

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

In re

PROVISIONS FOR MANDATORY)	
ELECTRONIC CASE FILING)	AMENDED GENERAL ORDER NO.
)	03-1
)	

ORDER

THE COURT FINDS that:

Federal Rules of Civil Procedure 5(e) and 83, Federal Rules of Bankruptcy Procedure 5005(a)(2), 9011, 9029 and 9036, and Local Bankruptcy Rules 5005-2(b) and 9037-1 authorize this Court to establish practices and procedures for filing, signing, maintaining and verifying pleadings and papers by electronic means; and

On September 6, 2002, by General Order 02-2, the Court established and published such procedures in the Electronic Case Filing Administrative Procedures Manual, and reserved the authority to modify such procedures from time to time in keeping with the needs of the Court; and

On October 1, 2002, the Court implemented Electronic Case Filing in Chapter 11 and Chapter 13 cases on a trial basis for a select group of bankruptcy practitioners; and

On January 1, 2003, the Court extended Electronic Case Filing to all chapters of the bankruptcy code for all registered bankruptcy practitioners; and

On May 21, 2003, by General Order 03-1, the Court set a January 1, 2004, date for requiring that all pleadings and other papers in all cases and proceedings be filed electronically, with certain exceptions; and

Since August 2002, the Court has formally trained more than 2,000 attorneys, trustees, and support staff, providing three hours of Continuing Legal Education credit to attorneys, and has responded to hundreds of Electronic Case Filing help desk calls.

NOW, THEREFORE, IT IS ORDERED that General Order 03-1 is amended to read as follows:

1. All pleadings and other papers filed in all cases and proceedings, whether pending or new, shall be filed electronically according to the procedures established by the Court, except as follows:
 - a. Parties without legal representation (*pro se* parties) shall file all pleadings and other papers conventionally and not electronically.
 - b. Creditors who are not registered Electronic Case Filing users shall file all documents conventionally.
 - c. If either the Court's or a registered user's electronic filing equipment is temporarily inoperable, users may file pleadings and other papers conventionally, as provided in section II C of the Electronic Case Filing Administrative Procedures Manual.
 - d. All documents set forth in section III of the Electronic Case Filing Administrative Procedures Manual, as it may be amended from time to

time, shall be filed conventionally and not electronically unless specifically authorized by the Court. These documents include:

- 1) documents previously ordered sealed;
- 2) documents to be filed under seal;
- 3) involuntary petitions;
- 4) the designation of record in cases that are appealed;
- 5) exhibits for evidentiary hearings, unless otherwise directed by the Court;
- 6) the signature declaration form (Declaration re: Electronic Filing of Documents and Statement of Social Security Number), as set forth in section II B 3 of the Electronic Case Filing Administrative Procedures Manual;
- 7) documents incorporating signatures from non-registered users, unless otherwise provided;
- 8) Court hearing transcripts;
- 9) Official Form 21, if filed to correct a Social Security number.

- e. Motions for leave to file a document conventionally may be filed conventionally or electronically.
- f. Any document for which prior authorization to file conventionally has been obtained from the Court upon motion and order for good cause shown may be filed conventionally.

2. Those provisions of General Order 02-2 that are inconsistent with the provisions of this Order are hereby rescinded.
3. The Clerk of this Court shall prepare a notice of the entry of this Order to be published in the various legal news publications functioning in the counties served by this Court. The Clerk shall further cause the notice and the Electronic Case Filing Administrative Procedures Manual to be distributed at the Clerk's divisional offices in Akron, Canton, Cleveland, Toledo and Youngstown, and shall post this General Order and the Electronic Case Filing Administrative Procedures Manual on the Court's Internet site.

Dated: February 23, 2004

/s/ Randolph Baxter
Randolph Baxter
Chief Judge, United States Bankruptcy Court

/s/ Russ Kendig
Russ Kendig
United States Bankruptcy Judge

/s/ Richard L. Speer
Richard L. Speer
United States Bankruptcy Judge

/s/ Mary Ann Whipple
Mary Ann Whipple
United States Bankruptcy Judge

/s/ Marilyn Shea-Stonum
Marilyn Shea-Stonum
United States Bankruptcy Judge

/s/ Arthur I. Harris
Arthur I. Harris
United States Bankruptcy Judge

/s/ Pat E. Morgenstern-Clarren
Pat E. Morgenstern-Clarren
United States Bankruptcy Judge