

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND**

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In re: :
Requirement for Electronic Filing :
: **BANKRUPTCY GENERAL ORDER**
: **No. 04-003**
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**GENERAL ORDER REQUIRING ELECTRONIC CASE FILING
AND SETTING DEADLINE FOR PARTICIPATION**

Federal Rules of Bankruptcy Procedure 5005(a), 9029, 9036, and Local Rule 5005-4 authorize this Court to establish practices and procedures for the filing, signing, maintaining, and verifying of pleadings and papers by electronic means. On December 2, 2002, this Court issued Administrative Order No. 02-002 “*Administrative General Order Establishing Procedures for Filing, Signing, Maintaining, and Verifying Pleadings and Other Documents in the Electronic Case Filing (ECF) System*”¹. Thereafter, on October 1, 2003, electronic filing was opened to the bar for voluntary participation. Since that time, the majority of our busiest filers have been trained and are using the ECF system, greatly assisting the Court in its effort to become fully automated with all cases being opened in the ECF system, and all pleadings filed in the system.

In order to continue to facilitate this Court’s movement forward with electronic case filing, it is hereby **ORDERED** that:

1. Attorneys/firms filing twenty five (25) or more Chapter 7, 11, and 13 bankruptcy petitions in a given twelve month period (beginning 11/1/03-10/31/04), are required to become registered users in CM/ECF and must attend training within 60 days of being notified by the Clerk of Court. Upon completion of training, all petitions, pleadings, documents and papers required to be filed with this Court must be filed electronically using the Court’s ECF System. Training will be scheduled on a staggered basis with the highest filing attorneys being scheduled first, and so on.
2. Furthermore, attorneys/firms filing twenty five (25) or more motions for relief from stay, and/or Adversary Proceeding complaints in a given twelve month period (beginning 11/1/03-10/31/04)

¹ This document was amended several times and its most current version is AO No. 04-002, *Sixth Amended Administrative General Order Establishing Procedures for Filing, Signing, Maintaining, and Verifying Pleadings and Other Documents in the Electronic Case Filing (ECF) System*.

are required to become registered users in CM/ECF and must attend training within 60 days of being notified by the Clerk of Court. Upon completion of training, all petitions, complaints, pleadings, documents and papers required to be filed with this Court must be filed electronically using the Court's ECF System. Training will be scheduled on a staggered basis with the highest filing attorneys being scheduled first, and so on.

3. The Clerk shall establish a monthly training schedule based on attorney filing numbers and to provide sixty (60) days written notice to each attorney/firm of the date required to complete training and to begin filing in CM/ECF.

4. Exceptions to the above mentioned requirements include:

- 1) Petitions, pleadings, documents, and/or papers filed by parties without legal representation;
- 2) Proofs of claim filed by creditors who are not registered users of ECF;
- 3) Documents permitted to be filed via paper by the Administrative Procedures Order (e.g., sealed documents);
- 4) Petitions, pleadings, documents and papers filed by attorneys who do not meet the threshold minimum number of filings in a twelve month period for required electronic filing; and
- 5) System Failure – *See* 6th Amended AGO, Part II, C.

5. Failure of an attorney to be trained and filing in the CM/ECF system by the established date notified by the Clerk will result in the attorney being ordered to show cause before the court why he/she is not complying with the instant General Order.

This order is effective November 3, 2004.

ENTER:



Arthur N. Votolato
U.S. Bankruptcy Judge
Dated: 11/3/04

ORDER:



Susan M. Thurston
Clerk of Court