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RULE 1005-1 FILING PAPERS - REQUIREMENTS [Amended 12/1/22]

(a) Caption of Papers. The bankruptcy case name, number, and chapter shall appear on all papers filed with the Clerk and must also appear on the signature page of all documents filed with the court.

(b) Size and Form. All papers, including the bankruptcy petition, schedules, statements, lists and other papers shall be on 8 ½ x 11 paper. All text in papers other than the bankruptcy petition and related schedules and lists must appear in at least 11 point type, except for footnotes which shall not be less than 10 point, and may not contain material that belongs in the body of the text or argument. All such text shall be double spaced, with the exception of quotations and footnotes.

(c) Required Signatures and Identifying Information. Each original paper filed with the Clerk shall include the filer's name, original signatures, address, telephone number, facsimile number, e-mail address, and if an attorney, the name of the law firm, the attorney's state bar identification number, and the name of the client.

(d) Required Response Time Language Must Be Included on All Papers.

(1) Usual Papers. In order to provide adequate notice to interested parties of the time to respond, every motion (except those set forth in paragraph (2) below), application, petition (not including bankruptcy petition), objection to claim or objection to exemption filed with the clerk's office shall contain language substantially similar to the following, in single or double space and must appear in at least 11 point type:

Within fourteen (14) days after service, if served electronically, as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if served by mail or other excepted means specified, any party against whom such paper has been served, or any other party who objects to the relief sought, shall serve and file an objection or other appropriate response to said paper with the Bankruptcy Court Clerk's Office, 380 Westminster Street, 6th Floor, Providence, RI 02903, (401) 626-3100. If no objection or other response is timely filed, the paper will be deemed unopposed and will be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise.

(2) Excepted Papers with Different Response Times. A different objection/response time applies to the following matters and should be substituted for the above fourteen (14) day period:

(A) Application to Compromise -- 21 days;

(B) Motion/Notice of Intended Sale -- 21 days;

- (C) Motion to Amend or Modify a Plan -- 21 days;
- (D) Motion to Modify Secured Claim -- 21 days;
- (E) Application (or Notice) to Abandon -- 21 days;
- (F) Applications for Compensation -- 21 days;
- (G) Motion for Expedited Determination, seven (7) days -- See [R.I. LBR 9013-2\(d\)\(1\)](#);
- (H) Motion for Emergency Determination -- left to discretion of Court, above language should not be used. See [R.I. LBR 9013-2\(d\)\(2\)](#);
- (I) Motion for Rule 2004 Examination -- See [R.I. LBR 2004-1\(b\)\(2\)](#);
- (J) Motion to Extend Time for filing schedules, statements, reports, responses, and replies -- left to discretion of Court, above language should not be used. For the following types of motions to extend time, the required response language contained in 1005-1(d)(1) for usual papers should be used: (1) a motion to extend or delay entry of discharge filed by the debtor; (2) a motion requesting an extension of time to file an objection to discharge under §§ 523 or 727; (3) a motion to extend the time to object to exemptions under Fed. R. Bankr. P. 4003(b); (4) a motion to extend time to respond to a Notice of Final Cure; or (5) motion to extend time to file a proof of claim or objection to claim.
- (K) Motion to Continue Hearing -- See R.I. LBR 5005-4 and 5071 for the deadline for filing motions to continue hearing.
 - (i) One-sided motion - four calendar (4) days by 3:00 p.m. If less time is needed, the motion should be filed as an emergency motion pursuant to R.I. LBR 9013-2(e) and served as specified in subsection (d)(2)(G) above;
 - (ii) Consent/Joint motion -- left to discretion of Court, above language should not be used.
- (L) Motion to Vacate an Order and Motion to Reconsider -- seven (7) days;
- (M) Motion for Relief from Co-Debtor Stay -- 20 days;
- (N) Motion to File Out of Time -- left to discretion of Court, above language should not be used (other than a motion to file out of time a proof of claim, or an objection to claim which should contain the standard objection language, *See* [R.I. LBR 1005\(d\)\(1\)](#));

(O) Petition for Certification for Direct Appeal -- left to discretion of Court, above language should not be used;

(P) Motion to Attend a Non-Evidentiary Hearing by Telephone or Video -- left to discretion of Court, above language should not be used. See [R.I. LBR 9074-1\(a\)\(2\)](#).

(3) Objection to Claim. See [R.I. LBR 3007-1](#).

(4) Objection to Exemption. See [R.I. LBR 4003-1\(b\)](#).

(e) Late Filed Documents:

(1) Any response, objection, status report or other document filed after the applicable deadline provided under the Federal Rules of Bankruptcy Procedure, these local rules and/or as established by Order of the Court, must be accompanied by a separate Motion to File Out of Time, setting forth the reasons why the document was not timely filed and why permitting a late filing is warranted.

(2) Motions to File Out of Time shall not include subsection (d) objection language. See R.I. LBR 1005-1(d)(2)(M). The Court will establish a deadline for any response to the motion if, in its discretion, it is warranted by the circumstances.

(3) Any such late filed documents not accompanied by the separate Motion to File Out of Time will be stricken and treated as if never filed, and may result in the granting of the document that was not timely responded to, without further hearing unless the required Motion to File Out of time and previously stricken document is filed within 3 calendar days of the entry striking the document.

(4) For documents that are timely filed but stricken as defective, provided that the corrected document is filed within 3 calendar days of the entry striking the document, the corrected document will relate back to the original filing date and no Motion to File Out of Time is required.

(f) Caption of Amendments. Any paper filed to effect an amendment of a previously-filed or served paper, including bankruptcy petition, lists, schedules, and statements, shall clearly state in bold print that it is an amendment. Any amendment proposing to add creditors to the case shall be accompanied with the appropriate filing fee, and, if a non-electronic filing, a supplemental diskette containing only the names and addresses of the added creditors. See also, [R.I. LBR 1009-1](#).

CROSS REFERENCE See [R.I. LBR 5005-4](#) (Electronic Filing); [R.I. LBR 5005-5](#) (Filing of Papers – Procedure for Striking or Terminating Defective Pleading and Other Documents)

RULE 1007-1 LISTS, SCHEDULES AND STATEMENTS; TIME LIMITS; ORDER TO FILE MISSING DOCUMENTS AND NOTICE OF AUTOMATIC DISMISSAL FOR NON-COMPLIANCE; NOTICE IN CHAPTER 11 [Amended 12/1/22]

(a) Certification of Pro Se Debtor Required. All pro se debtors are required to complete at the time of filing of the petition, a certification listing the names, addresses and amounts paid to persons who assisted with the bankruptcy filing, using [R.I. Local Form 1007-1.2](#).

(b) Filings Subject to Seven (7) Day Filing Deadline: The following, as applicable to the case and chapter, are required to be filed within seven (7) days of the bankruptcy filing or any authorized extension thereof, or will be subject to the procedures set forth in subparagraph (d) below and [R.I. LBR 1017-2](#):

(1) Creditor Mailing List (names and addresses)

(2) [Official Form B121](#) - Statement of Social Security Number. Form 21 shall be filed in all cases as a separate private event (not combined with the bankruptcy petition or schedules) and will be restricted from public access.

(3) Debtor's Mailing Address

(4) [Official Form 101 Part 5, Question 15](#), and, if applicable, a Certificate of Credit Counseling, or a Motion for Waiver of Credit Counseling Briefing and/or Financial Management Course, [R.I. Local Form 1007-1.4](#), or Statement of Exigent Circumstances, [R.I. Local Form 1007-1.3](#).

(5) [Application for Individuals to Pay the Filing Fee in Installments](#), if applicable.

(6) [Application to Have the Chapter 7 Filing Fee Waived](#), if applicable.

(c) Filings Subject to Fourteen (14) Day Filing Deadline: The following, as applicable to the case and chapter, are required to be filed within fourteen (14) days of the bankruptcy filing, or any authorized extension thereof, or will be subject to the procedures set forth in subparagraph (d) below and R.I. LBR 1017-2:

(1) [Schedules A/B through J2](#), as applicable;

(2) [Statement of Financial Affairs](#);

(3) Summary of Assets and Liabilities and Certain Statistical Information (28 U.S.C. § 159);

(4) Statement of Executory Contracts;

(5) Attorney fee disclosure statement;

- (6) All required declarations having been properly executed;
- (7) The Chapter 13 plan (R.I. Local Form 3015-1.1); and/or
- (8) The Chapter 13 agreement (R.I. Local Form 2083-1.1);
- (9) Chapter 11 Exhibit A;
- (10) Chapter 11 twenty (20) largest unsecured creditors;
- (11) Applicable Means Test [Forms B122A-1 through B122C-2](#);
- (12) Copies of pay stubs for 60 days before the filing of the petition;
- (13) Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Form 119);
- (14) Certificate of Credit Counseling if [Official Bankruptcy Form 101](#), Part 5, Question 15 box #2 applies.

(d) Order to file Missing Documents and Notice of Automatic Dismissal for Non-Compliance (Lack of Compliance) Procedure for Issuance of Order to file Missing Document and Notice of Automatic Dismissal for Non-Compliance. In all voluntary cases, where the petition is not accompanied by the required schedules, statements, and other documents, pursuant to [Fed. R. Bankr. P. 1007](#), [1008](#), [2016](#), and [3015](#), and [R.I. LBR 1002-1](#), [1007-1](#) and [5005-4](#), the debtor shall file such missing documents according to the time limits imposed by federal or local rule, or, if cause exists, move within that time for an order extending the time to make the required filings. Upon filing the petition, the debtor will receive an Order to file Missing Documents and Notice of Automatic Dismissal for Non-Compliance indicating which documents are missing and giving the debtor either seven (7) days or fourteen (14) days from filing to file the required documents, if applicable. If, after the expiration of the stated time period, or any court authorized extension thereof, the debtor fails to achieve compliance with the foregoing, the case will be automatically dismissed without further notice unless a request for relief under R.I. LBR 1017-2(b) was timely made. See also, [R.I. LBR 1017-2](#).

(e) Notice to Disputed, Contingent or Unliquidated Creditors in Chapter 11 Cases. The debtor in each chapter 11 case shall serve [R.I. Local Form 1007-1.1](#), together with a copy of the most recent applicable [Official Proof of Claim form \[B 410\]](#), on each creditor whose claim is listed on the schedules as disputed, contingent or unliquidated within fourteen (14) days after filing the schedules of liabilities, or within fourteen (14) days of adding such creditors to previously filed schedules. The notice will inform such creditors of the right to file proofs of claim and that failure to do so shall prevent them from voting upon the plan or participating in any distribution thereunder. Within fourteen days of service, a certificate evidencing compliance with this LBR shall be filed with the Clerk.

RULE 5001-2 CLERK'S OFFICE [Amended 12/1/22]

(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 at RIBml_AfterHoursEmergency@rib.uscourts.gov.

(c) Emergency Filing(s) by Self-Represented Parties in the Event of an Unexpected Court Closure During Normal Court Business Hours. In those rare instances when the Court is closed during normal business hours due to an unexpected event such as inclement weather or other type situation (not including weekends or holidays), self-represented parties may file new bankruptcy petitions and other papers such as motions, pleadings, notices, and other documents ("Court Filings") using:

- (1)** the procedures outlined in Local Rule 5005-6, including use of the Court's Electronic Drop Box located on its website at www.rib.uscourts.gov, or
- (2)** by placing Court Filings in the physical drop box located on the 6th floor, 380 Westminster Street, Providence, RI. Contact the Clerk's Office before using this filing method.

RULE 5005-4 ELECTRONIC FILING [Amended 12/1/22]

(a) Requirement to File Cases and Documents Electronically.

(1) All cases filed after April 24, 2003, are part of the Court's Case Management/Electronic Case Filing (CM/ECF) System. Commencing on January 1, 2007, all petitions, motions, memoranda of law, or other pleadings and documents must be electronically filed except as expressly provided in section (c) below, or in circumstances where the Electronic Filer is prevented from filing electronically, i.e., CM/ECF System failure. "Electronic Filer" refers to those who have a court-issued log-in and password to file documents electronically. Filing of documents submitted, signed, or verified by electronic means must be consistent with technical standards established by the Judicial Conference of the United States and must comply with the within local rule and such other local rules as are applicable.

(2) The court encourages creditors without attorneys to become registered users with limited creditor filing privileges ("Limited Filer"), permitting them to electronically file notices of appearance, changes of address, requests for service of notices, proofs of claim and other documents related to proofs of claim (not including responses to objections to claims), reaffirmation agreements, chapter 11 ballots, and other papers as authorized by the court. In addition, without the necessity of becoming a registered user, any claimant or the claimant's agent may utilize the feature available on the court website for electronic submission of a proof of claim form, and the effect of such electronic submission shall be as provided under Section 5005-4(k) of this Rule.

(3) The court also encourages approved personal financial management course providers to file the certificate of course completion (often called a Certificate of Debtor Education) required by [FRPB 1007\(b\)\(7\)](#), electronically using the electronic financial management certificate filing program ([eFinCert](#)) available on the Court's website, instead of registering as a Limited Filer in the Court's ECF system. The effect of such electronic submission shall be as provided under Section 5005-4(k) of this Rule.

(b) Eligibility and Registration for Electronic Filing; Use of Passwords.

(1) **Eligibility.** Attorneys, United States trustees and their assistants, private trustees, and others as the Court deems appropriate, are entitled to one System password to enable the user or any support staff so authorized by the user to participate in the electronic retrieval and filing of documents within the System.

(2) Registration and Training.

(A) Registration and Training Requirements: All applicants must register electronically for a login and password. Training modules are required for those applicants who are not already a registered user in another Bankruptcy or Federal District Court.

(i) Eligible applicants must complete the online training modules, if applicable, and register electronically for a login and password once completed. The filer must also meet the minimum system requirements.

(ii) Non-attorneys who intend to use the system for the limited purpose of filing claims and related claim activity, request for notice, petition for unclaimed funds, reaffirmation agreement, and not requiring the appearance of counsel, may register online for a limited user login and password. Training modules are required for those applicants who are not already a registered user in another Bankruptcy or Federal District Court.

(iii) Electronic Registration is available on the Court's Internet web site (www.rib.uscourts.gov).

(iv) Applicants must have a PACER login and password. A PACER login and password can be secured by contacting the PACER Service Center to establish an account. Registration may be made online at <http://pacer.psc.uscourts.gov>, or by calling the PACER Service Center at (800) 676-6856. PACER Access to the CM/ECF System will allow retrieval of the docket sheet and documents. PACER Access to the CM/ECF System will be on a “read only” basis.

(B) Training. After successful completion of the Court’s training modules, or certification by the Clerk in circumstances where completion of the Court’s training modules is not required, each Electronic Filer will receive a System password.

(C) Passwords; Unauthorized Use Prohibited.

(i) **Admission.** Admission to the System by receipt of a password from the Court constitutes a request for electronic service and notice pursuant to [Fed. R. Bankr. P. 9036](#). By receiving a password, Electronic Filers agree to accept notice and service by electronic means, and registration as an Electronic Filer constitutes: (a) waiver of the right to receive notice by first class or certified mail and consent to receive notice electronically; and (b) waiver of the right to service by personal service, first class or certified 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 or certified mail applies to notice of the entry of an order or judgment under [Fed. R. Bankr. P. 9022](#).

(ii) **Password.** The password serves as the filer’s signature. The password required to submit documents to the System serves as the Electronic Filer’s original signature on all electronically filed documents. The password also serves as a signature for purposes of [Fed. R. Bankr. P. 9011](#), other Federal Rules of Bankruptcy Procedure, the local rules of this Court, and any other purpose for which a signature is required in connection with proceedings before this Court. Electronically filed documents must include a signature block that sets forth the name, address, telephone number, and the attorney’s bar registration number and e-mail address. In addition, the name of the Electronic Filer under whose log-in and password the document is submitted must be preceded by an “/s/” and typed in the space where the signature would otherwise appear.

(iii) **Unauthorized Use of Passwords.** No Electronic Filer shall permit his/her password to be used by anyone other than himself/herself or an authorized employee. An Electronic Filer shall immediately notify the Clerk by telephone and e-mail if they learn that their password has been compromised. Electronic Filers may be subject to sanctions for failure to comply with this provision.

(iv) Revocation. The Court may revoke an Electronic Filer's password and, therefore, his or her authority and ability to electronically file documents for: (1) failure to comply with any provision of the agreement contained in the Electronic Filer's Registration Form; (2) failure to adequately protect his or her password; (3) failure to comply with the provisions of these Local Rules; (4) failure to pay fees required for documents filed electronically; (5) other misuse of the System; or (6) as a sanction ordered by the Court after notice and opportunity for hearing.

(c) Exemption/Withdrawal From Electronic Filing.

(1) Attorney Exemption. If filing electronically creates an undue hardship, an attorney may request permission to file documents conventionally. The request should be made to the Court and shall contain a detailed explanation of the reason(s) for the request. However, prior to requesting an exemption, attorneys are urged to register for a login and password and attempt to file after taking the online training modules and to seek assistance from the Clerk's Office. Information regarding ECF training and support may be obtained from the Clerk's Office and is also included on the Court's web site at: www.rib.uscourts.gov. Upon the issuance of an order to show cause, notice, and hearing, the Court may withdraw an exemption and require the attorney to file documents electronically.

(2) One Time Exemption. An attorney who is not an Electronic Filer may conventionally file the first document on behalf of a client in an ECF case without leave of Court. Within twenty-one (21) days thereafter, the attorney must register as an Electronic Filer, or seek an exemption under subsection (1) above. Failure to register or seek an exemption may result in the issuance of an order to show cause why the attorney should not be sanctioned.

(3) Attorneys Appearing Pro Hac Vice. An attorney who is not a member of the bar of this Court, but who is permitted to appear and practice in this Court pursuant to [R.I. LBR 9010-1](#) may, but is not required to, register as an Electronic Filer and to participate in the System for the duration of the Pro Hac Vice appearance.

(4) Pro Se Litigants. Pro se litigants may conventionally file and serve documents in accordance with the provisions of the Federal Rules of Bankruptcy Procedure and the Local Rules of this Court.

(5) Withdrawal. Once registered, an attorney/participant may withdraw as an Electronic Filer by providing the Clerk with a request to withdraw, stating the reason(s) for the request. Copies of the request must also be served upon all registered attorneys/participants who have appeared in pending cases in which the withdrawing attorney/participant has appeared. Upon approval of said withdrawal, the Clerk will immediately cancel the attorney/participant's password and will delete the attorney/participant from any applicable electronic service list. However, once an Electronic Filer withdraws from the system, he or she will be unable to file documents with the Court unless one of the exemptions listed above applies.

(d) Format for Filing Electronic Documents.

(1) Format for Transmission of Electronic Documents. All electronically filed documents must be submitted as a PDF file, and when viewed in the electronic filing system, shall conform in appearance to the requirements listed in [R.I. LBR 1005-1](#).

(2) Attachments to Electronic Documents. Multiple documents that are part of a pleading, which are filed at the same time by the same party may be electronically filed as a single document. Documents that are not a part of the pleading, e.g., memorandum of law, supporting affidavit, or appendix, shall be filed as an attachment to the pleading.

(3) Designation of Electronic Documents. Electronic Filers must designate a title for the document by selecting the appropriate event title from the categories provided in the System. Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the Clerk's Office, or after motion and approval by the Court.

(e) Consequences of Electronic Filing. Electronic transmission of a document to the CM/ECF system or the e-filing of an event on the System, together with the transmission of a Notice of Electronic Filing from the Court, constitutes filing of the document for all purposes under the Federal Rules of Bankruptcy Procedure and the local rules of this Court, and constitutes entry of the document or event on the docket kept by the Clerk under [Fed. R. Bankr. P. 5003](#).

(f) Time of Filing. The System is "real-time", so the receipt of the Notice of Electronic Filing will show the actual date and time a document was filed on the System. Documents filed electronically outside of normal business hours will be deemed filed on the date and time received. Deadlines will not change as a result of this rule. The deadline for filing, unless otherwise specifically set, is 11:59 P.M. (E.S.T.)

(g) Waiver of Notice and Service. Registration with the Court as an Electronic Filer of the CM/ECF system will constitute:

(1) waiver of the right to receive notice by first class or certified mail and consent to receive notice electronically; and

(2) waiver of the right to service by personal service, first class or certified 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 or certified mail applies to notice of the entry of an order or judgment under [Fed. R. Bankr. P. 9022](#).

(h) Service of Documents by Electronic Means.

(1) Each Electronic Filer of the CM/ECF system who electronically files a pleading or other document will automatically receive a "Notice of Electronic Filing" generated by the System and this Notice of Electronic Filing will automatically be transmitted by the System to all parties who are registered users of the System. Electronic transmission by the Court of the "Notice of Electronic Filing" generated by the CM/ECF System will constitute

service or notice of the filed document. Parties having been excepted from the requirement to file and receive documents electronically are entitled to receive a paper copy of any electronically filed pleading or other document, and service or notice by the Electronic Filer must be made in accordance with the Federal Rules of Bankruptcy Procedure and these local rules.

(2) Responsibility for Maintaining E-mail Addresses. The CM/ECF system allows each registered user the ability to list a primary and secondary e-mail address in their account to receive notice of electronic filing activity. It is the responsibility of the registered user to manage and maintain proper e-mail addresses on their accounts. E-mail returned as undeliverable from the primary registered user's e-mail address will be removed from the system and their ECF user log-in will be terminated until the primary address is updated. Service of court documents will be made by mail until the ECF log-in is restored with a valid primary e-mail address. Returned undeliverable e-mail from a secondary e-mail address will be removed from the system and it will be the responsibility of the registered user to update the secondary address, if desired.

(i) Official Court Record. The (CM/ECF system) shall constitute the official court record in electronic form. The electronic filing of a pleading or other paper in accordance with (1) the CM/ECF System procedures; (2) the conventional filing of a document which is subsequently imaged by the court and placed into CM/ECF; or (3) the electronic submission of a document using the Electronic Drop Box accepted by the court and uploaded to CM/ECF, shall constitute entry of that pleading or other paper on the official docket maintained by the Clerk pursuant to [FRBP 5003](#). The court will not maintain paper except for the following:

(1) Documents filed under seal;

(2) Conventionally (not electronically) filed exhibits, *see also* Section (l) below.

(j) Electronic Signatures and Retention of Original Signed Documents by Registered Users.

(1) Petitions, lists, schedules, statements, amendments, pleadings, affidavits, proofs of claim, stipulations and other documents which must contain original signatures, documents requiring verification under [Fed. R. Bankr. P. 1008](#), and unsworn declarations under [28 U.S.C. § 1746](#), shall be filed electronically and bear “electronic signatures”, including the /s/.

(2) Documents that are electronically filed and require original signatures other than that of the registered user must be maintained in paper form at least two years after the case is closed. This retention neither affects nor replaces any other retention period required by other laws or rules of procedure. The court may require the production of original documents for review by the court, a trustee, the U.S. Trustee, or any interested party.

(k) Effect of Electronically Filed Document. Any document signed and filed electronically, or filed conventionally and converted to electronic form by the clerk (including a proof of claim or financial management certificate), filed electronically on the Court's website, shall constitute the

filer's approved signature and have the same force and effect as if the individual signed a paper copy of the document. Documents required to be verified or contain an unsworn declaration that are filed electronically shall be treated, for all purposes (both civil and criminal, including penalties for perjury), the same as though signed or subscribed.

(l) Consent Motions/Joint Motions

(1) The following procedure shall be used in the case of joint or consent motions.

(A) The Electronic Filer shall initially confirm that the content of the document is acceptable to all parties intending to be bound and that all parties consent to the relief requested; and

(B) The Electronic Filer shall then file the document electronically, indicating his/her signature, e.g. “/s/ Jane Doe”, “/s/ John Doe,” etc

(2) The following procedure shall be used in all other instances requiring consent orders and/or stipulations where two or more signatures are required, including, but not limited to Joint Pre-Trial Orders:

(A) The Electronic Filer shall initially confirm that the content of the document is acceptable to all persons required to sign the document, and shall have in his or her possession the original signatures of all parties to the document.

(B) The Electronic Filer shall then file the document electronically, indicating the signatories, e.g., “/s/ Jane Doe,” “/s/ John Doe,” etc.

(C) The Electronic Filer shall retain the original documents containing the original signatures for two years after the case is closed.

(m) Exhibits

(1) Exhibits. Exhibits filed under Local Bankruptcy Rules, including but not limited to leases, notes, and the like, which are not available in electronic form, shall be submitted to the Court in paper format. The Clerk will indicate on the electronic docket the date such exhibits were submitted and, if appropriate, link them to the Joint Pretrial Statement. Trial exhibits will not be scanned unless the Court orders otherwise.

(2) Exhibits to Proofs of Claim. Exhibits in support of a proof of claim shall be filed electronically whenever possible and shall be e-filed as one event with the proof of claim. The exhibits should be electronically imaged (i.e., scanned) and filed in PDF format as an attachment to the proof of claim.

(n) Orders

(1) Proposed Orders

(A) Where an Electronic Filer is required to submit a proposed order under [R.I. LBR 9072-1](#), said document shall be electronically filed, docketed, and served in accordance with these procedures and Rule 9072-1.

(B) An Electronic Filer wishing to submit a proposed order before hearing may file such order together with the underlying motion or application, and e-filed as one event. The proposed order should be attached to the underlying motion or application.

(2) Consent Orders/Reaffirmation Agreements. Consent orders or reaffirmation agreements shall be filed in accordance with subsection R.I. LBR 5005-4(1).

(3) Notice of Entry of Orders and Judgments by the Court

(A) Upon the entry of an order or judgment in an action pending in the CM/ECF System, the System will automatically generate to all Electronic Filers in the case, in electronic form, a Notice of Electronic Filing. Transmission of the Notice of Electronic Filing constitutes the notice required by [Fed. R. Bankr. P. 9022](#). The Clerk shall give conventional notice to persons who have not consented to electronic service.

(B) Orders signed electronically (i.e., “/s/”) shall have the same force and effect as conventionally signed orders.

(o) Emergency Filings and Requests for Continuance

(1) Procedure for Emergency Filings. Electronic Filers requesting emergency hearing and/or relief shall contact the Clerk’s Office by telephone at (401) 626-3100, forthwith upon the filing of such motion. Failure to notify the Clerk’s Office of such filing as aforesaid, may result in denial of the request for expedited or emergency relief, or a delay in action on the motion.

(2) Jointly filed motions for continuance, proposed consent orders, and similar filings that affect a matter scheduled for hearing must be filed by 3:00 p.m. the day before the scheduled hearing, or the matter will remain on the calendar and all counsel will be required to attend the hearing. If an Electronic Filer files a document that affects a matter on the calendar after 3:00 p.m. the day before a scheduled hearing, the Electronic Filer shall also notify the Courtroom Deputy of such filing by e-mail at: RIBCourtroom@rib.uscourts.gov.

(p) System Failure. If electronic filing cannot be accomplished because of a court or filer System failure, the Electronic Filer shall, after making at least two attempts to file electronically, send the document and/or event as an attachment in PDF format via e-mail to the following address: RIBECFSupport@rib.uscourts.gov explaining why it was not possible to file directly in the CM/ECF System. The Electronic Filer must call the Clerk’s office prior to 10:00 a.m. of the next business day to advise that a document has been filed via e-mail. The Clerk’s office will download

and file the PDF document, which will be deemed filed on the date and time of the e-mail transmittal.

(q) Fees Payable to the Clerk. All filing fees must be paid electronically by the Electronic Filer using the following methods: credit card, debit card or by ACH withdrawal from a registered bank account in the name of the attorney for the debtor, or the law firm of which the attorney for the debtor is a member, partner or associate. Payment of the filing fee is due on the date the document is filed. Failure to make payment on the date of the filing may cause the Electronic Filer to be locked out of the System, and if the fee is not paid with seven (7) days of filing, the underlying document will be stricken or terminated pursuant to R.I. LBR 5005-5.

(r) Public Access to Court documents. Electronic access at the Clerk's Office is available to the public during regular business hours for viewing the docket sheet and documents filed in the System. Conventional and certified copies of electronically filed documents may be purchased at the Clerk's Office during regular business hours or by mail with a check, money order, credit or debit card for the exact amount of the purchase, unless otherwise authorized.

RULE 5005-5 FILING OF PAPERS - PROCEDURE FOR STRIKING DEFECTIVE PLEADINGS AND OTHER DOCUMENTS [Amended 12/1/22]

(a) Procedure for Striking or Terminating Defective Documents and Extension of the Response Deadline. If a document filed with the Court fails to conform with federal and local bankruptcy rules, forms, and/or required filing fees, or is incorrectly filed in the electronic filing system, the document shall be either stricken or terminated from the record and a corrective action required event will be entered stating the nature of the defect and giving instruction to re-file the document in corrected form. If the defect pertains to a pending motion/application/notice, then the response deadline will also terminate and a new deadline will commence upon the re-filing of the corrected document. For those documents which fail to conform where a filing fee has been paid, the filer will have fourteen (14) days to re-file such documents in corrected form and the court will associate the previously paid fee. If the corrected document is not filed before this deadline expires, a new filing fee will be required. For all other documents, see R.I. LBR 1005-1(e)(4) for deadline to refile in order for the corrected document to relate back to the original filing date.

(b) Failure to Submit a Proposed Order after Hearing. If, after seven days from the date of the hearing, or other time as ordered by the Court, the responsible party does not file the required order, the Court will automatically strike the original initiating document (i.e., motion, application, notice) and the parties will receive notice that no further action will be taken. In order to revive the stricken filing, a Motion to Vacate must be filed, along with the overdue order, before the case is closed. Once the case is closed, a reopening fee will be required to docket the late filed order. [See R.I. LBR 9072-1\(a\),\(c\).](#)

RULE 5005-6 ELECTRONIC DROP BOX (“EDB”) PROCEDURES FOR SELF-REPRESENTED PARTIES

(a) Filing(s) by Self-Represented Parties. In addition to filing papers in-person or by mail, self-represented parties may also submit for filing new bankruptcy petitions via email, and all other papers such as motions, pleadings, notices, and other documents (“Court Filings”) using the Court’s EDB located on its website at www.rib.uscourts.gov. The below procedures shall be followed when using email or the EDB to submit papers for filing:

(1) Emailing the Initial Bankruptcy Petition to the Court and Use of the Electronic Drop Box. 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 an order enters approving the Application and Declaration, all future Court 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 under the [“Don’t Have An Attorney>Debtor without an Attorney”](#) menu.

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

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

(B) in emergency situations only, you may also use the procedure outlined in LBR 5001-2(c)(2).

(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.

RULE 9074-1 TELEPHONE AND VIDEO CONFERENCE OR HEARING [Amended 12/1/22]

(a) Request for Remote Attendance at Court Proceeding via Telephone or Video Technology.

The Court may permit any party in interest to participate in a hearing or conference by telephone or video (via the ZoomGov court platform, or similar virtual technology prescribed by the Court). A party in interest wishing to attend either an evidentiary or non-evidentiary court proceeding by telephone or video must file the request by motion in the following manner:

(1) Evidentiary Hearings. The motion must be filed (i) no less than 21 days prior to the scheduled hearing, (ii) contain the standard LBR 1005-1(d)(1) response language, and (iii) set forth good cause for the request.

(2) Non-Evidentiary Hearings. The motion must be filed (i) no later than 3:00 p.m. the day before the scheduled hearing, (ii) pursuant to LBR 1005-1(d)(2)(P), the response time language should not be included in the motion but will be left to the discretion of the Court, and (iii) set forth good cause for the request.

At any time, the Judge may vacate any previously granted motion to appear virtually or telephonically and may order such party to personally appear in court for any court proceeding.

(b) Reliance on Written Submissions and Use of Exhibits. Copies of written submissions or exhibits to be considered in connection with a matter scheduled for telephonic or video hearing shall be filed with the Clerk and served upon the parties in accordance with [LBR 9070-1](#).

(c) Procedures for Remote Court Proceedings. The Courtroom Deputy shall coordinate any authorized remote court proceeding and will provide the parties with advanced instructions and court protocols for attendance at such remote court hearing.

(1) Decorum. The provisions of R.I. Local Rule 5072-1 governing courtroom decorum shall apply and the formalities of courtroom protocol shall be observed.

(2) Witnesses. Any witness called will be sworn in by video conference by the courtroom deputy clerk or other authorized court personnel.

(3) Identification. All parties in attendance must identify themselves and state their interest in the proceeding.

(d) Technical Requirements for Remote Court Proceeding by Video. Any video conferencing system utilized under this rule must meet the following minimum requirements:

(1) All participants must be able to see, hear, and communicate with each other simultaneously during the proceeding.

(2) All participants must be able to see, hear, and otherwise observe any physical evidence or exhibits presented during the proceeding, either by video, facsimile, or other method.

(3) Video quality must be adequate to allow the Court and the participants to observe each other's demeanor and nonverbal expressions.

(4) Video conference facilities must provide for confidential communication between attorneys and their client.

(5) The Court must be satisfied that the equipment at the remote site is adequate and appropriate. To accomplish this, a test run between the remote site and the Court site may be conducted 24 hours prior to the commencement of the hearing, at the party's request.

(e) Recording of Court Proceeding. A video or telephone conference or hearing constitutes an official court record, and any recording other than the official court version is prohibited. No party may record images or sounds from the remote location.

Local Form Amendment

RI Local Form 1007-1.1 is amended to remove the proof of claim form, consistent with the amendment to LBR 1007-1(e).