

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN RE:)
)
SIGNATURES AND) GENERAL ORDER 18-01
DOCUMENT RETENTION)
)

This General Order, effective February 5, 2018, amends the Nebraska Rules of Bankruptcy Procedure adopted on July 25, 2014, as an amendment to Rule 9011-1 - Signatures, which will be updated during the next Local Rule revision process.

IT IS HEREBY ORDERED: Effective February 5, 2018, Nebr. R. Bankr. P. 9011-1 is amended in its entirety as follows:

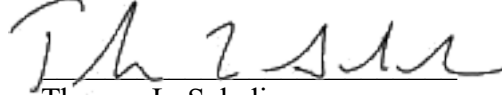
RULE 9011-1. SIGNATURES AND DOCUMENT RETENTION.

- A. Petitions, lists, schedules and statements, amendments, pleadings, affidavits, and other documents which must contain original wet ink signatures or which require verification under Fed. R. Bankr. P. 1008, or an unsworn declaration as provided in 28 U.S.C. § 1746, shall be filed electronically and may include, in lieu of the original wet ink signature, the signature forms described in this Local Rule.
- B. As used in the Nebraska Rules of Bankruptcy Procedure and the Federal Rules of Bankruptcy Procedure including, but not limited to, Rule 9011, all of the following shall constitute a signature on an electronically filed document:
1. A copy or digitally scanned image of the originally signed document containing a wet ink signature.
 2. An image with a signature captured electronically at the time of document creation, and signatures created and verified by use of special software programs for electronic signatures, such as DocuSign and SignEasy.
 3. An original wet ink signature on an original document.
 4. Subject to paragraph C below, a filing party may indicate a signature of any party to a document by showing “/s/” followed by the printed name of the signatory where the filing party has received the signature of the signatory.
 5. An attorney’s use of the login and password issued for CM/ECF shall constitute the signature of the attorney and client(s) for all purposes, including Fed. R. Bankr. P. 9011.

- C. Any electronically filed document containing “/s/” for a debtor or non-filing party in lieu of one of the other signature types referenced in paragraph B above constitutes a representation under penalty of perjury by the registered CM/ECF filer that he or she has the document with the signature of such party or, if the signing party is also a registered CM/ECF filer, that the filing party has evidence of permission to indicate the party’s signature by use of “/s/.” The registered CM/ECF filer shall retain the signed document (original wet ink signature or other signature type set forth in subparagraphs 1, 2, and 3 of paragraph B above) or retain evidence of permission to indicate the party’s signature by use of “/s/” for all bankruptcy cases and adversary proceedings for a least one year after the case is closed. Upon request, the signed document or evidence of permission must be provided to other parties or the Court for review.
- D. Except as provided in paragraph C above, the intent and purpose of this Rule is to eliminate most document retention requirements when a copy, scan, or other reliable evidence of a signature is present. For purposes of clarification, even if the Rules do not require retention of documentation in certain circumstances, all attorneys are encouraged to consider establishing their own “best practices” for document retention.
- E. Notwithstanding any other provision to the contrary, there is no record retention requirement for electronically filed proofs of claim.

DATED: January 31, 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Thomas L. Saladino", written over a horizontal line.

Thomas L. Saladino
Chief Bankruptcy Judge