AND VERIFYING
PLEADINGS AND PAPERS
ELECTRONICALLY**

**Honorable Carl L. Bucki
Chief Judge**

October 1, 2010

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All forms are available on the Court’s website www.nywb.uscourts.gov

Section 1. THE CASE MANAGEMENT/ELECTRONIC CASE FILES SYSTEM.

- A. MANDATORY ELECTRONIC FILING AND THE OFFICIAL COURT RECORD
1. All documents submitted for filing in this District must be filed electronically using the Case Management/Electronic Case Files System (“ECF System”) See also, Administrative Order No. 5 dated May 14, 2004.
 2. All service requirements as provided in the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rule(s)”) and the Local Rules of Bankruptcy Procedure (“Local Rule(s)”) are to be followed. Electronic filing is not a substitute for conventional service in paper, except as provided in Section 3(B) of these Administrative Procedures
 3. Parties proceeding *pro se*, or parties granted an exemption (“Non-ECF Registered Participants”), will not be permitted to file electronically and must follow all filing requirements of the Bankruptcy Rules and Local Rules.
 4. The Official Court record for all pleadings, papers, and documents filed on or after June 13, 2003 is the ECF System.

Section 2. REGISTRATION FOR THE ECF SYSTEM.

- A. LOGINS AND PASSWORDS
1. Attorneys admitted to practice in this Court, United States Trustees and their assistants, private Trustees, and others as the Court deems appropriate, may register with the Court’s ECF System (“ECF Registered Participant”). Registration is in a form directed by the Clerk of Court and requires the ECF Registered Participant’s name, address, telephone number, e-mail address, and, in the case of an attorney, a declaration that the attorney is admitted to practice before this Court. The process of registering for a login and password is governed by Section 2(B) of these Administrative Procedures.

2. Issuance of a login and password to an ECF Registered Participant immediately activates access to the Court's ECF System, together with all procedures and responsibilities related thereto.
3. Registration as an ECF Registered Participant constitutes: (1) waiver of the receipt of notice from the Clerk of Court by first class mail and consent to receive notice from the Clerk of Court electronically pursuant to Bankruptcy Rule 9036; and (2) consent to electronic service of responsive pleadings and papers through the ECF System. Any pleading that is not an Initiating Paper (as defined below) is considered a Responsive Pleading for purposes of this Administrative Order.
4. Registration as an ECF Registered Participant does NOT constitute waiver of the right to service of any "Initiating Paper", which includes, but is not limited to: (1) pleading or other paper required to be served to initiate a request for an order or request for relief pursuant to Bankruptcy Rules 9013 and 9014, (2) an adversary proceeding commenced pursuant to Bankruptcy Rule 7003, or (3) responsive pleading or paper that asserts a counterclaim or cross-claim (individually or collectively, "Initiating Paper(s)"). Initiating Papers must be served in paper on all parties in interest in the manner required by Bankruptcy Rules 7004 and 7005. See also, Section 3(B) of these Administrative Procedures.

B. REGISTRATION

1. Each attorney or authorized participant filing pleadings or other papers electronically with the Court must complete and sign an Attorney Registration Form (Form A) or a *Pro Hac Vice* Registration Form (Form B). These forms are available on the Court's website www.nywb.uscourts.gov.
2. The Court does allow non-attorney filers, such as creditors or governmental agencies, to become ECF Registered Participants, but non-attorneys may only be allowed to become Limited Access Filers ("Limited Access Filers") pursuant to Administrative Order No. 4, dated February 2, 2004. Limited Access Filers must complete and sign a Creditor/Limited Filing

Registration Form (Form E). Attendance at the training is optional for Limited Access Filers.

3. All signed original Attorney, Pro Hac Vice, or Limited Access Filer Registration Forms are to be mailed or delivered to the Clerk of Court, United States Bankruptcy Court, Olympic Towers, 300 Pearl Street, Suite 250, Buffalo, New York 14202.
4. The Clerk's Office will send the ECF Registered Participant or Limited Access Filer an e-mail message assigning a login and password.
5. Each ECF Registered Participant is strongly encouraged to promptly change the Court-assigned password. This change can be made, once logged into the ECF System, by clicking on the "Utilities" tab and selecting "Maintain Your ECF Account" under "Your Account."
6. In the event that an ECF Registered Participant believes that the security of an existing password has been compromised and in order to prevent unauthorized access to the ECF System through the use of that password, the ECF Registered Participant should immediately change the password in the ECF System and provide notice to the Clerk of Court. If an ECF Registered Participant forgets the password, the Clerk of Court will assign a new password.
7. All signed original Credit Card Blanket Authorization Forms (Form C) are to be mailed or delivered to the Clerk's Office in an envelope marked "CONFIDENTIAL" and addressed to the Administrative Manager, United States Bankruptcy Court, Olympic Towers, 300 Pearl Street, Suite 250, Buffalo, New York 14202. Submission of a Credit Card Blanket Authorization Form by an ECF Registered Participant is optional.
8. An ECF Registered Participant may withdraw from using the ECF System by providing the Clerk's Office with notice of withdrawal. Such notice must be in writing, and mailed or delivered to the Clerk of Court, United States Bankruptcy Court, Olympic Towers, 300 Pearl Street, Suite 250, Buffalo, New York 14202. Upon receipt, the Clerk's Office will immediately cancel the ECF Registered Participant's password and will

delete the participant's name from any applicable electronic service list. However, such a withdrawal will not operate to excuse the former ECF Registered Participant from the requirements of electronically filing all documents with the Court as mandated by Administrative Order No. 5 and Section 1(A)(1) of these Administrative Procedures. A request for withdrawal from use of the ECF System does not effect a substitution of attorney or withdrawal of representation.

9. If any of the information on the Attorney, *Pro Hac Vice* or Limited Access Filer Registration Forms, or the Credit Card Blanket Authorization Form changes, including but not limited to mailing address, e-mail address or credit card information, the ECF Registered Participant must submit the appropriate amended form addressed to the Clerk of Court and/or the Administrative Manager, pursuant to Section 2(B)(3) or (7) of these Administrative Procedures.
10. If any change in information is required because of a substitution of attorney, then the ECF Registered Participant must follow the process for Substitution of Attorney. The forms are available on the Court's website www.nywb.uscourts.gov at New York Western Procedural Forms.

Section 3. ELECTRONIC FILING OF PLEADINGS AND PAPERS, NOTICE AND SERVICE OF PLEADINGS AND PAPERS, AND TIMELINESS.

A. FILING OF PLEADINGS AND PAPERS

1. Except as otherwise provided by these Administrative Procedures, ECF Registered Participants must electronically file all petitions, motions, pleadings, briefs, memoranda of law, proofs of claim or other documents required to be filed with the Court in connection with a case or proceeding. The filing must be done using the ECF System and electronically filed documents must be in Portable Document Format ("PDF").
2. ECF Registered Participants are required to ensure that information categorized as a "personal identifier" or protected under the privacy guidelines established by the Judicial

Conference of the United States (see, <http://www.privacy.uscourts.gov>) and Bankruptcy Rule 9037 are to be redacted by the ECF Registered Participants before electronic filing. The Clerk of Court is not responsible for redaction of or monitoring of the content of documents filed in the ECF System. See also, Section 13 of these Administrative Procedures.

3. The Creditor Matrix is to be prepared in a single column format, one inch from the left edge of each page (not centered). The name and address of each creditor must not exceed 5 lines and each line may not contain more than 40 characters, including blank spaces. “Attention” lines should be placed on the second line of the name/address. Creditor names and addresses are to be single spaced, with a double space separating each creditor. The city, state, and zip code must all be on the last line. State names must be two-letter abbreviations. The Creditor Matrix must be saved as a **plain text (“.TXT”) file** and uploaded to the ECF System in the manner described in the CM/ECF Attorney Quick Reference Filing Guide available on the Court’s website www.nywb.uscourts.gov.
4. The Clerk’s Office will not maintain a paper Court file for any case filed after June 13, 2003, the date on which the ECF Administrative Procedures first became effective, unless otherwise provided by these Administrative Procedures. The official Court Record is the electronic case file maintained on the Court’s ECF System.
5. Chambers courtesy copies of all documents filed electronically are required to be provided to the Court within two (2) business days of the electronic filing, EXCEPT voluntary Chapter 7 initiating petitions, schedules and statements, which do not require courtesy copies.¹ The courtesy copy must be submitted in paper and clearly marked as “**ELECTRONICALLY FILED DOCUMENT - CHAMBERS COPY.**” See also, Administrative Order No. 2 dated June 11, 2003.

¹Judge Kaplan does not require courtesy copies of petitions, schedules, and statements for Bankruptcy proceedings filed under any Chapter.

6. Single-sided printing is required for documents received in paper format. Any documents received in paper format either in Chambers or in the Clerk's Office will be disposed of when it is determined that the paper copy is no longer needed.
7. In expedited matters, the movant will contact, by telephone, the Clerk's Office in Rochester or the presiding Judge's secretary in Buffalo, promptly after filing the pleading or paper for which expedited treatment is requested. Compliance with Bankruptcy Rule 9006 is required.
8. The United States Trustee requires that, immediately upon filing a **Chapter 11 case only**, the attorney for the debtor must provide the United States Trustee with a paper copy of the electronically filed petition, lists, schedules, statement of financial affairs, Rule 2016(b) Statement and any amended schedules, together with an attached copy of the Notice of Electronic Filing. The United States Trustee requires that, within two (2) business days of the notification of the trustee assignment, the attorney for the debtor or the pro se debtor must submit to the **Chapter 7 Case Trustee in Buffalo and Rochester** and the **Chapter 13 Case Trustee in Rochester only**, a paper copy of the electronically filed petition, lists, schedules, statement of affairs, Rule 2016(b) Statement, and any amended schedules, together with a copy of the Notice of Electronic Filing. See also, Notice of Amendment to Administrative Procedures for Filing, Signing and Verifying Pleadings and Papers by Electronic Means, Effective Immediately, dated October 18, 2004.
9. Upon conversion of a case, the attorney for the debtor must provide paper copies of the electronically filed documents listed above in Section 3(A)(8) of these Administrative Procedures, together with any documents filed pursuant to this Court's Local Rules, to the United States Trustee within two (2) business days of the conversion and to the newly appointed case trustee within two (2) business days of notification of the trustee assignment.
10. Papers, pleadings and other documents filed in the ECF System must not include advertisements by or on behalf of the ECF Registered Participant or any third-party.

B. NOTICE AND SERVICE OF PLEADINGS AND PAPERS

1. When a pleading or other paper is filed electronically, notice of which is required to be given by the Clerk of Court pursuant to the Bankruptcy Rules, the ECF System will generate a Notice of Electronic Filing and send it to the filing party and any other party who has requested electronic notice in that case, which electronic notice will substitute for paper notice by mail in accordance with Bankruptcy Rule 9036. Attached is a sample Notice of Electronic Filing (Form G).
2. Any Initiating Paper must be e-filed, but also must be served conventionally in paper in the manner required by Bankruptcy Rules 7004 and 7005. Initiating Papers include, but are not limited to: (1) pleading or other paper required to be served to initiate a request for an order or request for relief pursuant to Bankruptcy Rules 9013 or 9014, or (2) an adversary proceeding commenced pursuant to Bankruptcy Rule 7003, or (3) responsive pleading or paper that asserts a counterclaim or cross-claim.
3. A pleading or other paper required to be served in response to an Initiating Paper or in reply to a responsive paper (individually or collectively “Responsive Paper(s)”), may be served electronically using the ECF System upon any ECF Registered Participant required to be served with such responsive papers. Responsive Papers that assert a counterclaim or cross-claim are considered Initiating Papers and must be served in the manner set out in Section (3)(B)(2) of these Administrative Procedures.
4. A Certificate of Service must be filed with the electronic version of each pleading or paper required to be served and filed in the ECF System. The Certificate of Service must comply with the Bankruptcy Rules and state the manner in which service was made on each party served (Form D).

5. A party who is a Non-ECF Registered Participant is entitled to a paper copy of any electronically filed pleading or paper. The filing party must, therefore, serve any Non-ECF Registered Participant with any Initiating or Responsive pleading or paper conventionally in paper, in the manner specified by the Bankruptcy Rules or Local Rules.

C. SECTION 341(a) MEETING OF CREDITORS

1. The attorney for the debtor must bring to the Section 341(a) Meeting of Creditors a paper copy of the electronically filed petition, schedules, lists and statement of affairs bearing the original signatures of the debtor(s) and counsel and the date on which the signatures were made, as required by Section 4(B) of these Administrative Procedures. Debtors and their attorneys will execute a “Declaration Re: Electronic Filing” at the Meeting of Creditors (Form H).
2. The attorney for the debtor must also bring to the Section 341(a) Meeting of Creditors the Statement of Social Security Number(s) (Official Form B21) bearing the original signatures of the debtor(s).

D. TIMELINESS

1. Filing a document electronically does not alter the filing deadline for that document.
2. Filings are considered timely if received by the Court before midnight on the date set as a deadline, unless the presiding Judge specifically requires an earlier filing, such as by the close of business.²
3. Due to variations in time zones, timeliness is established based on the Eastern Time Zone in which the Court is located.

²For matters returnable before Judge Ninfo please consult the Court’s website www.nywb.uscourts.gov for additional procedural information.

4. An ECF Registered Participant whose filing is made untimely as the result of a technical failure of the Court's ECF System may seek appropriate relief from the Court, pursuant to Section 11 of these Administrative Procedures.

Section 4. SIGNATURES AND RETENTION OF DOCUMENTS BEARING INK SIGNATURES.

- A. Petitions, lists, schedules and statements, amendments, pleadings, affidavits, and other documents that must contain original signatures or that require either verification pursuant to Bankruptcy Rule 1008 or an unsworn declaration pursuant to 28 U.S.C. § 1746, must be filed electronically. **THE ELECTRONIC FILING OF ANY DOCUMENT REQUIRING AN INK SIGNATURE CONSTITUTES A REPRESENTATION BY THE ECF REGISTERED PARTICIPANT THAT THE ORIGINAL SIGNATURE(S) WERE OBTAINED AND AFFIXED TO SUCH DOCUMENT(S) PRIOR TO THE ELECTRONIC FILING. VIOLATIONS OF THIS REQUIREMENT WILL BE SUBJECT TO DISCIPLINARY ACTION AGAINST THE ECF REGISTERED PARTICIPANT.** The Statement of Social Security Number (Official Form 21) must be verified and signed prior to the electronic filing of the petition. Official Form B21 must not be electronically filed with the Court.
- B. For a period of not less than five (5) years after the closing of the bankruptcy case, the ECF Registered Participant that made the filing of each pleading, paper or other document must retain the original paper version of such pleading, paper or other document bearing original ink signatures pursuant to the verification requirements under Bankruptcy Rule 1008 or 28 U.S.C. § 1746, whether the signature is that of the ECF Registered Participant or made by someone other than the ECF Registered Participant. Upon request of the Court, the ECF Registered Participant must provide original documents for review in the manner directed by the Court.
- C. Each pleading or other document electronically filed must indicate the presence of an original signature by using an "/s/" signature and the date on which the signature was made, unless the document is a

scanned PDF document and shows each handwritten signature and date on which the signature was made.

- D. The following procedure applies when a stipulation or other document requires two or more signatures:
1. The ECF Registered Participant must initially confirm that the content of the document is acceptable to all persons required to sign the document and must obtain the handwritten signatures of all necessary parties on the document.
 2. The ECF Registered Participant must submit the document or stipulation containing the signatures of all signatory parties to the Clerk's Office. After the stipulation has been approved and signed by the presiding Judge, the stipulated order will be filed and entered by the Clerk's Office into the ECF System.
- E. Statement of Social Security Number(s) (Official Form B21), must be signed by the debtor(s) before the petition is electronically filed with the Court and must be retained by the debtor(s)' attorney in paper with original ink signatures in accordance with the requirements of Section 4(A) and (B) of these Administrative Procedures. Official Form B21 must not be filed with the Court.

Section 5. FEES.

- A. Fees for electronic filing of any pleading or paper requiring a filing fee must be paid by the ECF Registered Participant by credit card over the internet, through the Pay.Gov application that is integrated with the ECF System.
- B. The Court is authorized to accept only VISA, MASTERCARD, AMERICAN EXPRESS, DISCOVER, and DINER'S CLUB credit cards. Should other forms of electronic payment be authorized in the future, the Court will amend the Administrative Procedures accordingly.
- C. The fee for any transaction declined by the credit card issuer for any reason must be paid to the Court by cash, attorney's check or money order by the close of business on the next business day following notification by Court staff of the deficiency. The failure to make payment of fees following such notification will result in the ECF

Registered Participant's account being "locked-out" of the ECF System, preventing any further electronic filings, until payment is made. "Lock-out" occurs within 48 hours of the declined transaction. The ECF Registered Participant has the responsibility to furnish updated credit card information to the Court.

- D. Except as otherwise provided, all ECF Registered Participants will be subject to the fees set forth in the Fee Schedule for Electronic Public Access ("EPA Fee Schedule"), adopted by the Judicial Conference of the United States.
- E. ECF Registered Participants in a case receive one free electronic viewing of each filed document through Public Access to Court Electronic Records ("PACER"), for a limited time after the document is filed. Users are encouraged to print or save the document at that time to avoid additional PACER fees. Should the ECF Registered Participant not print or otherwise save the document, any subsequent PACER access to documents is subject to PACER fees, as set by the Judicial Conference of the United States.

Section 6. ATTACHMENTS.

- A. ECF Registered Participants must file, in PDF format, documents referenced as Exhibits, or, if voluminous, only those relevant excerpts that are directly relevant to the matter under consideration by the Court, including, but not limited to, leases, notes and mortgages, unless the Court permits conventional filing. Exhibits may be summarized using Summary of Exhibits/Attachment(s) and Certificate of Service (Form F). Cover sheets are considered attachments.
- B. The ECF System will not allow the filing of documents larger than four megabytes (4mb), so as not to degrade system performance. Attachments exceeding four megabytes (4mb) must be split into separate PDF files and the multiple PDF files attached to the document.
- C. Documents not available in electronic form must be converted to PDF format by the ECF Registered Participant, using scanning technology. It is recommended that the scanner resolution be set to 300 pixels per inch (ppi) or higher, to support archival preservation of documents filed in the ECF System.

- D. ECF Registered Participants filing excerpts of documents do so without prejudicing their opportunity to timely file additional excerpts or complete documents, on request of the Court or a party in interest. ECF Registered Participants may not file excerpts if the Bankruptcy Rules or Local Rules require the complete document be attached at the time of filing.
- E. ECF Registered Participants must promptly provide complete versions of excerpted documents upon the request of the Court or a party in interest.

Section 7. SEALED DOCUMENTS.

- A. A motion to file a document under seal may be filed electronically unless prohibited by law.
- B. The filing party must file with the Clerk of Court a paper copy of a proposed order, together with the documents to be sealed.
- C. Documents ordered to be filed under seal must be filed in paper, and NOT electronically, unless specifically authorized by the Court.

Section 8. ORDERS.

- A. Proposed orders must be submitted in paper to the Court, with the following exception: proposed orders submitted as part of the Default Motion Procedures in effect for cases filed in Rochester and Watkins Glen may be submitted electronically as a separate attachment to the motion. All other proposed orders should be submitted to the Court by the party requesting the Order, in paper, no later than three (3) business days of the granting of said order. Document backers should not be affixed.
- B. Proposed orders may not be combined with the application or motion as a single document, so that orders may be printed out for signature by the Judge. The application or motion must be entered on the docket prior to submitting the proposed order. **DO NOT ELECTRONICALLY FILE A PLEADING THAT CONTAINS A PROPOSED ORDER IN THE BODY OF THE PLEADING.** Pleadings

that contain a proposed order within the body of the pleading or are not properly labeled as “proposed” will be disregarded.

- C. Any order filed and entered on the docket by the Court without the original signature of the presiding Judge, but indicating the approval of the presiding Judge, has the same force and effect as if the Judge had affixed a signature to a paper copy of the Order and it had been entered on the docket in a conventional manner. Only the Court and authorized Clerk’s Office Staff may file and enter Orders electronically. Orders purported to be filed electronically by filers other than the Court or authorized Clerk’s Office Staff shall have no validity.

Section 9. DOCKET ENTRIES.

- A. An ECF Registered Participant who electronically submits a pleading or other document is responsible for designating the appropriate docket entry for the document by using one of the docket event categories prescribed by the Court. This action constitutes an entry on the Official Court Docket as provided in Bankruptcy Rule 5003. ECF Registered Participants are responsible for accurately describing all documents, including attachments, filed on the docket.
- B. The Clerk of Court will enter all orders and judgments in the ECF System, which constitutes the entry of an order or judgment on the Official Court Docket. The Clerk’s notation in the appropriate docket of an order or judgment will constitute the entry of the order or judgment as provided in Bankruptcy Rule 5003.

Section 10. CORRECTING DOCUMENTS FILED IN ERROR.

- A. When a document is electronically filed, it becomes part of the case docket. Corrections to the docket are only able to be made by the Clerk’s Office Staff, at the direction of the Clerk of Court.
- B. A document incorrectly filed in a case may be the result of posting the wrong PDF file to a docket entry, or selecting the wrong document type from the menu, or entering the wrong case number and not discovering the error before the transaction is completed. **ECF**

Registered Participants are cautioned not to attempt to re-file the document.

- C. As soon as possible after an error is discovered, the ECF Registered Participant must contact the Clerk's Office in Buffalo or Rochester, whichever has jurisdiction over the case or proceeding. As appropriate, the Clerk of Court may either make an entry indicating that the ECF Registered Participant has represented that a document was filed in error or the error will be brought to the attention of the Court for proper resolution. The ECF Registered Participant will be advised as to how the error will be corrected and what additional actions will need to be taken by the ECF Registered Participant, such as re-filing the document. The ECF System will not permit ECF Registered Participants to make changes to any document or to any docket entry once an electronic filing has occurred.

Section 11. TECHNICAL FAILURES.

- A. Technical failure of the Court's ECF System that prevents an ECF Registered Participant from being able to timely file documents may be resolved by the ECF Registered Participant seeking appropriate relief from the Court or by filing such documents with the Clerk of Court conventionally in paper. Known systems outages, for maintenance and system upgrades, will be posted to the Court's website and broadcast to all ECF Registered Participants by e-mail with as much advance notification as possible.
- B. Problems with an ECF Registered Participant's system(s), such as phone line problems, problems with an Internet Service Provider, or hardware or software problems, do not constitute a technical failure under these Administrative Procedures. An ECF Registered Participant who cannot file a document electronically because of a problem with the ECF Registered Participant'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 computer equipment available in the Clerk's Office lobby area and docketing such documents using the ECF Registered Participant's login and password. An ECF Registered Participant's technical failures do not excuse a late filing. An ECF Registered Participant may seek appropriate relief from the Court in the event that a technical

failure of the ECF Registered Participant's system resulted in the inability to file documents timely.

Section 12. SECURITY OF THE ECF SYSTEM.

Each electronically filed paper will be assigned a special identification number which can be traced, if necessary, to detect post filing alterations to a document. The security of the ECF System is provided by protocols established and enforced by the Administrative Office of the United States Courts.

Section 13. PRIVACY.

- A. To address potential privacy concerns created by internet access to Court documents, the Judicial Conference of the United States has directed that filers of electronic or paper documents must limit certain personal identifiers appearing in pleadings or other papers. ECF Registered Participants and those filing documents in paper are cautioned of the requirement to ensure that information categorized as a "personal identifier" or protected under the privacy guidelines established by the Judicial Conference of the United States (see, <http://www.privacy.uscourts.gov>) and Bankruptcy Rule 9037 are to be redacted by the ECF Registered Participants and those filing conventionally in paper before electronic filing. ECF Registered Participants will be required to affirmatively acknowledge their obligation to comply with the redaction rules for each filing in the ECF System.
- B. Information posted on the ECF System must not be downloaded for uses inconsistent with the privacy rights of any person.

Section 14. PUBLIC ACCESS TO THE ECF SYSTEM DOCKET.

- A. Electronic view-only access to the docket and documents filed in the ECF System is available free of charge to the public at each Clerk's Office public area during regular business hours. A fee for a paper copy of an electronic document is required in accordance with 28 U.S.C. § 1930.

- B. Although any person can retrieve and view the documents in the ECF System and access information without charge by using the public access terminals located within the Clerk's Office, electronic access to the ECF System for viewing purposes is otherwise limited to subscribers to the PACER System. In accordance with the policy of the Judicial Conference of the United States, a "per-page fee" will be charged for accessing detailed case information, such as reviewing filed documents and docket sheets.

- C. Paper copies and certified copies of electronically filed documents may be obtained at the Clerk's Office. The fee for copying and certification will be in accordance with 28 U.S.C. § 1930.

FORM A

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

CASE MANAGEMENT/ELECTRONIC CASE FILES SYSTEM (ECF)
ATTORNEY REGISTRATION FORM

LIVE SYSTEM

This form will be used by a licensed attorney to register for the U.S. Bankruptcy Court for the Western District of New York Electronic Case Files System (ECF System). A registered attorney will be provided attorney access level privileges to file documents electronically, and to view and retrieve docket sheets and documents for all cases assigned to the Western District Bankruptcy Court’s ECF System. **(NOTE: A PACER account is necessary for access to files and documents.** You may register for a PACER account either online at <http://pacer.psc.uscourts.gov> or by calling 1-800-676-6856).

First/Middle/Last Name: _____

NYS Bar “Attorney Registration Number”:
[Listed on Biennial Registration Receipt] _____

Dated Admitted to Practice in U.S. District Court for the WDNY: _____
-

Dated Admitted to Practice in U.S. Bankruptcy Court for the WDNY: _____
-

Firm Name, if applicable _____

Mailing Address: _____

Voice Phone Number: _____

Fax Phone Number: _____

Internet E-MAIL Address: _____

Send Notices to these additional E-MAIL Addresses: _____

Send Electronic Notice (check one) Each Filing End of Day Summary

Send Electronic Notice in the following format (check one):

- HTML for Webmail providers, e.g., Google, Hotmail, Yahoo, AOL
- Text for Outlook, Outlook Express, Lotus Notes, other (please list): _____

I have a current Trading Partner agreement for Electronic Bankruptcy Noticing: Yes No
If yes, I wish to continue to receive notices through EBN via: EDI Fax or,
 I wish to discontinue EDI or FAX service provided through EBN

In order to schedule you for the appropriate training class, please indicate your type of legal practice.
 Debtor Creditor Trustee Other (please specify)_____.

By submitting this registration form the applicant agrees to adhere to the following:

1. This access is for use only in ECF cases filed in the U.S. Bankruptcy Court for the Western District of New York. It may be used to file and view electronic documents, docket sheets, and reports. **NOTE: A PACER account is necessary for this access and the registration information is referenced above.**
2. Rule 9011 of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”) requires that every pleading, motion, and other paper (except lists, schedules, statements, or amendments thereto) filed with Court be signed by at least one attorney of record or, if the party is not represented by an attorney, by the party. The unique password issued to a participant identifies that participant to the Court each time he or she logs onto the ECF System. The use of a participant’s password constitutes a signature for purposes of Bankruptcy Rule 9011 on any document or pleading filed electronically using that participant’s password. Therefore, a participant must protect and secure the password issued by the Court. If there is any reason to suspect the password has been compromised, it is the duty of the participant to immediately change his or her password through the “Utilities” menu in the ECF System. After doing so, the participant must contact the Clerk’s Office to report the suspected password compromise.
3. Registration will constitute a request and an agreement to receive notice of pleadings and other papers from the Clerk of Court electronically pursuant to Bankruptcy Rule 9036, where notice of pleadings and other papers is otherwise permitted by first class mail, postage prepaid.
4. I understand that by submitting an application for a password I agree to adhere to all of the rules and regulations in the WDNY Administrative Order for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means currently in effect, and any changes or additions that may be made to such Administrative Orders. The Court may periodically post announcements and updates to the Court’s website that are pertinent to CM/ECF practice and use.
5. I assume all responsibility and liability for the payment of all applicable filing fees due at the time the document is electronically filed.
6. I understand that prior to electronically filing any document with the Court, I must obtain the original signature of the party or parties I represent on a paper copy of the document and that I must retain the original of that signed document for the length of time set forth in the Administrative Procedures.
7. I understand that prior to the electronic filing of a petition, I must obtain the original signature(s) of the debtor(s) I represent on a paper copy of the Statement of Social Security Number(s), (Official Form B21), and that I must retain the original of that signed document for the length of time set forth in the Administrative Procedures. I also understand I must compare the Social Security number(s) provided by the debtor(s) on Official Form B21 to the numbers entered into the Court’s ECF System to ensure they are the same.
8. I understand that should I enter into a Trading Partner Agreement to receive notices via Electronic Bankruptcy Noticing by EDI or fax in addition to e-mail service through the Court’s ECF System, that I must notify the Court in writing. Failure to advise the Court will result in my receipt of notice through the Court’s ECF System only.
9. My signature below constitutes my affirmation that I am an attorney holding a current and valid license to practice law.

Applicant’s Signature

Last four Digits of Social Security Number (for security purposes)

Privacy Disclaimer: The information contained within this application will not be sold or otherwise distributed by this office to outside sources.

Please return this form to the New York Western Office at: **U.S. Bankruptcy Court, Attention: Clerk of Court, Olympic Towers, 300 Pearl Street, Suite 250, Buffalo, NY 14202.**

FORM B

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

**CASE MANAGEMENT/ELECTRONIC CASE FILES SYSTEM (ECF)
PRO HAC VICE ATTORNEY REGISTRATION FORM**

LIVE SYSTEM

This form will be used to register an out of district attorney on the U.S. Bankruptcy Court for the Western District of New York Electronic Case Files System (ECF System) by attorneys who (1) reside and **practice outside of this district** and (2) represent parties in New York State on a **pro hac vice basis**. A registered participant will have privileges to submit documents electronically, and to view and retrieve docket sheets and documents for all cases assigned to the Western District ECF System. (**NOTE: A PACER account is necessary for access to files and documents.** You may register for a PACER account either online at <http://pacer.psc.uscourts.gov> or by calling 1-800-676-6856).

First/Middle/Last Name: _____

Bar ID #: _____

State of Admission: _____

Admitted to Practice in the U.S. District Court for _____

Firm Name, if applicable: _____

Mailing Address: _____

Voice Phone Number: _____

Fax Phone Number: _____

Internet E-MAIL Address: _____

Send Notices to these additional E-MAIL Addresses: _____

Send Electronic Notice (check one) Each Filing End of Day Summary

Send Electronic Notice in the following format (check one):

- HTML for Webmail providers e.g., Google, Hotmail, Yahoo, AOL
 Text for Outlook, Outlook Express, Lotus Notes, other (please list): _____

In order to schedule you for the appropriate training class, please indicate your type of legal practice.

Debtor__ Creditor__ Trustee__ Other (please specify)_____.

In order to qualify for an account on the ECF System, the out-of-state attorney/participant must certify that he or she meets one of the following conditions. **Please check the applicable box(es):**

- I am registered as an ECF participant in the United States Bankruptcy Court in another state or district. Please indicate court or district(s): _____

- I have read the WDNY Administrative Orders and Procedures regarding ECF and have completed training as required by the WDNY Administrative Procedures.

By submitting this registration form the applicant agrees to adhere to the following:

1. This access is for use only in ECF cases filed in the U.S. Bankruptcy Court for the Western District of New York. It may be used to file and view electronic documents, docket sheets, and reports. **NOTE: A PACER account is necessary for this access and the registration information is referenced above.**
2. Rule 9011 of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”) requires that every pleading, motion, and other paper (except lists, schedules, statements, or amendments thereto) filed with Court be signed by at least one attorney of record or, if the party is not represented by an attorney, by the party. The unique password issued to a participant identifies that participant to the Court each time he or she logs onto the ECF System. The use of a participant’s password constitutes a signature for the purposes of Bankruptcy Rule 9011 on any document or pleading filed electronically using that participant’s password. Therefore, a participant must protect and secure the password issued by the Court. If there is any reason to suspect the password has been compromised, it is the duty of the participant to immediately change his or her password through the “Utilities” menu in the ECF System. After doing so, the participant must contact the Clerk’s Office to report the suspected password compromise.
3. Registration will constitute a request and an agreement to receive notice of pleadings and other papers from the Clerk of Court electronically pursuant to Bankruptcy Rule 9036, where notice of pleadings and other papers is otherwise permitted by first class mail, postage prepaid.
4. I understand that by submitting an application for a password I agree to adhere to all of the rules and regulations in the WDNY Administrative Order for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means currently in effect, and any changes or additions that may be made to such Administrative Orders. The Court may periodically post announcements and updates to the Court’s website that are pertinent to CM/ECF practice and use.
5. I assume all responsibility and liability for the payment of all applicable filing fees due at the time the document is electronically filed.
6. I understand that prior to electronically filing any document with the Court, I must obtain the original signature of the party or parties I represent on a paper copy of the document and that I must retain the original of that signed document for the length of time set forth in the “Administrative Procedures.”
7. I understand that prior to the electronic filing of a petition, I must obtain the original signature(s) of the debtor(s) I represent on a paper copy of the Statement of Social Security Number(s), (Official Form B21), and that I must retain the original of that signed document for the length of time set forth in the Administrative Procedures. I also understand I must compare the Social Security number(s) provided by the debtor(s) on Official Form B21 to the numbers entered into the Court’s ECF System to ensure they are the same.
8. I understand that should I enter into a Trading Partner Agreement to receive notices via Electronic Bankruptcy Noticing by EDI or fax in addition to e-mail service through the Court’s ECF System, that I must notify the Court in writing. Failure to advise the Court will result in my receipt of notice through the Court’s ECF System only.
9. My signature below constitutes my affirmation that I am an attorney holding a current and valid license to practice law.

Applicant’s Signature

Last four Digits of Social Security Number (for security purposes)

Privacy Disclaimer: The information contained within this application will not be sold or otherwise distributed by this office to outside sources.

Please return this form to the New York Western Office at: **U.S. Bankruptcy Court, Attention: Clerk of Court, 300 Pearl Street, Suite 250, Buffalo, New York 14202.**

FORM C

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

CREDIT CARD BLANKET AUTHORIZATION FORM

I hereby authorize the U.S. Bankruptcy Court for the Western District of New York to charge the bank card listed below for payment of fees, costs and expenses which are incurred by the authorized users listed below. I understand if a document requiring a fee is received without the fee, the court will automatically charge the account number listed on this form. **A copy of both sides of the credit card must accompany this form.** I certify that I am authorized to sign this form on behalf of my law firm.

THIS FORM MUST BE TYPED, FILLED OUT COMPLETELY WITH ORIGINAL SIGNATURES, AND DELIVERED TO THE U.S. BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF NEW YORK. A new original form must be submitted to the Court upon any change of any of the information below. It is the responsibility of the cardholder to notify the Court if a card has been stolen or cancelled. If the information on the form is not current, the transaction will not be processed. This form will remain in effect until the expiration date of the credit card or the form is specifically revoked in writing. Photo identification will be requested from the authorized users listed on this form when appearing personally at the Court.

Name as it appears on card _____

—

Card Type: MasterCard Visa Discover American Express Diners Club

Account Number: _____ **AmEx ID#:** _____ **Expiration Date:** _____

Security Code: _____ **Signature:** _____ **Date:** _____

Names and signatures of individuals authorized to use account number listed above for payment of fees, costs, or expenses:

Name _____ Signature _____

Name _____ Signature _____

Name _____ Signature _____

Name of Firm: _____

(Sole practitioner, type or print your name)

Billing Address: _____

Contact Person: _____ **Phone No:** _____

e-mail address: _____

Please send your form to:

U.S. Bankruptcy Court, WDNY
300 Pearl St., Suite 250
ATTN: Admin. Manager
Buffalo, NY 14202

Court Use Only:

Date Received: _____ **CC copy attached:** Y N **Info verified:** Y N **By:** _____

FORM D
(SAMPLE FORMAT)

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

	Case No.
Debtor(s)	Chapter

CERTIFICATE OF SERVICE

I, _____ certify that on, _____, I served true and correct copies of _____ on the following parties in the manner specified for each party below:

Name and Address of Party*	Method of Service (If by mail, describe the mode of mailing)
----------------------------	---

Dated: _____

* If a corporation, note name of officer, director or managing agent. See Federal Rules of Bankruptcy Procedure 7003, 7004, 9013 and 9014 and additional rules, as applicable, for service requirements.

FORM E**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK****CASE MANAGEMENT/ELECTRONIC CASE FILES SYSTEM (CM/ECF)
CREDITOR/LIMITED ACCESS FILER REGISTRATION FORM****LIVE SYSTEM**

This form is to be used to register for **LIMITED ACCESS FILER PRIVILEGES** to file and view documents electronically using the Electronic Case Files System (ECF System) in the U.S. Bankruptcy Court for the Western District of New York. **(NOTE: A PACER account is necessary for access to files and documents.** You may register for a PACER account either online at <http://pacer.psc.uscourts.gov> or by calling 1-800-676-6856).

First/Middle/Last Name: _____

Company/Firm Name: _____

Mailing Address: _____

Voice Phone Number: _____

Fax Phone Number: _____

Internet E-Mail Address: _____

Send Notice to these additional E-Mail Addresses: _____

By submitting this registration form the applicant certifies under penalty of perjury that he or she is authorized to submit this registration form on behalf of the Company/firm identified above and agrees to adhere to the following:

1. This access is for use only of cases filed in the U.S. Bankruptcy Court for the Western District of New York. It may be used to file and view electronic documents, docket sheets and reports. NOTE: A PACER account is necessary for this access and the registration information is referenced above.
2. Rule 9011 of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”) require that every pleading, motion, and other paper (except lists, schedules, statements, or amendments thereto) filed with Court be signed by at least one attorney of record or, if the party is not represented by an attorney, by the party. The unique password issued by the Court to a participant identifies that participant to the Court each time he or she logs onto the ECF System. The use of a participant’s password constitute a signature for the purposes of Bankruptcy Rule 9011, on any document or pleading filed electronically using that participant’s password. Therefore, a participant must protect and secure the password issued by the Court. If there is any reason to suspect the password has been compromised, it is the duty of the participant to immediately

change their password through the “Utilities” menu in the ECF System. After doing so, the participant must contact the Clerk’s Office to report the suspected compromise of the password.

3. I understand that a signature will be indicated by “/s/” and the typed name of the person signing in the following format: “/s/ Jane Smith” on the signature line. The ECF password constitutes my signature. The login and password for filing with the Court over the internet will be used by me and by any of my employees to whom I give authorization. I will not knowingly permit my login and password to be used by anyone who is not so authorized.
4. Registration will constitute a request and an agreement to receive notice of pleadings and other papers from the Clerk of Court electronically pursuant to Bankruptcy Rule 9036, where notice of pleadings and other papers is otherwise permitted by first class mail, postage prepaid. I agree to maintain a current postal address to receive notification from the Bankruptcy Noticing Center.
4. I understand that, by submitting an application for a password, I agree to adhere to all of the rules and procedures of the U.S. Bankruptcy Court for the Western District of New York concerning the use of the ECF System, set forth in the Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers Filed by Electronic Means. I also understand that the Court may periodically post announcements and updates to the Court’s website that are pertinent to ECF practice and use.
5. I understand that the use of my login and password in filing a document containing the signature of another person is my representation to the Court that, to the best of my knowledge, the document is a true and correct copy of the original document bearing such other person’s signature. I also understand that I must retain the original of the signed document for the length of time set forth in the Administrative Procedures.
6. As a participant with limited filing privileges, participant will only have access in ECF to perform limited transactions including transactions relating to Claims, Reaffirmation Agreements, and Notice of Appearance. The Court reserves the right to add or remove options available to the participant, as deemed necessary.
7. The Company/Firm will be responsible for adding correct name and address information to the creditor mailing matrix for receipt of notices.

Applicant’s Signature

Last four digits of Social Security Number (for security purposes)

Privacy Disclaimer: The information contained within this application will not be sold or otherwise distributed by this office to outside sources.

Return my login and password by: Email to the following address:

Please return the completed for to:

U.S. Bankruptcy Court
Olympic Towers
300 Pearl Street, Suite 250
Attn: Clerk of Court
Buffalo, New York 14202

FORM F
(SAMPLE FORMAT)

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In Re:

Case No.

Chapter

Debtor(s).

SUMMARY OF EXHIBITS/ATTACHMENT(S) AND CERTIFICATE OF SERVICE

Complete versions of the following exhibits or attachment(s) in reference to
_____ are available upon request:

Respectfully submitted

/s/ name

ATTORNEY FOR _____

Copy of the above served this

_____ day of _____, _____ on:

FORM G**SAMPLE NOTICE OF ELECTRONIC FILING
GENERATED BY ECF SYSTEM WHEN A DOCUMENT IS FILED**

00-00000-ABC Notice of Electronic Filing

The following transaction was received from Jim C. Doe on 01/01/2001 at 12:01 AM

Case Name: Debtor name

Case Number: 00-00000-ABC

Document Number: 14

Docket Text:

MOTION FOR RELIEF FROM STAY filed by Jim C. Doe of Creditor's law firm on behalf of Creditor. (Doe, Jim C.)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: x:/XXX/12345.pdf

Electronic Document Stamp:

[STAMP NYWBStamp_ID=1111111111[Date=01/01/2001][File Number=11111-1][other codes]

00-00000-ABC Notice will be electronically mailed to:

John Doe
jdoe@hotmail.com

Jim Doe
James@hotmail.com

00-00000-ABC Notice will not be electronically mailed to:

Jane Doe
111 Main Street
Anywhere, USA 11111

FORM H

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In Re:

Case No.

Debtor(s)

DECLARATION RE: ELECTRONIC FILING OF
PETITION, SCHEDULES & STATEMENTS

PART I - DECLARATION OF PETITIONER

I (WE) and, the undersigned debtor(s), hereby declare under penalty of perjury that the information provided in the electronically filed petition, statements, and schedules is true and correct and that I signed these documents prior to electronic filing. I consent to my attorney sending my petition, statements and schedules to the United States Bankruptcy Court. I understand that this DECLARATION RE: ELECTRONIC FILING is to be executed at the First Meeting of Creditors and filed with the Trustee. I understand that failure to file the signed and dated original of this DECLARATION may cause my case to be dismissed pursuant to 11 U.S.C. § 707(a)(3) without further notice. I (we) further declare under penalty of perjury that I (we) signed the original Statement of Social Security Number (s), (Official Form B21), prior to the electronic filing of the petition and have verified the 9-digit social security number displayed on the Notice of Meeting of Creditors to be accurate.

[] If petitioner is an individual whose debts are primarily consumer debts and who has chosen to file under a chapter: I am aware that I may proceed under chapter 7, 11, 12 or 13 of Title 11, United States Code, understand the relief available under each chapter, and choose to proceed under this chapter. I request relief in accordance with the chapter specified in this petition. I (WE) and, the undersigned debtor(s), hereby declare under penalty of perjury that the information provided in the electronically filed petition, statements, and schedules is true and correct.

[] If petitioner is a corporation or partnership: I declare under a penalty of perjury that the information provided in the electronically filed petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter specified in this petition.

[] If petitioner files an application to pay filing fees in installments: I certify that I completed an application to pay the filing fee in installments. I am aware that if the fee is not paid within 120 days of the filing date of filing the petition, the bankruptcy case may be dismissed and, if dismissed, I may not receive a discharge of my debts.

Dated:

Signed: (Applicant)

(Joint Applicant)

PART II - DECLARATION OF ATTORNEY

I declare under penalty of perjury that the debtor(s) signed the petition, schedules, statements, etc., including the Statement of Social Security Number(s) (Official Form B21) before I electronically transmitted the petition, schedules, and statements to the United States Bankruptcy Court, and have followed all other requirements in Administrative Orders and Administrative Procedures, including submission of the electronic entry of the debtor(s) Social Security number into the Court's electronic records. If an individual, I further declare that I have informed the petitioner (if an individual) that [he or she] may qualify to proceed under chapter 7, 11, 12 or 13 of Title 11, United States Code, and have explained the relief available under each chapter. This declaration is based on the information of which I have knowledge.

Dated:

Attorney for Debtor(s)

Address of Attorney
