

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS**

**ADMINISTRATIVE PROCEDURES  
FOR THE  
CASE MANAGEMENT/ELECTRONIC CASE FILING SYSTEM**

**Approved February 17, 2004**

I. DESIGNATION OF CASES, PASSWORDS, AND REGISTRATION

A. Designation of Cases

All cases under title 11 of the United States Code, all adversary proceedings, and all ancillary matters filed or pending in the Northern District of Illinois (“bankruptcy cases”) are assigned to the Case Management/Electronic Case Filing System (“System”). All documents in bankruptcy cases are maintained in electronic format. Except as provided otherwise herein, (1) after January 1, 2004, all petitions and other documents *may* be submitted in electronic format; and (2) after July 1, 2005, all petitions and other documents *must* be submitted in electronic format.

B. Passwords

Each non-attorney bankruptcy trustee and each attorney admitted to practice in the United States District Court for the Northern District of Illinois who wants to appear or file documents in bankruptcy cases must obtain and use a Login and Password (collectively “Password”) from the System to permit the trustee or attorney to participate in the electronic retrieval and filing of pleadings and other documents in accordance with the System. Limited registrants, as defined in paragraph I-C-8, must also obtain and use a Password.

C. Registration

1. PACER

Viewing documents and court dockets in the System from a location other than an office of the clerk may be accomplished using an account with the

Public Access to Court Electronic Records (“PACER”) system. The e-mail address for PACER is [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov). It can be reached from the hyperlink on the court’s website. (The System Password does not afford automatic access to PACER, which requires its own password and login.)

2. Registration Required

A Registration Application in a form approved by the clerk of the court must be submitted for each attorney, each non-attorney trustee, and each limited registrant (collectively “Registrant”) wanting to use the System.

3. Training Department

Signed Registration Applications must be mailed to Training Department, U.S. Bankruptcy Court, 219 South Dearborn St., Chicago, IL 60604, or delivered to the clerk’s Chicago office in a sealed envelope addressed to the Training Department.

4. Training

Upon approval by the clerk of the Registration Application and completion of initial System training approved by the clerk, each applicant will receive a restricted password for the online training program and for limited CM/ECF inquiry purposes. Within 30 days of completion of the initial training, the applicant must complete the online training and request activation of an unrestricted Password.

5. Passwords

A Password must be used exclusively by the Registrant to whom it is issued and by employees of the Registrant to whom proper authorization has been given. A Registrant is responsible for all applicable charges associated with use of the Registrant’s Password. Any documents filed using the Password will be deemed authorized and signed by the Registrant.

6. Unauthorized Use of Passwords

If a Registrant believes that the Registrant’s Password has been or may be used by an unauthorized person, the Registrant must immediately notify the ECF Help Desk. If the clerk believes that a Registrant’s Password has been used improperly, the clerk will notify the Registrant. In all such

instances the clerk will make appropriate corrections to the System and issue a new Password to the Registrant.

7. Withdrawal

A Registrant may withdraw from use of the System, for cause, on order of the court. Any motion to withdraw by a Registrant must be presented to the Chief Judge of the Bankruptcy Court. The Chief Judge's courtroom deputy will provide a copy of any order of withdrawal to the Training Department. Upon receipt of the order, the Training Department will immediately cancel the Registrant's Password and delete the Registrant from all applicable electronic notice lists.

8. Limited Registrants

A limited registrant is a person who is eligible to file electronically only a proof of claim form, a transfer of claim form, and a notice of change of address form; and any other person who may be authorized by the court to register for other limited purposes.

## II. FILING AND SERVICE OF DOCUMENTS

### A. Electronic Filing

#### 1. Requirements

##### a. General Rule

Subject to the schedule in paragraph I-A, except as expressly provided in paragraph III, and except for circumstances that temporarily prevent a Registrant from filing electronically, all petitions, motions, applications, notices, pleadings, memoranda of law, and other documents filed with the court in connection with a bankruptcy case must be filed electronically. Parties without legal representation may present documents in paper form to the clerk's office where the documents will be scanned into the System.

##### b. Format

Except as ordered by a judge, all electronic documents must be submitted in Portable Document Format (.pdf).

##### c. Medium

Documents in electronic format may be submitted on 3.5 inch computer diskette, CDROM, DVD, or via the Internet. Only Registrants may file via the Internet. Electronic documents may not be submitted on any other medium or by any other means without prior approval of the clerk. A diskette, CDROM, DVD, or other tangible medium must only contain documents relating to a single bankruptcy case and must be labeled with the name, attorney registration number, and phone number of the attorney submitting the medium (or the name, address, and telephone number of the *pro se* party submitting the medium), the case number, the case name, and titles of all documents on the medium.

d. Size Limit

Documents filed electronically must not exceed 2 megabytes in size. Paper documents to be scanned into Portable Document Format must not exceed 50 pages. A proposed document which exceeds these limits must be broken into multiple .pdf files and filed as a document and attachments. This paragraph does not supersede Local Bankruptcy Rule 5005-3(C) which limits briefs to fifteen pages. The assigned judge may order that other rules will apply in a particular case.

e. Title and Caption

Each document filed electronically must be titled using one of the categories contained in the System and must contain a caption complying with Local Bankruptcy Rule 5005-3(B).

f. Bookmarks

i. All bankruptcy petitions, schedules, statement of financial affairs and lists normally filed with a case must be tagged with bookmarks generated by PDF software such as Adobe Acrobat®, to permit navigation to the following locations by clicking on the bookmarks:

- (a) Petition Signatures
- (b) Summary of Schedules
- (c) Schedule A Real Property
- (d) Schedule B Personal Property
- (e) Schedule C Exemptions
- (f) Schedule D Secured Claims
- (g) Schedule E Priority Claims

- (h) Schedule F Unsecured Claims
- (i) Schedule G Executory Contracts
- (j) Schedule H CoDebtor
- (k) Schedule I Income
- (l) Schedule J Expenses
- (m) Financial Affairs
- (n) Statement of Intention
- (o) Business Declaration
- (p) Debtor Attorney Compensation
- (q) Non-attorney Petition Preparer Certification

ii. The bookmarks shall be named the same as the locations specified above in subsection i.

2. Date and Time of Filing

The Notice of Electronic Filing issued by the System shows the date and time of filing. Documents filed electronically outside of normal business hours are deemed filed on the date and at the time the System receives them. Filings received before midnight on the date that is a deadline are considered timely, unless the assigned judge specifically required an earlier time.

3. Creditor Lists

Creditor lists must be submitted in electronic format as required by Local Bankruptcy Rule 1007-1.

4. Emergency Matters

An attorney or *pro se* party filing an emergency matter must immediately advise the assigned judge's courtroom deputy of the filing by phone or fax. The name and phone number of the courtroom deputy for each judge are posted on the court's website, [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov).

B. Notice and Service

1. E-mail Addresses

All Registrants must maintain a current and active e-mail address to facilitate receiving electronic notices from the System.

2. Notice of Electronic Filing

When a pleading or other document is filed, the System generates a Notice of Electronic Filing that is transmitted by e-mail to all Registrants participating in the bankruptcy case.

3. Service

A Registrant filing a document must serve the document on all persons entitled to service in accordance with the applicable rules. If service by first class mail is permitted under the rules, the Registrant may make service under paragraph II-B-4 below.

4. Notice by Electronic Means

Pursuant to Fed. R. Bankr. P. 7005 and 9036, registration as a Registrant constitutes: (1) waiver of the right to receive notice by first class mail and consent to receive notice electronically, and (2) waiver of the right to service by personal service or first class mail and consent to receive electronic service, except with regard to service of a summons and complaint under Fed. R. Bankr. P. 7004. Waiver of service and notice by first class mail applies to notice of the entry of an order or judgment under Fed. R. Bankr. P. 9022.

5. Local Presentment Rule Applies

Except for the consent to receive electronic service contained in paragraph II-B-4, immediately above, nothing in these Administrative Procedures changes the requirement under Local Bankruptcy Rule 9013-3(A) that notice of intent to present a motion must at a minimum be personally served at or before 4:00 p.m. of the *second* business day preceding the date of presentment.

C. Signatures

1. Original Non-Attorney Signatures

a. Petitions and Accompanying Documents Filed via the Internet

When a bankruptcy petition and the accompanying documents are filed electronically via the Internet, the Registrant must cause to be filed a Declaration Regarding Electronic Filing, in a form approved by the clerk, not as an attachment to the electronic filing but as a separate document to be docketed. The Declaration must

contain an original signature of the debtor(s), in black ink, and must be scanned into the System by the Registrant. The scanned image shall be the clerk's permanent record, and the paper Declaration need not be submitted to the clerk.

b. Other Documents

Except for Internet petition filings covered by subparagraph II-C-1-a, above, and except for paper filings covered by paragraph II-C-3, below, all documents associated with an electronic filing which must be signed by a person who is not a Registrant, including those listed in Fed. R. Bankr. P. 1008, must be filed electronically, and the Registrant who files the document must obtain an original ink signature from the appropriate person on a paper copy of the document. The page of the document containing the original signature must be scanned into the System by the Registrant as an attachment to the electronically filed document. The scanned image shall be the clerk's permanent record, and the paper documents need not be submitted to the clerk.

2. Registrant Signatures

a. Internet Filings

By using the Password to make an electronic filing, a Registrant is deemed to affix the Registrant's signature to the document for purposes of Fed. R. Bankr. P. 9011. Each filing must indicate a signature by the designation /s/, followed by the typed name of the Registrant. Registrants who are attorneys must also include their attorney registration number, complete mailing address, telephone number, and the name of the party the attorney represents. If the identifying information appearing in a document filed via the Internet is inconsistent with the identifying information supporting the Password with which the document was filed, the identifying information in the document will be disregarded, and the Registrant is responsible for the document for purposes of Rule 9011 and all other purposes.

b. Other Electronic Filings

Documents filed electronically not via the Internet must include the imaged signature of the attorney or *pro se* party filing the document, along with the typed name, attorney registration number, complete mailing address, and telephone number of the attorney, and the name of the party the attorney represents (or the

typed name, complete mailing address, and telephone number of the *pro se* party).

3. Paper Filings

When documents listed above in paragraph II-C-1 are presented in paper form for scanning by the clerk, as permitted under paragraph II-A-1, the paper documents must contain original ink signatures. The clerk will scan the paper documents into the System; the scanned image shall be the clerk's permanent record; and the paper documents may be discarded.

D. Fees Payable to the Clerk of the Court

All fees associated with electronic filings are payable at the time of filing. The System includes a procedure for automated payments to the United States Treasury. Details of the procedure are available on the court's website or from the clerk's office.

E. Orders

1. Proposed Orders Required

When motions, applications, objections to claim, and other requests for relief are filed electronically, the moving party must submit a proposed order as an electronic attachment to the request for relief.

2. Format [to be determined later]

F. Correcting Docket Entries

After a document has been submitted and become part of the case record, the docket may only be corrected by the clerk. The clerk will not alter any document submitted or docket entries made unless directed to do so by a judge. When such a direction is given, corrections will be made by adding the correct docket entry with the appropriate document(s) referencing the incorrect docket entry.

G. Technical Failures

A Registrant whose filing is untimely because of a technical failure of the System may seek appropriate relief from the assigned judge, or if no case is pending, from the Chief Judge of the Bankruptcy Court. Relief will only be

granted for cause. Any difficulty connecting to the System and any other technical failure experienced should be reported immediately to the ECF Help Desk. (Relief will not be given because of technical failures in the Registrant's office or equipment.)

### III. EXCEPTIONS TO ELECTRONIC FILING—FILINGS USING PAPER DOCUMENTS

The documents described in A, B, and C below must be filed in paper form and not electronically, unless specifically authorized by the court. Attorneys granted a Waiver of Electronic Filing and *pro se* parties must comply with D below.

#### A. Documents to be Filed Under Seal

Subject to Fed. R. Bankr. P. 9018 and Local Bankruptcy Rule 5005-4, when a party is moving to file documents under seal, the motion must be filed electronically, but the documents proposed to be filed under seal must be filed on paper. If the motion itself contains confidential information, the moving party may file and serve electronically a redacted version of the motion clearly marked as such and must submit the unredacted version on paper to the chambers of the assigned judge for *in camera* review. If the judge requests, the moving party must also submit paper copies of the documents proposed to be filed under seal for *in camera* review. Orders authorizing the filing of documents under seal will be entered electronically pursuant to paragraph II-E.

#### B. Trial Exhibits

If trial exhibits are ordered to be filed, they must be filed on paper in accordance with the Local Bankruptcy Rules, unless the assigned judge orders otherwise.

#### C. Transcripts

Transcripts must be filed on paper in accordance with Local Bankruptcy Rules, unless the assigned judge orders otherwise.

#### D. Attorneys Without Financial Ability to File Electronically and *Pro Se* Parties

##### 1. Financial Hardship

An attorney may file an Application for Waiver of Electronic Filing Requirements seeking an exemption from electronic filing requirements. The application must be presented to the Chief Judge of the Bankruptcy Court and must allege financial inability to access the equipment necessary to comply with paragraph II-A-1 above. The application will only be granted for cause.

2. Procedure

A waiver from electronic filing does not waive compliance with Local Bankruptcy Rules.

3. Optional Procedure

Instead of filing paper documents, an attorney granted a waiver from electronic filing or a *pro se* party may scan paper documents to a diskette using scanning equipment available to the bar and the public in the public areas of each division of the court.

4. *Pro Se* Filers

A party not represented by an attorney may file either paper documents or documents in electronic format as described in paragraph II-A-1(c) but not including Internet filings.

IV. PUBLIC ACCESS TO THE SYSTEM

A. Internet Access

Internet access to view documents in the System requires a PACER account. See Paragraph I-C-1.

B. Public Access at the Court

The public will be provided electronic access to view documents in the System without charge at each division of the clerk's office, during regular business hours, Monday through Friday.

C. Paper Copies and Certified Copies

Paper copies and certified copies of electronically maintained documents may be purchased at the division offices of the clerk, 219 South Dearborn St., Chicago, IL 60604 and 211 S. Court St., Rockford, IL 61101. Fees for copying and certifying documents are charged pursuant to 28 U.S.C. § 1930(b).