

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE:)
)
ELECTRONIC SIGNATURES IN)
CM/ECF AND FILING AGENTS)
)

GENERAL ORDER 15-01

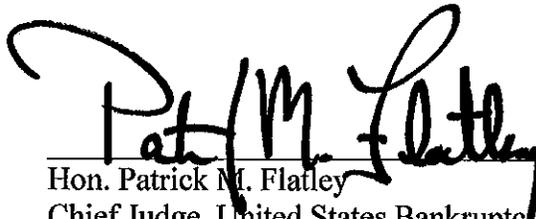
Under N.D.W.V. LBR 5005-4.09, a user who electronically files a document with the court through the CM/ECF system (the "Filing User") may use an electronic signature on the filed document. The Filing User's log-in and password constitute the Filing User's original signature on all electronic documents filed with the court. They also serve as the Filing User's original signature for purposes of Federal Rule Civil Procedures 11, Official Bankruptcy Rule 9011, the local rules of court, and for any other purpose for which a signature is required in connection with proceedings before the court. N.D.W.V. LBR 5005-4.09 became effective on November 21, 2003. Since that time, CM/ECF has expanded to include Filing Agents, who may file documents on behalf of a Filing User. By this General Order, NDWV LBR 5005-4.09 is amended as follows:

(a) The user login and password required to submit documents to the electronic filing system serve as the Filing User's signature on all electronic documents filed with the court. They also serve as a signature for purposes of the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, including Rule 9011, the local rules of the court, and any other purpose for which a signature is required in connection with proceedings before the court. Electronically filed documents must include a signature block and must set forth the name, address, telephone number and the attorney's bar registration number, if applicable. The name of the Filing User under whose login and password the document is submitted must be preceded by an "/s/" and typed in the space where the signature would otherwise appear. In addition, if debtor(s)'s original petition and schedules are submitted in an electronic form other than a scanned pdf, debtor(s)'s counsel and debtor(s) must execute a Declaration Re: Electronic Filing in substantial conformity with Appendix R. This Declaration Re: Electronic Filing is subject to the retention requirements of these rules (see NDWV LBR 5005-4.08)

(b) If the Filing User registers a Filing Agent to file on behalf of the Filing User, the use of the Filing Agent's log-in and password to electronically file any petition, pleading, motion, claim, or other document shall constitute the signature of that Filing User on the electronically filed document for purposes of the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, including Rule 9011, the local rules of the court, and any other purpose for which a signature is required in connection with proceedings before the court. Use of the Filing Agent's log-in and password constitutes certification by the Filing Agent that: (1) all persons indicated to have signed the document have actually executed the original or a copy of the original, or have approved the content of and authorized their signature on the document, prior to electronic filing; and (2) the Filing User has authorized the electronic filing of the executed document.

(c) No Filing User, Filing Agent, or other person may knowingly permit or cause to permit a Filing User's or Filing Agent's password to be used by anyone other than an authorized agent of the Filing User or Filing Agent.

(d) Documents requiring signatures of more than one party must be electronically filed either by: (1) submitting a scanned pdf (portable document format) document containing all necessary signatures; (2) representing the consent of the other parties on the document; (3) identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties no later than three (3) business days after filing; or (4) in any other manner approved by the Court.


Hon. Patrick M. Flatley (Date)
Chief Judge, United States Bankruptcy Court, N.D.W. Va.