



UNITED STATES BANKRUPTCY COURT
Eastern District of Pennsylvania

**USER'S MANUAL FOR
ELECTRONIC CASE FILING**

April 1, 2003
(Revised March 19, 2008)

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

User's Manual for Electronic Case Filing

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Amendments to User's Manual

<i>Amended Paragraph</i>		<i>Effective Date</i>
I.	Scope of Electronic Filing (Paragraph I) (A) and (B)	March 19, 2008
III.	Registration for Electronic Filing and Electronic Notice (Paragraph 2) (7)	March 19, 2008
IV.	Payment of Filing Fees When Filing Electronically (Paragraph 2) (1)	March 19, 2008
V.	Signatures	January 14, 2005
VII.	Technical Requirements (1) and (2)	March 19, 2008
VIII.	Public Access to the Dockets and Electronically Filed Documents (1)	March 19, 2008
X.	Help Desk	November 8, 2004
Exhibit I: Registration Form for Electronic Filing		January 14, 2005

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INTRODUCTION

Effective April 1, 2003, all cases filed in the United States Bankruptcy Court for the Eastern District of Pennsylvania are assigned to the Electronic Case Filing System (“System”). This User’s Manual has been developed to provide (1) commentary to this Court’s Standing Order No. M03-3005 dated April 1, 2003, and Exhibit A thereto (Procedures for Filing, Signing and Verifying Pleadings and Papers By Electronic Means) dated March 27, 2003, as amended from time to time, and (2) details and instructions regarding certain of the procedures outlined in Exhibit A. To facilitate use of this Manual, reference to the Paragraph of Exhibit A to the Order will be provided where applicable. As issues are presented and addressed for which systemic solutions are developed, this Manual shall be updated.

USER'S MANUAL FOR ELECTRONIC CASE FILING

I. SCOPE OF ELECTRONIC FILING (Paragraph 1)

- A. The court contemplates that all persons registering to become Filing Users shall file all documents electronically absent exceptional circumstances or as otherwise allowed under the Standing Order.
- B. Effective January 15, 2005, all attorneys are required to become "Filing Users" (*i.e.*, hold a court-issued log-in to the Electronic Filing System and file documents only through the Electronic Filing System). Attorneys who will not be able to file electronically by January 15, 2005, or who are thereafter unable to do so, may apply for an extension or waiver. Such requests shall be made by letter, addressed to the Clerk, showing good cause to file and serve pleadings in the traditional manner, and setting forth why the attorney is unable to comply, what steps have been taken to comply, and how long compliance will take. Requests will be determined by the Chief Judge or designee.

Unless otherwise ordered by the Court, attorneys who are granted extensions or waivers will be required to comply with paragraph c. of Amendment 1 to the Standing Order which requires paper filings to be accompanied by a disk or CD-ROM containing in portable document format (PDF) all documents filed with the Court. Attorneys who are granted extensions or waivers and are unable to create and submit computer disks in PDF format may scan the paper document utilizing a document scanner that will be available in the Clerk's Office. Documents not accompanied by a PDF formatted disk or scanned by the attorney shall be found deficient and may, after notice to counsel with an opportunity to cure the defect, shall be stricken by the Court.

Counsel appearing pro hac vice shall, within ten (10) days of the order so admitting, register for electronic filing or comply with the show cause procedure described above, unless local counsel is a Filing User and will be responsible for filing all pleadings with the Court.

Unless as may otherwise be provided in the Standing Order, documents filed by pro se filers are not subject to these provisions.

- C. While expedited motions shall be filed electronically, the Filing User shall provide contemporaneous (or if after court hours, at 8:30 a.m. the following day) telephonic notice of such filing to the deputy clerk for the judge administering the case.

- D. A Filing User may withdraw from participation in the System by providing written notice of the withdrawal to the clerk of court. Upon receipt of such notice, the clerk's office will immediately cancel the participant's password and will delete the participant from any applicable electronic service list.
- E. Registration as a Filing User by one member of a law firm does not require other members of the firm to file electronically. A Filing User is an individual, not a firm. While the court is hopeful that a firm will embrace ECF as a whole, the varying automation skills of its members may dictate different approaches.

II. ELIGIBILITY FOR ELECTRONIC FILING (Paragraph 2)

1. Attorneys admitted to the bar of this court (including those admitted *pro hac vice*) and who are in good standing, United States trustees and their assistants, Chapter 13 standing trustees and their assistants, and private trustees may presently register for the System. The Standing Order contemplates that others, including non-admitted attorneys and unrepresented persons (e.g., institutional creditors seeking to file proofs of claim), may be allowed to register in the System as the court deems appropriate. This decision shall be made on a case-by-case basis upon submission of a registration form with a letter to the Clerk requesting participation by a person not meeting the automatic eligibility criteria.
2. Filing by non-admitted attorneys shall be consistent with this court's Local Rule 2090(c) regarding pro hac vice admissions.

III. REGISTRATION FOR ELECTRONIC FILING AND ELECTRONIC NOTICE (Paragraph 2)

1. The registration form set forth in Exhibit I shall be submitted by each person seeking to participate in the System and become a Filing User.
2. A condition to registration and issuance of a password enabling electronic filing is attendance at court-sponsored training either conducted by this court or any other bankruptcy or district court utilizing ECF.
4. Each registrant shall be entitled to one System password to permit participation in the electronic retrieval and filing of pleadings and other papers in accordance with the System.
5. Each registrant will be required to provide an Internet e-mail address. A registered Filing User will automatically receive an e-mail notification when a document has been filed in a case in which that user is a participant by reason of having filed a pleading or a request for notices.
6. Once registration is approved, each registrant will become a Filing User and will be notified by telephone or by e-mail to come to the clerk's office in person to retrieve an envelope containing an assigned user log-in and password. Only the Filing User or a representative authorized in writing by the Filing User on the letterhead of the Filing User's firm may retrieve the envelope. The clerk will mail or e-mail the log-in and the password to the Filing User only upon written request.

7. Filing Users are encouraged to change their court-assigned passwords periodically, which they may do by accessing CM/ECF | Utilities | Maintain Your ECF Account | More User Information. Any participant having reason to believe that the security of an existing password has been compromised or that a threat to the court's computer system may exist shall immediately notify the clerk of court by telephone and confirm the notice in writing to prevent possible unauthorized access to the court's computer system. Users may be subject to court sanctions, including the disqualification from the participation in the System for failing to do so.
8. Persons who are not Filing Users may register to receive electronic notice and service of documents by submitting the request form set forth in Exhibit II to the Clerk's office.
9. A completed application for registration as a Filing User or a recipient of electronic notices constitutes written consent for the registrant to receive electronic service and notice of documents subject to the electronic case filing system pursuant to Fed. R. Bankr. P. 7005 with the exception of those documents to which the service requirements of Fed. R. Bankr. P. 7004 apply.

IV. PAYMENT OF FILING FEES WHEN FILING ELECTRONICALLY (Paragraph 2)

1. Filing Users will pay applicable incurred filing fees in CM/ECF with a credit card on- line at the time of filing or by the close of business on the date of filing. Filing Users should be prepared to have credit card information on hand at the time of e-filing any pleading which requires a filing fee. The system does not retain the user's account information. The Court accepts the following credit cards for payment: American Express, Diner's Club, Discover, MasterCard and VISA. The Filing User may close out their account at any time by running the Internet Payment Due Report which allows the filer to review all outstanding (pending) fees and to pay those fees immediately without e-filing another pleading. The report displays each pending fee and allows the filer to Pay Now or Continue Filing. Filing Users may also access the Internet Payment History Report which allows the filer to review their completed credit payments over any specified period of time. This report may be helpful to run for reconciliation purposes.
2. If payment is not received on the day of filing, the filer will receive an e-mail the following morning indicating that the fees are outstanding and must be paid. If the filer fails to pay by 7 a.m. the following day (two days post filing), the filer

will be referred to the court to show cause why filing privileges should not be terminated until the amounts are paid in full.

3. Filing Users will receive electronic notification when a receipt is entered into the system.

V. SIGNATURES (Paragraph 8)

1. The User log-in and password required to submit documents to the Electronic Filing System serve as the Filing User's signature on all electronic documents filed with the court. In lieu of the signature, the Filing User shall indicate with a "s/" that a signature is affixed to the original document. This notation shall be utilized in lieu of signature on all documents that require one or more original signatures. The "s/" indicates that when the filed document is viewed or printed, the original was in fact signed.
2. If the task of electronic filing is delegated by the Filing User to an employee of the Filing User, the use of the log-in and password to make the filing constitutes a signature by the Filing User even though the Filing User does not do the physical act of the filing.

VI. SERVICE (Paragraph 9)

1. The Notice of Electronic Filing indicates the time of filing, the name of the party and the name of the attorney filing the document, and the text of the docket entry. It also contains an electronic link (hyperlink) to the filed document, allowing anyone receiving the Notice by e mail to retrieve the document automatically. This Notice is automatically sent to all case participants registered to use the electronic filing system.
2. Upon receipt of a "Notice of Electronic Filing," the recipient will be provided with one "free look" at the document filed. Each subsequent query of the document will subject the recipient to applicable PACER charges.
3. Service of documents by electronic means does not include service of process for purposes of obtaining personal jurisdiction (i.e., Fed. R. Bankr. P. 7004- Service).
4. Pleadings or other documents which are filed conventionally rather than electronically shall be served on the parties entitled to notice in the manner set

forth in the Federal Rules of Bankruptcy Procedure and the Local Rules of this court, except as otherwise provided by order of the court. The clerk must give notice of court orders and judgments to a person who has not consented to electronic service in paper form in accordance with the Federal Rules of Bankruptcy Procedure.

VII. TECHNICAL REQUIREMENTS

1. HARDWARE REQUIREMENTS

A computer with an internet connection is necessary.

It is suggested that filers in the CM/ECF system utilize a flatbed scanner for documents that need to be imaged and filed with the court.

2. SOFTWARE REQUIREMENTS

An operating system that supports a web browser including Windows, Linux, Macintosh and others will allow access to the System. Mozilla Firefox and Microsoft's Internet Explorer are compatible for use as a web browser. A word processor such as WordPerfect or Microsoft Word is required. To convert text files to Portable Document Format (PDF), Adobe Acrobat is a standard conversion tool. Anti-virus software is not a requirement but it is strongly suggested for the security of your system and that of the court.

VIII. PUBLIC ACCESS TO THE DOCKETS AND ELECTRONICALLY FILED DOCUMENTS

1. INTERNET ACCESS TO COURT RECORDS THROUGH THE PACER SYSTEM

Any person or organization may access the Electronic Filing System at the court's internet site, <http://ecf.paeb.uscourts.gov> by obtaining a PACER log-in and password. Such access to the System will be provided subject to applicable PACER charges.

2. PUBLIC ACCESS AT THE COURT

For persons without a PACER log-in and password, the case docket and documents electronically filed in the System can be viewed via public access

computer terminals at the clerk's office during regular business hours, Monday through Friday, from 8:30 a.m. through 5:00 p.m. in the Philadelphia clerk's office and from 8:00 a.m. through 4:30 p.m. in the Reading Clerk's office.

Copies of electronically filed documents may be secured from the clerk's office. Such documents may be certified in the same manner as paper documents. The fee for copying and any certification will be in accordance with 28 U.S.C. Sec. 1930.

IX. TRAINING MATERIALS

1. The clerk's office has prepared training materials, including an Electronic Filing System User's Training Manual, which may be updated from time to time. Interested parties may access the latest training materials on the court's web site.

X. HELP DESK

The Clerk's office has established a help desk to assist with technical and operational questions in connection with ECF. This assistance will be available during regular business hours in the Philadelphia Division by telephoning (215) 408-2826 or (215) 408-2827 for operational questions and (215) 408-2860 for technical questions.

In the Reading division, during regular business hours, call (610) 320-5255 ext.240 .

Additionally, questions regarding the filing of a new bankruptcy petition or adversary complaint can be referred to the clerk's office intake department during regular business hours in the Philadelphia Division by telephoning (215) 408-2800, extension 2268 or in the Reading Division by telephoning (610) 320-5255, extension 225. Operational questions can be referred to the appropriate case administrator during regular business hours by telephoning the clerk's office in the Philadelphia Division at (215) 408-2800 and in the Reading Division at (610) 320-5255 and by following the appropriate directory options.

EXHIBIT I

REGISTRATION FORM FOR ELECTRONIC FILING

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA
CASE MANAGEMENT ELECTRONIC CASE FILES (CM/ECF) SYSTEM

PARTICIPANT REGISTRATION FORM

This form is to be used to register for FILING PRIVILEGES for filing documents via the Internet component of the Case Management/Electronic Case Files system (hereafter CM/ECF), in the United States Bankruptcy Court for the Eastern District of Pennsylvania. A registered participant will have the privilege of filing documents with the Clerk's Office via the Internet.

The following information is required for CM/ECF registration in the Live database:

Name (First, Middle, Last): _____ Bar ID#: _____ State of Admission: _____

Firm Name: _____

Mailing Address: _____

Telephone Number: (____) _____ Email Address: _____

I am requesting the following privileges (select one only): _____ Attorney _____ Trustee _____ Creditor (limited log-in) _____ Other (explain on back)

I (or my authorized employee) _____ (Name and position) have completed
CM/ECF bankruptcy training at the following location _____.

I am an attorney who represents parties in the Eastern District of PA on a pro hac vice basis by order dated _____ in case number _____

I prefer to receive notices in _____ HTML format or _____ text format.

I prefer to receive _____ separate notices for each filing or _____ daily summary report of all filings.

By signing and submitting this registration form, I agree to abide by the following requirements:

1. Pursuant to Federal Rule of Bankruptcy Procedure 9011, every pleading, motion and other paper shall be signed by at least one attorney of record and that the signatures shall be indicated by "s/" and the typed name of the person signing in the following format: "s/Jane Smith" on the signature line. My password constitutes my signature.
2. The login and password for filing via the Internet shall be used exclusively 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.
3. I will immediately contact the Clerk's Office IT Dept. At 215-408-2860 to report any suspected compromise of my password.
4. I waive any right to service by personal service or by first class mail and consent to electronic service, except with regard to service of a summons and complaint under FRBP 7004. I will receive service of documents and any docket activity electronically pursuant to FRBP 9030, where service of documents is otherwise permitted by first class mail. In so doing, I agree to maintain a current and active e-mail address to receive notification in CM/ECF.
5. I will abide by all of the requirements set forth in the Standing Order of the court and the User's Manual governing electronic case filing relating to the filing, signing, maintaining and verifying of pleadings and papers in the CM/ECF system currently in effect and any changes or additions that may be made later.

_____ I declare, under penalty of perjury, that I am currently admitted to practice before the bar of the U.S. District Court for the Eastern District of PA and that I am currently in good standing.

_____ I am a party to a pending action who is not represented by an attorney. The court has permitted me to register as a Filing User in the electronic filing system in the matter of: _____ (Caption and case no.)

Applicant Name (Please Print)

Applicant Signature

Date

Mail or deliver this completed form to:

U.S. Bankruptcy Court
Attn: IT Department
900 Market Street, Suite 400
Philadelphia, PA 19106-4299

FOR INTERNAL USE ONLY

Application process by _____ (Deputy Clerk) _____ (Date Received)

EXHIBIT II

REGISTRATION FORM FOR ELECTRONIC NOTICE

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT ELECTRONIC CASE FILES (CM/ECF) SYSTEM
ELECTRONIC NOTICE REGISTRATION FORM**

Live System

This form is to be used to register Non-Filing Users to receive notice and service of electronically filed documents in the Case Management/Electronic Case filing system (hereafter CM/ECF), in the United States Bankruptcy Court for the Eastern District of Pennsylvania.

Name (First, Middle, Last): _____

Bar ID#: _____ State of Admission: _____

Firm Name: _____

Mailing Address: _____

Telephone Number: _____

E-Mail Address: _____

Case Number (*if applicable*) _____

By signing and submitting this registration form, I agree to abide by the following requirements:

1. Pursuant to Paragraph 2d of Standing Order No. M03-3005 this registration form shall allow Non-Filing Users to receive notice and service of electronically filed documents. Such registration shall constitute the (1) waiver of the right to receive notice by first class mail and consent to receive notice electronically, and (2) of the right to service by personal service or first class mail and consent to 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 includes notice of the entry of an order or judgment under Fed.R.Bankr.P. 9022.
2. I will receive service of documents and any docket activity electronically pursuant to FRBP 9036, where service of documents is otherwise permitted by first class mail. In so doing, I agree to maintain a current and active e-mail address to receive notification in CM/ECF.
3. I prefer to receive notices in _____ HTML format or _____ text format.
4. I prefer to receive _____ separate notice for each filing or _____ a daily summary report of all filings.

Applicant Name (Please Print)

Applicant Signature

Last 4 Digits of SS# (for security purposes)

Mail or deliver this completed form to:

U.S. Bankruptcy Court
Attn: IT Department
900 Market St., Suite 400
Philadelphia, PA 19106-4299

FOR INTERNAL USE ONLY

Application processed by _____
Deputy Clerk

Date Received