REVISED September 1. 2004

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

ADMINISTRATIVE PROCEDURES FOR FILING, SIGNING AND VERIFYING PLEADINGS AND PAPERS BY ELECTRONIC MEANS

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ADMINISTRATIVE PROCEDURES FOR FILING, SIGNING AND VERIFYING PLEADINGS AND PAPERS BY ELECTRONIC MEANS

I. REGISTRATION FOR THE ELECTRONIC FILING SYSTEM

A. DESIGNATION OF CASES. All documents submitted for filing in this district, no matter when a case was originally filed, shall be filed electronically using the Electronic Filing System ("System") or shall be scanned[1] and uploaded to the System.[2] Unless otherwise permitted by these administrative procedures or unless otherwise authorized by the assigned judge, all documents submitted for filing in bankruptcy cases or adversary proceedings in this district after March 31, 2003, must be either filed electronically using the System or submitted to the Clerk's Office on CD/diskette as .pdf ("Portable Document Format") files.[3] Parties proceeding pro se shall not be required to file electronically. See Paragraph III.F. Non-registered claimants shall file the original paper copy of the proof of claim and attachments with the Court. See Paragraph IV.B.

B. PASSWORDS. Each attorney admitted to practice in the District of Nebraska shall be entitled to one System password from the Bankruptcy

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[1]When scanning documents to be subsequently filed electronically, filing parties shall make certain their document(s) are no larger than 40 pages or 2MB, whichever is larger. All documents larger than 40 pages or 2MB shall be separated and scanned in portions not to exceed the 40 page limit. The document will be entered into the System as one pleading with attachments.

[2]"Electronic filing" means uploading a pleading or document directly from the registered user's computer, using the Court's Internet-based System, to file that pleading or document in the court's case file. Sending a document or pleading to the court via e-mail does not constitute "electronic filing."

[3]A document created with almost any word-processing program can be converted to .pdf. The .pdf program in effect takes a picture of the original document and allows anyone to open the converted document across a broad range of hardware and software, with layout, format, links, and images intact.

Court. The password permits the attorney to participate in the electronic retrieval and filing of pleadings and other papers in accordance with the System. Registration for a password is governed by Paragraph I.C.

C. REGISTRATION.

1. Each attorney desiring to file pleadings or other papers electronically must complete and sign an Attorney Registration Form, attached to these procedures as Form A, a Credit/Debit Card Blanket Authorization Form, attached as Form B, and attend the necessary training required by the Court. These forms are also available on our web site at www.neb.uscourts.gov.

2. All signed original Attorney Registration Forms and Credit/Debit Card Blanket Authorization Forms shall be mailed or delivered to the United States Courts, 111 S. 18th Plaza, Suite 1125, Omaha, NE 68102.

3. To ensure that the Clerk's Office has correctly entered a registering attorney's Internet e-mail address in the System, upon certification of requirements stated in Paragraph I.C.1, the Clerk's Office will send the attorney an Internet e-mail message after assigning the attorney a password. The attorney may request the password by e-mail, telephone, regular first-class mail, or arrange to pick up his/her password at the Clerk's Office.

4. Once registered, an attorney may withdraw from participating in the System by providing the Clerk's Office with notice of withdrawal. Such notice must be in writing, and mailed or delivered to the United States Courts, 111 S. 18th Plaza, Suite 1125, Omaha, Nebraska

68102. Upon receipt, the Clerk's Office will immediately cancel the attorney's password and will delete the attorney's name from any applicable electronic service list.

5. If any of the information on the Attorney Registration Form changes, e.g., mailing address, e-mail address, etc., the attorney must submit an amended Attorney Registration Form addressed to the United States Courts, 111 S. 18th Plaza, Suite 1125, Omaha, Nebraska 68102.

II. ELECTRONIC FILING AND SERVICE OF DOCUMENTS

A. FILING.

1. Registered participants shall file electronically all petitions, motions, pleadings, briefs, memoranda of law, or other documents required to be filed with the Court in connection with a case.

2. Notwithstanding the foregoing, parties and attorneys who are not participating in the System are required, after March 31, 2003, to submit documents in .pdf as described in Paragraph I.A. above.

3. In Chapter 7, 12 and 13 cases, counsel for the debtor(s) must serve by mail, not fax, a paper copy of the petition, schedules, statement of affairs and Statement of Social Security Number (Form 21) on the appointed trustee within five days of filing or three business days prior to the §341 meeting. **This applies to all trustees <u>except</u> Kathleen Laughlin (Chapter 13 trustee) and Richard Myers (Chapter 7 trustee).** If a paper copy of the schedules is not provided to the

trustee within the required time period, the trustee may continue the §341 meeting of creditors and require the debtors to reappear at the next scheduled §341 meeting date.

4. Amendments to petition, schedules and statement of affairs must be appropriately served on the trustee. Counsel for the debtor shall serve all affected entities with a copy of the amendment and the original §341 notice and electronically file a certificate of service described in Paragraph II.C.2 below.

5. The Clerk's Office shall not maintain a paper court file in any case filed after the effective date of these procedures except as otherwise provided in Paragraph III.F. The official court record shall be an electronic file maintained on the Court's server.

6. Concerning expedited matters, the movant shall contact the courtroom deputy by telephone as soon as possible after filing the item needing expedited treatment. Compliance with Nebraska Rules of Bankruptcy Procedure 9006-1 is required.

B. DOCUMENTS TO BE FILED UNDER SEAL. A motion to seal may be filed electronically; however, the actual document(s) to be filed under seal shall be filed conventionally. The order of the Court authorizing the filing of such document(s) under seal will be entered electronically by the Clerk's Office and a paper copy of the order shall be attached to the document(s) under seal and delivered to the Clerk's Office.

C. SERVICE.

1. Whenever a pleading or other paper is filed electronically in accordance with these procedures, the System shall generate a "Notice of Electronic Filing" to the filing party and any other party who is a registered user and has requested electronic notice in that case.[4]

   a. If the recipient is a registered participant in the System, the Clerk's e-mailing of the "Notice of Electronic Filing" shall be the equivalent of service of the pleading or other paper by first class mail, postage prepaid.

   b. Service of the "Notice of Electronic Filing" on a party who is not a registered participant in the System may be accomplished by e-mail, subject to the additional service requirements of Paragraph II.C.3 below.

2. A certificate of service on all parties entitled to service or notice is still required when a party files a document electronically. The certificate must state the manner in which service or notice was accomplished on each party so entitled. Sample language for a "Certificate of Service" is attached to these procedures as Form C.

3. A party who is not a registered participant of the System is entitled to a paper copy of any electronically filed pleading or paper. The filing

[4]To determine whether another party is a registered user, the filer can select the System's "Utilities" category, and then click on "Mailings," then click on "Mailing Information for a Case." The filer then enters the case number and clicks on "Submit" and the System information will appear, stating whether or not the filer must mail a copy or if the System will electronically generate one.

party must therefore provide the non-registered party with the pleading or paper according to the Federal Rules of Bankruptcy Procedure. When mailing paper copies of documents that have been electronically filed, the filing party may include the "Notice of Electronic Filing" to provide the recipient with proof of the filing.

4. A registered participant in the System may request the discontinuation of service by electronic notice in a particular case. Upon the Court's receipt of said request, the filing party will be administratively terminated in said case for the purpose of receiving notices. The filing party will no longer receive a "Notice of Electronic Filing" from the System nor will they receive notice by first class mail. Sample language for a "Request to Discontinue Service of Notices" is attached to these procedures as Form D.

D. SIGNATURES.

1. Petitions, lists, schedules and statements, amendments, pleadings, affidavits, and other documents which must contain original signatures or which require verification under Federal Rule of Bankruptcy Procedure 1008 or an unsworn declaration as provided in 28 U.S.C. § 1746, shall be filed electronically and may include, in lieu of the actual signature, the signature form described in Paragraph II.D.3 below.

2. The attorney of record or the party originating the document shall maintain the original signed document for all bankruptcy cases at least

one year after the case is closed. In adversary proceedings, the parties shall maintain the original document until after the case ends and all time periods for appeals have expired. Upon request, the original document must be provided to other parties or the Court for review. (Federal Rule of Bankruptcy Procedure 9011 applies)

3. The pleading or other document electronically filed shall indicate a signature, e.g., "s/ Jane Doe."[5]

4. The following procedure applies when a stipulation or other document requires two or more signatures:

   a. The filing attorney shall initially confirm that the content of the document is acceptable to all persons required to sign the document and shall obtain the physical signatures of all parties on the document. For purposes of this rule, physical, facsimile or electronic signatures are permitted. A document may be signed in counterparts. (Federal Rule of Bankruptcy Procedure 9011 applies)

   b. The filing attorney then shall file the document electronically, indicating the signatories, e.g., "s/ Jane Doe," etc.

   c. The filing attorney shall maintain the signed document for all bankruptcy cases at least one year after the case is closed. In adversary proceedings, the parties shall maintain the signed

[5]The "s/Jane Doe" constitutes the signature of said party on any electronically filed pleading (i.e., affidavits, petition, schedules). The attorney of record or the party originating the document shall maintain the original signed document. Upon request, the original document must be provided to other parties or the Court for review.

document until after the case ends and all time periods for appeals have expired. Upon request, the signed document must be provided to other parties or the Court for review.

E. FEES PAYABLE TO THE CLERK. Prior to the electronic filing of any pleading or paper requiring a filing fee, a Credit/Debit Card Blanket Authorization Form must have been received and approved by the Financial Administrator of the Clerk's Office. This form needs to be submitted only once. It will be kept on file in the Clerk's Office and shall remain in effect until specifically revoked in writing. The cardholder has the responsibility to notify the Clerk's Office of the new expiration date when the credit card has been renewed or cancelled.

F. ORDERS.

1. The Clerk's Office will electronically file all orders and notices. **DO NOT SUBMIT A PROPOSED ORDER TO THE COURT UNLESS INSTRUCTED TO DO SO.**

2. The Court will produce and file standard orders to grant or deny motions. Many orders will be in the form of a text-only docket entry "order," entered by court employees authorized to do so by the judge, which orders shall constitute the only Court order concerning the matter. Under certain conditions, a party may be requested by the Court to submit the proposed order to the Courtroom Deputy responsible for the case.

3. If counsel needs specific language in an order, counsel may contact the Courtroom Deputy responsible for the case by telephone or e-mail and request permission to submit a proposed order.

4. The following e-mail addresses have been established for the electronic submission of proposed orders authorized to be submitted.

   NEBml_orders_omaha@neb.uscourts.gov

   NEBml_orders_lincoln@neb.uscourts.gov

5. Electronically submitted orders may not be combined with the application or motion into one document. The application or motion must be entered on the docket prior to submitting the order electronically. **DO NOT ATTEMPT TO FILE A PLEADING WHICH CONTAINS AN ORDER IN THE BODY OF THE PLEADING**.

6. All proposed orders must be submitted in a format compatible with WordPerfect 11 or a lower WordPerfect version, which is a "Save As" option in most word processing software.

7. All signed orders will be filed electronically by the Court or court personnel. Any order filed electronically without the original signature of a judge, but with the judge's electronic signature, has the same force and effect as if the judge had affixed the judge's signature to a paper copy of the order and it had been entered on the docket in a conventional manner.

8. The Court will not serve the lien holder, the claim holder, etc. of any orders entered on uncontested Rule 9013-1 matters. Any non-

electronic creditor or party-in-interest required to receive service of said orders entered by the Court should be appropriately served by the movant.

G. HEARINGS/TRIALS.

1. A party may either appear in person in the courtroom or participate by telephone. Parties shall be available to the Court when the Court initiates the telephone call(s) for the hearing. It is the responsibility of counsel who are participating by telephone to inform the appropriate courtroom deputy, prior to the hearing, of the telephone number where they can be contacted for the hearing, if the telephone number is different from their regular business telephone number.

2. Evidence offered at the hearing shall be presented by affidavit pursuant to Neb. R. Bankr. P. 9017-1. Affidavits and exhibits shall be filed with the Clerk's Office at least three (3) business days prior to the hearing.

3. Affidavits offered in Motion for Relief from Automatic Stay matters shall comply with Neb. R. Bankr. P. 4001-1(F) and 9017-1. The hearing shall be a final hearing as described in 11 U.S.C. §362 (d) and (e) unless, at the conclusion of the hearing, the Court concludes that the hearing should be treated as a preliminary hearing as described in those statutes.

4. Concerning hearings on Motions for Relief from Automatic Stay, the movant shall give immediate notice to all parties in interest of the hearing date and shall file with the Court a Certificate of Service at least five (5) days prior to the hearing. See Paragraph II.C. above on Service of Documents.

H. TITLE OF DOCKET ENTRIES. An attorney who electronically 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.[6]

I. CORRECTING DOCUMENTS FILED IN ERROR.

1. Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the Clerk's Office.

2. 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 catching the error before the transaction is completed. **Do not attempt to refile the document.**

3. As soon as possible after an error is discovered, contact the Clerk's Office. Be sure to have the case number and document number for which the correction is being requested. If appropriate, the Court will

[6]Readers may view the "CM/ECF Event List for Attorneys" on the court's web site, http:www.neb.uscourts.gov/cmecf_general_information.htm

make an entry indicating that the document was filed in error. You will be advised *if* you need to refile the document. The System will not permit you to make changes to the document(s) or docket entry filed in error once the transaction has been accepted.

J. TECHNICAL FAILURES. The Clerk's Office shall deem the U.S. Bankruptcy Court, District of Nebraska's CM/ECF site to be subject to technical failure on a given day if the site is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour after 10:00 a.m. that day. Known systems outages will be posted on our web site, if possible.

1. Problems on the filer's end, such as telephone line problems, problems with the filer's Internet Service Provider (ISP), or hardware or software problems, will not constitute a technical failure under these procedures nor excuse an untimely filing. A filer who cannot file a document electronically because of a problem on the filer's end must file the document in paper form or contact the Clerk's Office for permission to file the document provisionally via fax.

2. A filing party whose filing is made untimely as the result of a technical failure of the Court's CM/ECF's site may seek appropriate relief from the Court.

K. PRIVACY.

1. Redacted Documents. To comply with the policy of the Judicial Conference of the United States and the E-Government Act of 2002,

effective December 1, 2003, filing parties shall omit or, where inclusion is necessary, partially redact the following personal data identifiers from all pleadings, documents, and exhibits, whether filed electronically or in paper, unless otherwise ordered by the Court or required statute, the Federal Rules of Bankruptcy Procedure or the Official Bankruptcy Forms.

a. Minors' names: If the involvement of a minor child must be mentioned, only the minors' initials should be used;

b. Financial account numbers: If the financial account numbers are relevant, only the last four numbers of the account number should be used;

c. Social Security numbers: If an individual's social security number is relevant in a pleading, only the last four digits of that number should be used. New Official Form 21, Statement of Social Security Number, should contain the full Social Security Number and should be processed as prescribed by the court. See Paragraph II.K.4 and 5;

d. Dates of birth: If an individual's date of birth must be included in a pleading, only the year should be used; and

e. Other data as permitted by order of the Court.

2. Conforming amendments to the Official Bankruptcy Forms take effect on December 1, 2003. When filing Official Bankruptcy Forms, include the information requested on the Official Form.

3. The responsibility for redacting personal data identifiers rests solely with counsel and the parties. The clerk's office will not review documents for compliance with this rule or redact documents, whether filed electronically or on paper. In addition, the court will not go back and redact documents filed before December 1, 2003.

4. When a new case is filed **electronically or through case upload**, the ECF system will allow for the manual input of the full Social Security Number, thereby negating the need for the original Statement of Social Security Number (Form 21) to be filed with the court. The attorney of record or the party originating the statement shall maintain the original signed statement for all bankruptcy cases at least one year after the case is closed. A copy of the Statement must be provided to the appointed trustee (See Paragraph II.B.3.) <u>except</u> for trustees Rick Myers (Chapter 7 trustee) and Kathy Laughlin (Chapter 13 trustee) wherein a copy of the statement must be provided at the §341 meeting.

5. All new cases **filed in paper format or filed Pro Se** must be accompanied by a **<u>separate</u>** Statement of Social Security Number (Form 21) containing the full social security number. Failure to provide the required Statement of Social Security Number may result in a Show Cause Hearing in front of the presiding Judge.

6. Any party wishing to file a document containing any of the personal data identifiers specified above may, upon order of the court, file an unredacted document under seal (See Paragraph II.B.) or conventionally file a reference list under seal. See Neb. R. Bankr. P. 5005-2. The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) used in its(their) place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete identifier. The reference list must be filed under seal, and may be amended as of right. It shall be retained by the court as part of the record.

III. MISCELLANEOUS FILING REQUIREMENTS

A. MOTIONS FOR RELIEF FROM AUTOMATIC STAY, MOTIONS FOR USE OF CASH COLLATERAL, CHAPTER 12 LOCAL RULE 2082-1 REQUIREMENT AND SIMILAR MOTIONS. No exhibits or supporting documents shall be filed with the initial "motion." The "motion" (including a Chapter 12 Plan) shall include in the body, or in an attachment, a written summary of contents of the exhibits or documents. The exhibits shall be served on opposing counsel in electronic or paper form and the movant shall provide an electronic or paper copy to any interested party upon request. A certificate of service must be filed with the court.

B. CONTESTED MATTERS. If a resistance to a motion is filed, and the matter set for hearing, both parties shall file exhibits in a format consistent with these

administrative procedures. See Paragraph I.A. Such filing shall be accomplished at least three (3) business days prior to the hearing. See Paragraph II.G.2.

C. ADVERSARY PROCEEDINGS. Summary judgment, motion to dismiss, etc. After March 31, 2003, the Index of Evidence and all exhibits shall be filed electronically or submitted to the Clerk's Office on diskette as .pdf files. An electronic or paper copy of the Index and Exhibits shall be served on the opposing party, if required by the Code or Rules, and a certificate of service must be filed with the Court.

D. CHAPTER 12 CONFIRMATION AND DISCHARGE ORDERS.

1. If no objection is filed to the confirmation of plan, the plan will be confirmed <u>only</u> upon the electronic filing by the Chapter 12 Trustee of a "Consent to Confirmation." Such "consent" by the trustee is not required to be filed until the trustee receives a "Plan Summary" prepared by counsel for the debtor(s). Upon such filing by the trustee, a text-only order confirming the plan shall be entered. If custom language is needed, see Paragraph II.F.3 above.

2. Upon the filing of a "Consent to Discharge" by the Chapter 12 Trustee, a text-only order discharging the debtor(s) shall be entered. Such "consent" shall represent the trustee's notification to the Court that all matters precedent to the discharge have been completed and no objections have been filed. If custom language is needed, see Paragraph II.F.3 above.

E. EXHIBITS. Exhibits, including but not limited to leases, notes, and the like, which are not available in electronic form, may be filed on diskette as .pdf files. A copy of the Notice of Electronic Filing shall describe the document so filed. Such documents, or the relevant portions thereof, should be electronically imaged (i.e., "scanned") and saved as .pdf files.

F. PRO SE FILERS. Pro se filers shall file fully signed paper originals of all petitions, lists, schedules, statements, amendments, pleadings, affidavits, and other documents, including the Statement of Social Security Number (Form 21), which must contain original signatures or which require verification or an unsworn declaration under any rule or statute. These documents will be scanned by the Clerk's Office, and shall be maintained in that office after scanning.

IV. PROOF OF CLAIM.

A. REGISTERED PARTICIPANTS. Registered participant(s) shall file proofs of claim electronically and serve per Paragraph IV.D. All exhibits or attachments, including, but not limited to leases, notes, and the like, shall be electronically filed with the proof of claim.

B. NON-REGISTERED PARTICIPANTS. Non-registered claimants shall file the original paper copy[7] of the proof of claim and attachments with the Court or submit on diskette as .pdf files as stated in Paragraph I.A. Conventionally filed proofs of claim and all exhibits or supporting documentation will be scanned and uploaded to the System by the Clerk's Office. A summary of the

[7]Electronic submission of Proof of Claim is not mandatory under these administrative procedures as stated in Paragraph I.A. above.

exhibits may be submitted as part of the claim. A paper copy of the proof of claim must also be served on the Chapter 12 or Chapter 13 Trustee, the attorney for the Debtor or Debtor in Possession, and attorney for each official committee, if any. See Paragraph IV.D below.

C. FILING FROM A REMOTE LOCATION; LIMITED USE PASSWORD. Proofs of claim may be filed electronically by the person obtaining a limited use password from the Clerk's Office. Each participant must complete and sign an Application for Limited Use/Claim Password Form, attached to these procedures as Form E.

D. SERVICE. The claimant may file a Certificate of Service with the notation that the exhibits are available upon request. This certificate, attached as Form F, should be appended to the claim and submitted as a .pdf document. The claimant shall mail a copy of the claim and exhibits to the Chapter 12 or Chapter 13 Trustee and counsel for the Debtor in paper form.

E. TRANSFER OR ASSIGNMENT OF CLAIM. The party filer must serve all transfers or assignments of claim on the Chapter 12 or Chapter 13 Trustee, the attorney for the Debtor or Debtor in Possession, and attorney for each official committee, if any. The Clerk will comply with Federal Rule of Bankruptcy Procedure 3001 (E)(2). If no timely objection is filed by alleged transferor, the transferee shall be substituted for the transferor without further notice or hearing.

V. PUBLIC ACCESS TO THE SYSTEM DOCKET

A. PUBLIC ACCESS AT THE COURT. Electronic access to the electronic docket and documents filed in the System is available for viewing to the public at no charge at the Clerk's Office 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. INTERNET ACCESS. Although any person can retrieve and view documents in the System and access information from it without charge at the Clerk's Office, electronic access to the System for viewing purposes is otherwise limited to subscribers to the Public Access to Court Electronic Records ("PACER") System. The Judicial Conference of the United States has ruled that a user fee will be charged for remotely accessing certain detailed case information, such as reviewing filed documents and docket sheets, but excluding review of calendars and similar general information.[8]

C. CONVENTIONAL COPIES AND CERTIFIED COPIES. Conventional copies and certified copies of the 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.

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[8]According to a memorandum from the Administrative Office of the United States Courts dated April 30, 2001, non-judiciary CM/ECF users will be charged a fee of seven cents per page starting on July 1, 2001, to access electronic data such as docket sheets and case documents obtained remotely through the PACER system. Effective April 1, 2002, a cap of thirty pages per document has been approved. (*Memorandum from the Administrative Office of the United States Courts dated April 11, 2002*.)

The access fee does not apply to official recipients of electronic documents, i.e., parties legally required to receive service or to whom service is directed by the filer in the context of service under Federal Rules of Bankruptcy Procedure. Official recipients will receive the initial electronic copy of a document free to download as they see fit, but if they remotely access the document again, they will be charged seven cents per page.

FORM A

United States District and Bankruptcy Courts
District of Nebraska

ELECTRONIC CASE FILING SYSTEM ATTORNEY REGISTRATION FORM

PLEASE TYPE

This form shall be used to register for accounts on the Courts' Case Management/Electronic Files (CM/ECF) systems. Registered attorneys and other participants will have privileges both to electronically submit documents and to view and retrieve electronic docket sheets and documents as available for cases assigned to the CM/ECF systems. The following information is required for registration:

First/Middle/Last Name: _____

Last Four Digits of Social Security Number: _____

Attorney Bar # and State: _____

Firm Name: _____

Firm Address: _____

_____

Voice Phone Number: _____

FAX Phone Number: _____

Internet E-Mail Address: _____

Additional E-Mail Address: _____

Does your E-mail Software support HTML messages? Yes_____ No _____

Please specify which court you are registering in:

❑ Both ❑ Bankruptcy ❑ District

By submitting this registration form, the undersigned agrees to abide by the following rules:

1. The systems are for use only in cases designated by the U.S. Courts for the District of Nebraska. The systems may be used to file and view electronic documents, docket sheets, and notices.

2. Each attorney desiring to file pleadings or other papers electronically must complete and sign an Attorney Registration Form. **Additionally, attorneys filing in the U.S. Bankruptcy Court must complete a Credit/Debit Card Authorization Form.** An attorney/participant's password issued by the court combined with the user's identification (login), serves as and constitutes the attorney/participant's signature. Therefore, an attorney/participant must protect and secure the password issued by the court. If there is any reason to suspect the password has been compromised in any way, such as resignation or reassignment of the person with authority to use the password, it is the duty and responsibility of the attorney/participant to immediately notify the court. The court will immediately delete the password from the electronic filing system and issue a new password.

3. Pursuant to Federal Rule of Civil Procedure 11 and Federal Rule of Bankruptcy Procedure 9011, every pleading, motion and other paper (except creditor lists, schedules, statements or amendments thereto) shall be signed by at least one attorney of record or, if the party is not represented by an attorney, all papers shall be signed by the party. The electronic filing of a petition, pleading, motion, or other paper by an attorney who is a registered participant in the Electronic Filing System shall constitute the signature of that attorney under Federal Rule of Civil Procedure 11 and Federal Rule of Bankruptcy Procedure 9011

4. I hereby authorize the U.S. Bankruptcy Court to make charge upon the credit card I have provided for any applicable fees required in conjunction with filings I make. I understand that it is my responsibility to provide the court with any changes to my credit card information and failure to do so may result in temporary loss of my login to the System.

5. Registration as a Filing User constitutes: (1) consent to receive notice electronically and waiver of the right to receive notice by first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) and Federal Rule of Bankruptcy Procedure 7005; (2) consent to electronic service and waiver of the right to service by personal service or first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) and Federal Rule of Bankruptcy Procedure 7005, except with regard to service of a summons and complaint. Waiver of service and notice by first class mail applies to notice of the entry of an order or judgment. Notice by electronic means is complete as set forth in the General Order notwithstanding Federal Rule of Bankruptcy Procedure 9036.

6. A user accesses court information via the court's Internet site or through the Public Access to Court Electronic Records ("PACER") Service Center. Although the court manages the procedures for electronic filing, all electronic public access to case file documents occurs through PACER. A PACER login is required, in addition to, the password issued by the court. To register for PACER, a user must complete the online form or submit a registration form, available on the PACER web site (http://pacer.psc.uscourts.gov).

7. By this registration, the undersigned agrees to abide by all of the rules and regulations in the most recent General Order, *Administrative Procedures 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 Procedures in the future.

Please return to: U.S. Courts
District of Nebraska
Attn: ECF Attorney Registration
111 South 18th Plaza, Suite 1125
Omaha, NE 68102

_____ _____
Date Attorney/Participant Signature

Your login and password will be sent to you by the Office of the Clerk by regular, first-class mail. If you prefer to have your login/password sent to an address other than the one listed on page one of this form, please write the address in the space provided below:
Firm Address: _____

_____

How did you learn about CM/ECF?

___ Judge ___Internet ___Court Employee ___ Journal ___ Newspaper
___ Court Mailing ___ Attorney ___Other _____ (please specify)

FORM B

3/12/03

United States Bankruptcy Court of Nebraska
Credit/Debit Card Authorization Form

Name of Attorney/Participant _____
hereby authorizes the United States Bankruptcy Court for the District of Nebraska to charge the following credit/debit card for payment of fees and other court related matters.

☐ Visa . . . . . V Code _____ (appears on back of card in italics)
☐ MasterCard
☐ American Express . . .CID Code _____ (appears by exp date 4 - digits)
☐ Visa Debit Card
☐ MasterCard Debit Card
☐ Discover Card
☐ Diner's Club Card

Please Print:

Credit Card Number _____Exp Date _____

Credit Card Number (Secondary, if needed) _____Exp Date _____

Name on Card _____

Address _____

City _____State _____ Zip Code _____

Phone Number _____

Please indicate if this information is:

[ ] NEW
[ ] UPDATED [ ] Does this form replace all previous forms?

This form will be kept on file in the Clerk's Office and shall remain in effect until specifically revoked in writing. It is the responsibility of the cardholder named herein to notify the Clerk's Office of the new expiration date when a credit card has been renewed, cancelled or revoked.

In the event the charge against this account is denied, you will be notified immediately to make payment in cash, money order or certified check. Any abuse of this privilege may result in your removal from the credit card program.

Signature _____ Date _____

Title _____

Please return completed form to:
U.S. Bankruptcy Court, Financial Dept, 111 So 18th Plaza, Ste 1125, Omaha, NE 68102

FORM C

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

SAMPLE FORMAT - CERTIFICATE OF SERVICE

I hereby certify that on ____(Date)____, I electronically filed the foregoing with the Clerk of the Bankruptcy Court using the CM/ECF system which sent notification of such filing to the following: _____, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:_____ _____.

s/_____

FORM D

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:	)	
	)	CASE NO.
	)	
	)	Chapter
	)	
DEBTOR(S)	)	

REQUEST TO DISCONTINUE SERVICE OF NOTICES

PLEASE TAKE NOTICE that the undersigned appearing as counsel for _____ _____ , creditor and party-in-interest in the above-captioned matter, requests to be administratively terminated in this case for the purpose of receiving notices. The undersigned no longer wishes to receive notices from the Court, either by electronic form or first class mail.

CREDITOR:

BY: _____

CERTIFICATE OF SERVICE

I, _____, hereby certify on _____, a copy of the foregoing Request to Discontinue Service of Notices was served upon the parties identified below by first class U.S. mail, properly addressed and postage prepaid:

_____

FORM E

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

APPLICATION FOR LIMITED USE/CLAIM PASSWORD FOR ELECTRONIC CASE FILING SYSTEM

NAME: _____

LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER: _____

ADDRESS: _____

PHONE #: _____ **FAX #:** _____

E-MAIL ADDRESS: _____

BAR ID # (if applicable): _____ **STATE OF** _____

1. ***Pro Hac Vice* Application**: I affirm that I am admitted to practice in the United States Courts for the _____ District of _____ (applicable state) and that the information set forth above is true and correct.

2. **Claims or Other Limited Use Application**: I affirm that I am authorized to prepare and file Proofs of Claim on behalf of _____, and/or I am authorized to prepare and file Notice(s) of Appearance on behalf of _____ _____, and/or am authorized to execute and submit Reaffirmation Agreements on behalf of _____.

3. I understand that use of my Limited Use password to file a document in the record of a bankruptcy case or proceeding will constitute my signature upon and my signing of any declarations, verifications, proofs of claim, notices of appearance, assignments of claims, reaffirmation agreements, or other papers or documents filed by use of the password obtained pursuant to this Application (my password), for all purposes authorized and required by law, including, without limitation, the United States Code, Federal Rules of Civil Procedure, Federal Rules of Bankruptcy Procedure, Federal rules of Criminal Procedure and any applicable non bankruptcy law.

4. I understand that it is my responsibility to maintain in my records all documents bearing my original signature that are filed using my password, and all documents bearing the original signature of any signer on whose behalf I file the documents using my password, for a period of four years after the case or proceeding in which the papers are files has been closed.

5. I understand that it is my responsibility to protect and secure the confidentiality of my password. If I believe that my password has been compromised, it is my responsibility to notify the Court in writing, immediately.

6. I understand that it is my responsibility to notify the Court, immediately, of any change in my address, telephone number, fax number, or e-mail address.

7. Registration as a Filing User constitutes: (1) waiver of the right to receive notice by first class mail and consent to receive notice electronically; (2) waiver 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. Waiver of service and notice by first class mail applies to notice of the entry of an order or judgment. Service by electronic means is complete as set forth in the General Order notwithstanding Federal Rule of Bankruptcy Procedure 9036.

VIII. By this registration, the undersigned agrees to abide by all the rules and regulations in the most recent General Order, *Administrative Procedures 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 Procedures in the future.

Please return to: **U.S. Bankruptcy Court**
District of Nebraska
Attn.: Director, Information Technology Services
111 South 18th Plaza, Suite 1125
Omaha, NE 68102

_____ _____
Applicant Signature Date

APPROVED BY: _____

PASSWORD # _____ **DATE:** _____

FORM F

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

In re:	)	
	)	
	)	
	)	Case No.
	)	
	)	
	)	

SUMMARY OF EXHIBITS AND CERTIFICATE OF SERVICE

The following exhibits in reference to the _____(Motion/Claim to be filed)_____ are available upon request:

1.....

2.....

3.....

Respectfully submitted

_____

ATTORNEY FOR _____

Copy of the above served this
_____ day of _____, _____ on:

[respondent parties if motion]
[debtor's (s') attorney and trustee if claim]