

# United States Bankruptcy Court Northern District of Florida



*Fourteenth Amended*

## Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means

Approved for Implementation on November 12, 2003  
Pursuant to Standing Order No. 11

Revised December 4, 2021  
Effective December 6, 2021

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REVISION LOG

DATE OF REVISION	SECTION REVISED	DESCRIPTION
11/27/2019	III.D.4	Section updated in light of Bankruptcy Rule 9037(h), effective 12/1/2019, and Administrative Order 19-001 pertaining to the steps required for a previously filed document to be redacted.
07/06/2021	III.D.2.b	Amended to update the official form number for Schedule I from "Form 6" to "Form 106I."
07/06/2021	II.G.2	Amended to correct the Local Rule reference from 9071-1 to 9070-1 and add a link to the rule's webpage.
07/06/2021	II.H.2.	<p>New paragraph 2 was added as follows:</p> <p>The treatment of "highly sensitive" documents is governed by <a href="#">Administrative Order 21-002, Procedures for the Filing, Service, and Management of Highly Sensitive Documents.</a></p>
07/06/2021	Entire Document	<p>The form number associated with the <i>Statement of Social Security Number</i> was updated throughout the document from "Form 21" to "Form 121."</p> <p>All Local Rule reference text was linked to the specified rule's webpage throughout the document.</p>
9/14/2021	II.L.2	The <i>Court's</i> retention period for original pro se documents was reduced from 4 years to 90 days based on the Administrative Office of the U.S. Courts memorandum of May 24, 2006 which states that the National Archives and Records Administration (NARA) approved records disposition authority that permits the immediate disposal of paper documents scanned in their entirety into CM/ECF (or NextGen) after verification and quality control checks have been performed. No change was made to the retention policy applicable to records retained by attorneys.
12/4/2021	<p>I.</p> <p>II.</p> <p>III.A.1</p> <p>III.B.3</p>	<p>Added Section I. Introduction</p> <p>Updated Section II. <i>Registration for the Electronic Filing System</i> with modifications concerning access to the case management system known as NextGen.</p> <p>Defined the term "flattened," replaced "creditor matrix" with "mailing matrix," and updated the format for matrix submissions to reference formats produced by third party case filing software, e.g., .scn.</p> <p>Updated the text to refer to "Non-System Participants."</p>

DATE OF REVISION	SECTION REVISED	DESCRIPTION
	III.F	The reference to software called "ECF Central" was removed. This program is no longer in service. Proposed orders must be uploaded directly through the System.
	V.	Adjusted the format and updated Section V. <i>Definitions</i> to include the terms <i>E-file or E-Filing, Flattened PDF, System, and System Participant</i> .
	Entire Document	The various terms used throughout the document to describe users of the electronic case management system were replaced with the term "System Participant."

## I. Introduction

These *Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers By Electronic Means* (“Electronic Filing Administrative Procedures”) are authorized by Amended Standing Order No. 11, dated December 6, 2021. The Electronic Filing Administrative Procedures shall apply to all cases and adversary proceedings previously filed and pending as of December 6, 2021, and those subsequently filed in the United States Bankruptcy Court for the Northern District of Florida. Nothing in these procedures is intended or shall be construed to alter or modify any party’s duties under the provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, or the Local Rules of this Court.

## II. REGISTRATION FOR THE ELECTRONIC FILING SYSTEM

### A. User Registration, Passwords and Responsibilities

1. Each attorney, Filing Agent, and limited use filer is required to become a “System Participant” and use a Public Access to Court Electronic Records (PACER) login and password, assigned individually to him or her, to participate in the electronic retrieval and filing of pleadings and other papers in the Court’s electronic case management system (“System”).
2. Each attorney or limited filer desiring to file pleadings or other papers electronically (“e-file”) must:
  - a. Be registered, or register, for a PACER filing account through the PACER Service Center website (<https://pacer.uscourts.gov/>).
  - b. Agree to keep contact information current through the account management tools provided on the PACER website (<https://pacer.uscourts.gov/>).
  - c. Maintain all authorized Filing Agents associated with the attorney’s or trustee’s account by promptly removing access to file on the attorney’s or trustee’s account by using the “Maintain My ECF Account” link in the System’s Utilities menu.
    - i. Trustees who utilize Filing Agents must also provide to the Clerk’s Office Help Desk ([CMECF\\_HelpDesk@flnb.uscourts.gov](mailto:CMECF_HelpDesk@flnb.uscourts.gov)) the name

and PACER account number for all Filing Agents for whom account access has been removed.

3. Each System Participant is required to protect his or her password. No System Participant may knowingly permit or cause to permit his or her PACER password to be shared with others.
4. A System Participant may reset a password using an automated tool available on the PACER website (<https://pacer.uscourts.gov/>).
5. Limited filing is available for the following list of filers:
  - a. Attorneys appearing *pro hac vice*;
  - b. Non-attorneys authorized to prepare and file Proofs of Claim and related attachments/supplements;
  - c. Non-attorneys authorized to appear on behalf of a child support creditor;
  - d. Non-attorneys authorized to file *Applications for Payment of Unclaimed Funds*; and
  - e. Non-attorneys authorized to submit *Reaffirmation Agreements*.
6. Withdrawing from Participation in the System
  - a. System Participants may withdraw from participation in the System by providing the Court with written notice of such withdrawal. Upon receipt, and if no order is required to be entered by the Court, the Clerk's Office will immediately lock the account to terminate the user's System access in this Court. **IMPORTANT NOTE: An order is required for an attorney to withdraw from participation in the System if the attorney has filed a case or has made an appearance for a party. [See N.D. Fla. LBR 2090-1.](#)**

### III. Filing, Service, Signatures and Other Matters

#### A. Filing

1. All petitions, motions, pleadings, memoranda of law, or other documents, except for mailing matrices and proposed orders, are to be converted into portable document format (.PDF), *flattened* (a process used to merge previously separated contents of a .pdf document into a single layer), and filed directly on the System (otherwise

known as e-filing). Mailing matrices are to be filed in a similar manner, but in text (.TXT) format. (Note: Mailing matrices created via third party filing software may be in an alternate format, e.g., .scn.) Information regarding the formatting of orders can be found on the Court's website ([www.flnb.uscourts.gov](http://www.flnb.uscourts.gov)).

2. Judicial waiver will be required for counsel to file documents in hard copy format. If hard copies are submitted without a waiver, the Clerk's Office will proceed with steps to possibly strike the document.
3. For corporate entities that file more than 20 Proof of Claims in a calendar year, a judicial waiver *will be required* to file documents in hard copy format. If hard copies are submitted without a waiver, the Clerk's Office will proceed with steps to possibly strike the document.
4. Pleadings or other papers presented for filing by unregistered attorneys and/or parties via compact disk (CD) must contain a scanned or electronic copy of all original signatures. All CDs will be scanned for viruses. Infected disks will not be returned to the filer and will be destroyed.
5. Self-represented parties may file documents in hard copy format with exceptions noted in this document. These documents will be scanned into .pdf format by the Clerk's Office and docketed into the System. With some exceptions, paper documents will be discarded once processed without further notice.
6. Emergency or expedited motions are governed by this Court's Local Rules (<https://www.flnb.uscourts.gov/local-rules>). Additional information is available on the Court's website (<https://www.flnb.uscourts.gov/instructions-and-procedures-chambers>).

## B. Service

1. Participation in the System by a receipt of a court-issued login and password shall constitute a request for service and notice by electronic means pursuant to Federal Rule of Bankruptcy Procedure 9036. Registered participants of the System, by possessing a password from the Court, agree to receive notice and service by electronic means both from the Court and from other System Participants, wherever located. Service by other means requires non-participation in the System, and judicial waiver is required.
2. Whenever a pleading or other paper is e-filed through the System in accordance with these procedures, the filer will cause the System to automatically generate and serve to electronic case participants a "Notice of Electronic Filing" (NEF) at the time of docketing. Service is not effective if the sender receives notice that the pleading or other paper did not reach the System Participant being served.

3. Non-System Participants must be served by other means outside of the System in accordance with applicable Federal Rules of Bankruptcy Procedure and Local Rules.

**A Certificate of Service is required to be included with or filed subsequent to all pleadings and other documents filed through the System and must state the names of all parties served and the method of service, including a party's mailing address or email address if served electronically via NEF.** Additional procedural instructions and a stand-alone Certificate of Service fillable PDF may be found on the [Court's website](#).

**IMPORTANT NOTE:**

**The Bankruptcy Noticing Center (BNC), established by the Administrative Office of the U.S. Courts (AO), provides *the Court* with a centralized service for preparing, producing, and sending documents by mail or electronic notification. Use of BNC services for the dissemination of pleadings or other papers by the public is not authorized. Other noticing services are available to you for a fee. The Clerk's Office does not recommend or endorse mail/noticing services and suggests that you contact your colleagues who may be utilizing this type of service for a recommendation.**

## C. Signatures

1. Signatures for the e-filing of a petition, pleading, motion, claim, or other paper by an attorney or unrepresented party who is a System Participant for Federal Rule of Bankruptcy Procedure 9011 and other applicable Rules are valid only when the filing is accompanied by the System Participant's System login, **and** the .PDF document filed contains either a scanned image of any original signature(s) or the text "/s/ user name" where an original signature should occur.
2. Petitions, lists, schedules, statements, amendments, pleadings, affidavits, and other documents that must contain original signatures or that require verification under Federal Rule of Bankruptcy Procedure 1008 or an unsworn declaration as provided in 28 U.S.C. § 1746 may be e-filed by System Participants. Applicable retention requirements apply.

## D. Email Address in Pleadings

All System Participants must include a working email address on all filed pleadings and other papers so that parties may communicate as needed on applicable case-related issues.



#### E. Fees Payable to the Clerk

All fees are due at the time of filing on the System. System Participants must settle their online accounts for any outstanding fees by midnight Eastern Time on the day of filing. If fees are not received in a timely manner, steps will be taken to either strike the pleading or dismiss the case, whichever is applicable.

#### F. Orders

1. All orders are to be submitted electronically via the “Proposed Order Submission” link on the System menu.
2. Order submissions must conform to the specifications maintained on the Court’s website ([http://www.flnb.uscourts.gov/sites/default/files/filing\\_requirements/4-inst.pdf](http://www.flnb.uscourts.gov/sites/default/files/filing_requirements/4-inst.pdf)).

#### G. Attachments to Pleadings and Proof(s) of Claim

1. If a filed document includes exhibits or attachments, then such exhibits or attachments are to be attached to the document submitted for filing. Filers submitting attachments electronically are required to complete the “Category” **and** “Description” fields for each uploaded file. The information in these fields aids the Court *significantly* in its review of the case file.
2. Exhibits, attachments and/or supporting documentation for Proofs of Claim are to be attached to the Proof of Claim when submitted for filing. The creditor must provide a copy of the original documentation to any party objecting to its claim. In the event of a hearing on an objection to the claim, the Proof of Claim along with all original exhibits, attachments and supporting documentation shall be introduced at the hearing for possible admission to the official record.
3. Exhibits and attachments that are not in proper format should be photographed so that they can be scanned or converted by the filer into portable document format (.PDF) for subsequent e-filing.

#### H. Documents Filed Under Seal

1. Motions to file documents under seal may be e-filed; however, the actual document(s) to be filed under seal must be presented on paper for the Court’s consideration. If the motion is granted, then the Clerk will scan, e-file and seal the document(s) in the System, setting appropriate restrictions so that the document may not be viewed by anyone other than the judge assigned to the case. The

original paper document(s) will be attached to a paper copy of the order, logged, and stored in a sealed document safe. If the motion is denied, the paper documents will be disposed of in accordance with the order or Court policy.

2. The treatment of “highly sensitive” documents is governed by [Administrative Order 21-002, Procedures for the Filing, Service, and Management of Highly Sensitive Documents.](#)

## I. Title of Docket Entries

A System Participant who e-files a pleading or other document shall be responsible for designating a docket entry title for the document by using one of the docket event categories prescribed by the Court and reflected in the System.

## J. Correcting Errors in Electronic Filings

1. Electronic filings appear on the court docket immediately upon submission through the System. Notices of Electronic Filing (NEFs) are produced concurrently with document submission. If a document contains an error or is filed in error, corrective action may be required from the filer before the pleading will be considered by the Court.

- a. *Submission error.* If an action is required from the filer, the error notification will come in the form of a “*Submission Error Notification*” (SEN) entered on the docket by Clerk’s Office staff. This docket entry automatically generates an email notice to the registered user who filed the pleading.

**IMPORTANT:** This is the only notice you will receive advising you that corrective action is necessary.

The email will identify the nature of the error and will inform the filer if an action on their part is necessary in order for the filing to be considered by the Court as well as any applicable time frame in which the action needs to be taken.

- b. *Corrective entries.* Some errors can be corrected by Clerk’s Office staff making it unnecessary for the filer to take corrective action. In those instances, the Court will generally make the necessary corrections. To maintain the integrity of the court docket, any changes made by court staff will be noted on the docket with the text “*Corrective Entry.*” The entry will identify the nature of any changes made by the Clerk’s Office. It is not

necessary for the filing party to take any additional action to correct the entry.

#### K. Interrogatories

E-file a “Notice of Service of Interrogatories” only. Do not e-file the entire set of interrogatories. Upon request of the Court or party, the filer may be required to produce the interrogatories.

#### L. Retention Requirements

##### 1. E-filed Documents by registered users:

- a. All petitions, lists, schedules, statements, pleadings, affidavits, and other documents requiring verification under Fed. R. Bankr. P. 1008 and unsworn declarations as provided in 28 U.S.C. § 1746 must be retained with the original signatures by the attorney or other System Participant who e-files such a document or other paper for four years after the closing of the case.
- b. With respect to e-filed petitions, the filing System Participant shall retain an originally executed copy of Official Form 121 until four years after the closing of the case.

##### 2. Filings By Self-Represented Parties:

- a. The Court will retain filings by self-represented parties that must contain original signatures, that require verification under Fed. R. Bankr. P. 1008, or unsworn declarations as provided in 28 U.S.C. § 1746 for 90 days after they have undergone verification and quality control review. This includes Official Form 121.

### IV. Public Access at the Courthouse

#### A. Public Access at the Courthouse

1. Access to the electronic docket and documents filed in the System is available to the public at no charge through terminals located within District and Bankruptcy Court Clerk’s Office Intake lobbies.
2. Assistance with bankruptcy cases is available at the two staffed Northern District of Florida Bankruptcy Court divisional offices located in Tallahassee and Pensacola. While Bankruptcy hearings may be held in the Gainesville and Panama City divisions, Bankruptcy staff in those locations is unavailable.

## B. Internet Access

Although any person can retrieve and view documents in the System and access information from it without charge at the Clerk's Offices, electronic access to the System for viewing purposes is otherwise limited to subscribers of the Public Access to Court Electronic Records (PACER) System. PACER access, fee information, and fee exemption criteria may be found at <https://www.pacer.gov/>.

## C. Conventional and Certified Copies of Documents

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

## D. Privacy Provisions

1. In accordance with the E-Government Act of 2002, and its own policy regarding privacy and public access, the Judiciary Conference of the United States (JCUS), at its September 2003 session, promulgated Official Bankruptcy Form 121, Statement of Social Security Number(s). This form has been created to satisfy the requirement set forth in FRBP 1007(f) that a debtor must submit a verified statement of his or her Social Security number (SSN) along with the debtor's petition.
  - a. With respect to e-filed petitions, the debtor's signature declaring under penalty of perjury that information in the petition is true and correct shall apply to the debtor's SSN as e-filed with the petition.
  - b. With respect to petitions filed by electronic means on a computer disk, the debtor's attorney shall submit a copy of Official Form 121 as a separate paper document with the Clerk at the same time as the petition is filed.
  - c. Attorneys shall not file or submit any additional statements or verifications of the debtor's SSN.
  - d. With respect to petitions filed on paper by self-represented debtors, the debtor shall submit an original Official Form 121 as a separate paper document with the Clerk at the same time the petition is filed.
  - e. Originally executed copies of Official Form 121 will not be accessible to parties, the bar, or the public.

2. In order to protect personal privacy and other legitimate interests under FRBP 9037, parties shall refrain from including, or shall partially redact, the following personally identifiable information (PII) from all documents and pleadings filed with the Court, including attachments thereto, unless required by statute, Federal Rules of Bankruptcy Procedure, Local Rule, official bankruptcy forms, or otherwise ordered by the Court:
  - a. *Social Security Number (SSN)*. If an individual's SSN must be included in a pleading, only the last four digits of that number should be used except when submitting Official Form 121 on which the entire SSN should appear.
  - b. *Names of minor children*. If the involvement of a minor child must be mentioned, only the initials of that child should be used. On Schedule I of Official Form 106I, list the relationship and age of the debtor's dependents, i.e., "son, age 6".
  - c. *Dates of birth*. If an individual's date of birth must be included in a pleading, only the year should be used.
3. The responsibility for redacting personal identifiers described above rests solely with legal counsel and parties filing documents with the Court. The Clerk's Office will not alter, review, or inspect any document for compliance with privacy rules and has no responsibility to do so.
4. Bankruptcy Rule 9037(h) applies if a document containing information in violation of Bankruptcy Rule 9037 happens to be filed. The rule includes the following process:
  - a. File a motion to redact identifying the proposed redactions;
  - b. Attach to the motion (as a separate PDF attachment) the proposed redacted document;
  - c. Include in the motion the docket or proof-of-claim number of the previously filed document; and
  - d. Serve the motion and attachment on the debtor, debtor's attorney, trustee (if any), United States trustee, filer of the unredacted document, and any individual whose personal identifying information is to be redacted.

The court will promptly restrict public access to the motion and the unredacted document pending its ruling on the motion. If the court grants it, the court must docket the redacted document. The restrictions on public access to the motion and unredacted document remain in effect until a further court order. If the court denies it, the restrictions must be lifted, unless the court orders otherwise.

## V. Definitions and Abbreviations Used in this Document

### A. Definitions

1. E-file or E-filing - The act of filing pleadings or other papers electronically through the System.
2. Flattened PDF– Flattening is a process performed on a Portable Document Format (.pdf) file that merges previously separated contents of the document into one layer. For instructions on how to flatten a .pdf document, refer to your software provider.
3. System - Electronic case filing software used by the Clerk of Court to maintain dockets and claims registers in accordance with Fed. R. Bankr. P. 5003.
4. System Participant – A term synonymous with “Electronic Filing User” (see N.D. Fla. LBR 9001-1(B)) used to describe a participant in the System.

### B. Abbreviations

1. BNC - Bankruptcy Noticing Center
2. NEF - Notice of Electronic Filing
3. PACER - A system called “Public Access to Court Electronic Records” that allows registered users to access System (CM/ECF) databases across the country and review public documents and docket reports for a fee.
4. PII - Personally Identifiable Information – Information such as Social Security numbers, dates of birth, and financial account information that uniquely identifies you or aspects of your financial life.
5. SEN - Submission Error Notification – the only the notice you will receive advising you that corrective action is necessary concerning an issue with your e-filing.
6. SSN - Social Security Number