

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

In re: _____
Debtor(s)

BK Case No. _____ (if known)
AP Case No. _____ (if applicable)

**APPLICATION FOR ACCESS TO ELECTRONIC DROP BOX AND DECLARATION
REGARDING ELECTRONIC FILING**

A. Please first read [the information sheet about the Electronic Drop Box](#) for required steps and use.

APPLICATION FOR ACCESS TO ELECTRONIC DROP BOX AND DECLARATION REGARDING ELECTRONIC FILING (Application and Declaration) DETAILS:

_____ (Name of applicant) and _____
(Name of applicant if married couple jointly applying) (“Applicant(s)”) hereby apply/ies to the Rhode Island Bankruptcy Court for approval to submit case documents for filing with the Court through use of its Electronic Drop Box (“EDB”) in the above-captioned bankruptcy case or adversary proceeding.

B. In support of this Application and Declaration, Applicant(s) state(s):

1. I/We am a self-represented (*pro se*) debtor or party in the above-captioned bankruptcy case or adversary proceeding.
2. I/We understand that upon authorization to use the EDB, I/we will be issued an Electronic Drop Box Link (EDB Link or Link) unique to us/me (married couples jointly authorized to use the EDB will be issued one unique EDB Link for both spouses). Use of the EDB Link that the Clerk issues to me/us, together with either (1) an image of my/our signature, or (2) a “/s/” with my/our full name on a signature block, constitutes my/our signature(s) for purposes of [Fed. R. Bankr. P. 9011](#) and [Local Rule 5001-2\(c\)](#) on all documents submitted electronically to the Court through the EDB for filing. Use of my/our EDB Link has the same effect as physically signing a paper document filed with the Court.
3. I/We understand and agree that use of the EDB Link serves the same purpose as a username and password. I/we am responsible for assuring the security of my/our EDB Link. If there is reason to suspect my/our EDB Link has been compromised, it is my/our responsibility to immediately notify the Clerk’s Office.
4. I/We understand that electronically submitting documents through the EDB is a privilege that can be revoked at any time.
5. I/We understand that I/we will receive either a paper or PDF [if signed up for DeBN] copy of the Order Approving the Application and Declaration and that I/we must either mail or place in the Court’s physical drop box the original signed paper copy of this Application and Declaration, within fourteen (14) days from entry of the Order Approving the Application and Declaration in accordance with [LBR 5001-2\(c\)\(2\)](#).

6. Declaration of Electronically Submitted Documents:

I/We, the undersigned applicants(s) hereby declare under penalty of perjury that:

(i) I/We declare that I/we have read and understand the information contained in the petition, statements, schedules and other documents submitted to the Court via the helpdesk email or the EDB, as well as the Application and Declaration first sent by email to rib_helpdesk@rib.uscourts.gov and followed up in paper form under our signature in accordance with LBR 5001-2;

(ii) The information contained in the petition, statements, schedules, lists, disclosures or other documents submitted to the helpdesk email address and/or EDB are true and correct, to the best of my/our knowledge and belief;

(iii) I/We authorize the Clerk to docket the documents referenced in (i) and (ii) above in the Court's CM/ECF [Case Management/Electronic Case Filing system] and all future documents submitted using my/our unique EDB Link; and

(iv) I/We declare that, pursuant to [LBR 5001-2\(c\)\(3\)](#), upon approval of the Application and Declaration, all future court filings that are required to be signed under oath (such as bankruptcy schedules and statements) submitted to the EDB, will contain either (1) an image of my/our signature, or (2) a "/s/" with my/our full name on the signature block.

WHEREFORE, Applicant(s) respectfully request(s) that the Court approve this Application and Declaration for access to the EDB in the above-captioned bankruptcy case or adversary proceeding.

Respectfully submitted,

By: _____
Signature of Applicant

By: _____
Signature of Applicant

Applicant Name: _____

Applicant Name: _____

Mailing Address: _____

Mailing Address: _____

City: _____

City: _____

State: _____ Zip: _____

State: _____ Zip: _____

Telephone: _____

Telephone: _____

Email: _____

Email: _____

(If married couple jointly applying, both must sign)

RHODE ISLAND LOCAL RULE 5001-2 CLERK'S OFFICE [Amended 2/11/2021]

(a) Public Hours. The Clerk's Office is located at 380 Westminster Street, Sixth Floor, Providence, Rhode Island 02903, (401) 626-3100. Unless otherwise ordered by the Court, the office of the Clerk shall be open to the public from 9:00 a.m. to 4:00 p.m., Monday through Friday, except federal holidays and holidays recognized by the U.S. District Court (which may include state holidays).

(b) Non Public Hours. In accordance with [Fed. R. Bankr. P. 5001\(a\)](#), filings before 9:00 a.m. or after 4:00 p.m. weekdays, or on weekends and holidays may be made, for cause shown, by advance appointment or in emergency circumstances with the Judge, the Clerk, or the Clerk's designee.

(c) Emergency Filing(s) by Self-Represented Parties in the Event of an Unexpected Court Closure During Normal Court Business Hours. Self-represented parties are permitted to file new bankruptcy petitions via email, and all other documents such as motions, pleadings, notices, and other papers ("Court Filings") using the Electronic Drop Box, only in those rare instances when the Court is closed during normal business hours (not including weekends or holidays) due to an unexpected event such as inclement weather or other type situation. The below procedures shall be followed in such instances.

(1) Emailing the Initial Bankruptcy Petition to the Court and Use of the Electronic Drop Box ("EDB"). The self-represented party must attach: (1) the petition; (2) a photo or scanned copy of their government-issued photo identification, such as a driver's license, passport or identification card, and (3) a completed Application for Access to Electronic Drop Box and Declaration Regarding Electronic Filing (the "[Application and Declaration](#)") in Adobe PDF format to an email addressed to the Clerk's Office Helpdesk at "rib_helpdesk@rib.uscourts.gov". If the self-represented party already has a case pending, only the completed Application and Declaration need be emailed in PDF format. Once the above documents are received and the order enters approving the Application and Declaration, all future case filings may be made directly through the EDB. Instructions and requirements for the EDB are located on the Court's website in the Self-Help Manual found on the "[Don't Have An Attorney > Debtor without an Attorney](#)" [page](#).

(2) Required Signature on the Application and Declaration. The Application and Declaration is required to be signed under oath and the self-represented party must submit the original signed paper Application and Declaration to the Clerk within fourteen (14) days from entry of the order granting the Application and Declaration, by one of these methods:

(A) mail to the Court at 380 Westminster Street, 6th floor, Providence, RI 02903; or

(B) place in the Court's physical drop box located on the 6th floor, 380 Westminster Street, Providence, RI.

(3) Signatures After the Approval of the Application and Declaration: Upon approval of the Application and Declaration, all future Court Filings that are required to be signed under oath (such as bankruptcy schedules and statements) that are submitted through the EDB, must include one of the following on the signature line:

(A) an image of the self-represented filer's signature; or

(B) a "/s/" together with the filer's full name.

(4) Date and Time Filed. Petitions filed in accordance with the above procedures will be deemed filed on the case docket on the date and time appearing on the email system of the Office of the Clerk, and all other Court Filings on the date and time they are submitted to the EDB.

(5) Requirements and Standards. Self-represented parties are reminded that even though these rules authorize Court Filings to be made electronically, the Court holds self-represented parties to the same requirements and standards as with paper filings: each signature on a Court Filing, whether electronic or otherwise, is a certification that the filing party is proceeding in good faith and filing the document for a proper purpose. Submission of the signed Application and Declaration, along with the use of the unique EDB Link that the Clerk issues to the filer, together with the filer's name on a signature block, constitutes the filer's signature for purposes of [Fed. R. Bank. P. 9011](#) on all documents submitted electronically through the EDB. Use of the EDB Link has the same force and effect as physically signing a paper document filed with the Court. A copy of Fed. R. Bank. P. 9011 is attached to the EDB Application and Declaration.

Federal Bankruptcy Rule 9011. Signing of Papers; Representations to the Court; Sanctions; Verification and Copies of Papers

(a) Signature. Every petition, pleading, written motion, and other paper, except a list, schedule, or statement, or amendments thereto, shall be signed by at least one attorney of record in the attorney's individual name. A party who is not represented by an attorney shall sign all papers. Each paper shall state the signer's address and telephone number, if any. An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party.

(b) Representations to the Court. By presenting to the court (whether by signing, filing, submitting, or later advocating) a petition, pleading, written motion, or other paper, an attorney or unrepresented party is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances,— 1

- (1) it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
- (2) the claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
- (3) the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and
- (4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.

(c) Sanctions. If, after notice and a reasonable opportunity to respond, the court determines that subdivision (b) has been violated, the court may, subject to the conditions stated below, impose an appropriate sanction upon the attorneys, law firms, or parties that have violated subdivision (b) or are responsible for the violation.

(1) How Initiated.

(A) By Motion. A motion for sanctions under this rule shall be made separately from other motions or requests and shall describe the specific conduct alleged to violate subdivision (b). It shall be served as provided in Rule 7004. The motion for sanctions may not be filed with or presented to the court unless, within 21 days after service of the motion (or such other period as the court may prescribe), the challenged paper, claim, defense, contention, allegation, or denial is not withdrawn or appropriately corrected, except that this limitation shall not apply if the conduct alleged is the filing of a petition in violation of subdivision (b). If warranted, the court may award to the party prevailing on the motion the reasonable expenses and attorney's fees incurred in presenting or opposing the motion. Absent exceptional circumstances, a law firm shall be held jointly responsible for violations committed by its partners, associates, and employees.

(B) On Court's Initiative. On its own initiative, the court may enter an order describing the specific conduct that appears to violate subdivision (b) and directing an attorney, law firm, or party to show cause why it has not violated subdivision (b) with respect thereto.

(2) Nature of Sanction; Limitations. A sanction imposed for violation of this rule shall be limited to what is sufficient to deter repetition of such conduct or comparable conduct by others similarly situated. Subject to the limitations in subparagraphs (A) and (B), the sanction may consist of, or include, directives of a nonmonetary nature, an order to pay a penalty into court, or, if imposed on motion and warranted for effective deterrence, an order directing payment to the movant of some or all of the reasonable attorneys' fees and other expenses incurred as a direct result of the violation.

(A) Monetary sanctions may not be awarded against a represented party for a violation of subdivision (b)(2).

(B) Monetary sanctions may not be awarded on the court's initiative unless the court issues its order to show cause before a voluntary dismissal or settlement of the claims made by or against the party which is, or whose attorneys are, to be sanctioned.

(3) Order. When imposing sanctions, the court shall describe the conduct determined to constitute a violation of this rule and explain the basis for the sanction imposed.

(d) Inapplicability To Discovery. Subdivisions (a) through (c) of this rule do not apply to disclosures and discovery requests, responses, objections, and motions that are subject to the provisions of Rules 7026 through 7037.

(e) Verification. Except as otherwise specifically provided by these rules, papers filed in a case under the Code need not be verified. Whenever verification is required by these rules, an unsworn declaration as provided in 28 U.S.C. §1746 satisfies the requirement of verification.

(f) Copies of Signed or Verified Papers. When these rules require copies of a signed or verified paper, it shall suffice if the original is signed or verified and the copies are conformed to the original.