

N.D.W.V. LBR 5005-4.08

Retention Requirements - Electronic Filing

Consistent with the ongoing need to insure reliability and authenticity of the substance of documents filed electronically, and in consideration of other provisions of these Rules, for purposes of preservation of signatures and the substance of legal documents, filing users may submit a scanned pdf (portable document format) showing the actual signature(s) of the individual(s) executing the documents, or, in the alternative with respect to debtor(s), counsel for the debtor(s) shall keep and maintain an original signed copy of a Declaration Re: Electronic Filing (Appendix R) for a period of seven (7) years from the date that it was filed. The existence of a scanned pdf signature or a properly executed Declaration Re: Electronic Filing (Appendix R) and debtor(s)'s testimony at the Section 341 meeting of creditors are prima facie evidence of the existence, authenticity and validity of the signatures on the original petition, schedules, and statement of affairs. During the period of transition from a paper to a paperless system, counsel are encouraged to retain all originals exhibiting debtor(s)'s or opposing counsel's signatures, but are not required to do so by these rules.