

**UNITED STATES BANKRPUTCY COURT  
NORTHERN DISTRICT OF WEST VIRGINIA**

**PRO SE PARTY E-FILING  
AND / OR  
REQUEST FOR ELECTRONIC NOTICES**

**August 11, 2016**

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## **A. Frequently Asked Questions**

**1. Who is a pro se party?**

A pro se party is anyone who is not represented by an attorney. Pro se parties may be individuals or businesses.

**2. I am not an attorney and my business entity is involved in a bankruptcy case, can I file documents on behalf of my business without an attorney?**

Generally, no. Business entities must be represented by an attorney in federal court. There are some exceptions. For example you may file a proof of claim, apply for unclaimed funds, or submit a reaffirmation agreement on behalf of a business entity.

**3. What is e-filing?**

The bankruptcy court maintains an electronic record of every document in a bankruptcy case or related proceeding. The system for filing and maintaining those documents is called Case Management / Electronic Case Filing (CM/ECF). E-filing privileges allow a party to file documents with the bankruptcy court electronically instead submitting paper document via hand delivery or through a mail carrier.

**4. I am a pro se party and I want to file bankruptcy. Can I file my bankruptcy case electronically?**

No. After your case is filed, you may request e-filing privileges. If you are an individual please review our Pro Se Packet on our website containing answers to frequently asked questions and containing all the forms you will need to complete to file a bankruptcy case.

**5. I am a pro se party, should I sign up to e-file documents in CM/ECF**

Generally, no. In most routine Chapter 7 and Chapter 13 cases, there is no real advantage to request pro se e-filing privileges. However, if you anticipate protracted litigation with multiple documents and filings, then e-filing will provide you with lower transaction costs, instant access to the court, and your filing deadline will be extended to midnight on the due date instead of the close of business on the due date (unless otherwise ordered by the court). E-filing eliminates mail costs and delays and provides immediate confirmation that your document is filed with the court.

**6. Should I request electronic notices from the court?**

Probably, yes. Even if you don't want to e-file documents, electronic noticing keeps you informed about your case. You need a valid email address that you regularly monitor. The advantages of receiving electronic notices include:

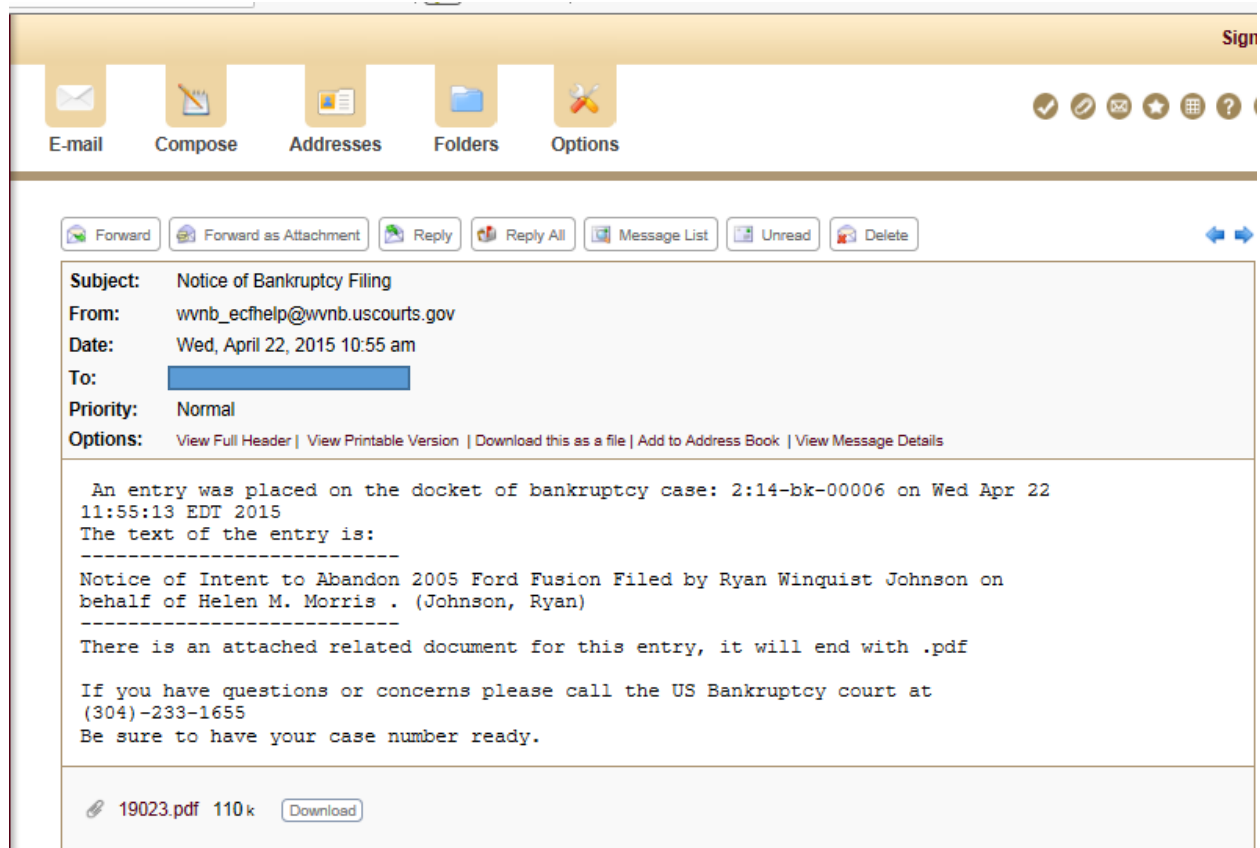
- a. You will receive your court orders and clerk's office notices approximately 5-7 days earlier. You receive an electronic notice with an attached PDF within minutes after it is filed in your case without having to wait for processing and mail delays.
- b. You will receive an electronic notification with an attached PDF of every document filed in your case by non-court users (e.g., attorneys, creditors and trustees) within minutes

after the document is filed. Stay informed with what is happening in your case and receive the same case information that an attorney receives.

- c. You can download and store important documents. After opening the attached PDF document, you can save and/or print it for your records. You no longer have the need to request copies from the clerk's office and pay associated fees. If you have a hearing before the bankruptcy judge, you may also obtain an MP3 audio recording of the hearing. You may separately obtain a PACER account (Public Access to Court Records), but it is not necessary.
- d. It's free. It's convenient. Access court notices, orders, and all documents filed in your case anywhere you have internet access.

## 7. If I sign up for electronic notices, who sends me email?

You are registering your email address with the Bankruptcy Court for the Northern District of West Virginia. You will receive email from wvnb\_ecfhelp (West Virginia Northern Bankruptcy Electronic Case Filing Help). When there is an underlying document associated with the entry, a PDF of the underlying document is attached in the email. A sample is shown below. Do not reply to these emails.



**8. How long will I receive electronic notices from the court?**

Once your email account is activated, it will remain active until the case closes, unless: (1) the account is disabled due to an email transmission failure (email bounce-back), or (2) you file a request to deactivate the account. If you are involved in a future case, you will need to submit a new electronic notice request form.

**9. Can I request receipt of documents by both email and U.S. mail?**

No.

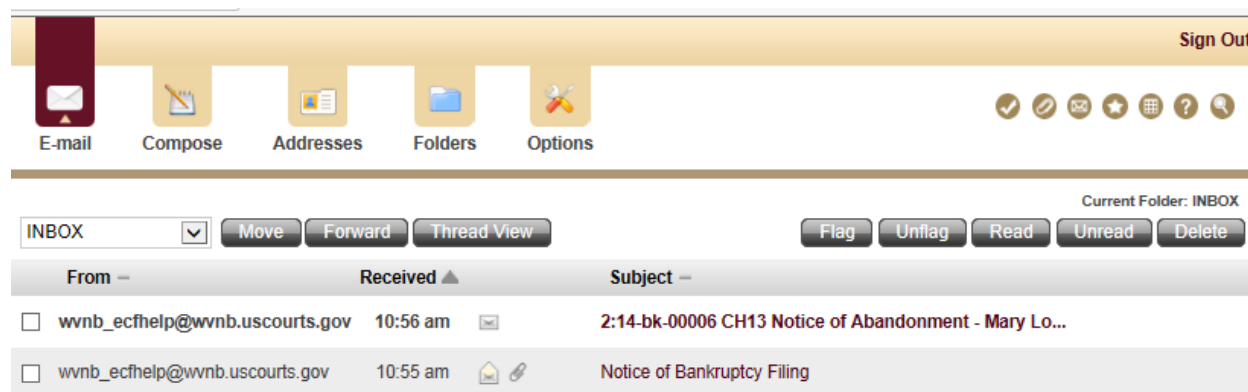
**10. Can others see my email address?**

Yes. Your email address will appear on certificates of notice and certificates of service that are filed on the court's docket.

**11. Why do I receive two emails of every docket entry?**

The bankruptcy court's Case Management / Electronic Case Filing system was designed for attorneys and other professionals that regularly transact business with the bankruptcy court. Those parties have PACER (Public Access to Court Electronic Records) accounts and those accounts are subject to different guidelines. One of those guidelines is that the account holder has one "free look" at the filed document during the first 14 days after the document is filed. After that one free look, the attorney or professional may only access the document by using their PACER account and paying PACER's associated fees.

The bankruptcy clerk's pro se notice program "piggy-backs" on the attorney and bankruptcy professional email system to provide you with an actual PDF attachment (not a hyperlink) that has no restrictions on the number of times you may view the document. Consequently, you receive two emails of every document that is filed in your case, as pictured below:



The bottom email is generated by the bankruptcy clerk's system. The top email is the Notice of Electronic Filing that is typically sent to attorneys and other bankruptcy professionals. If you open the top email, you may click on the provided hyperlink for your one "free look" at the hyperlinked document provided that you do it within the first 14 days.

**12. Why do I not receive an attached PDF of proofs of claim filed in my case?**

A bankruptcy case is associated with a claim's register where creditors can file proofs of claim so that they may be paid from the assets of a bankruptcy estate. You will receive a notice of electronic filing of a proof of claim with a PACER generated hyperlink to the document. You may view the document once, for free, within 14 days by clicking on the hyperlink. To view it a second time, you will need to obtain a PACER account or call the Clerk's Office to obtain a copy. Otherwise, these documents are not electronically available from the clerk's office unless you have a PACER account.

**B. How Does Pro Se Party E-Filing Work**

1. You submit a "wet" signed e-filing agreement to the bankruptcy clerk's office. The form is attached at the end of this materials and is available on the court's website.

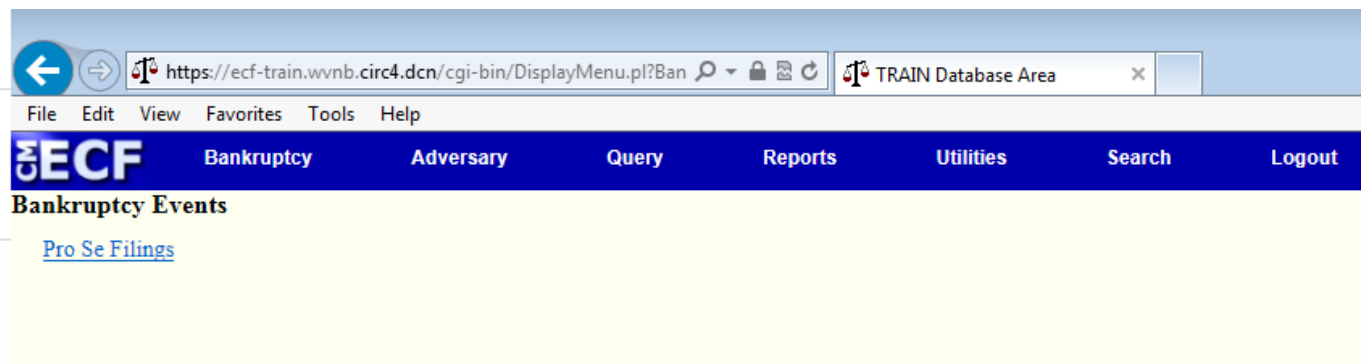
Once accepted by the bankruptcy clerk's office, you are issued a log-in and password to the CM/ECF database for use in the Bankruptcy Court for the Northern District of West Virginia. Your ability to e-file documents is limited to the case(s) in which you are a party.

2. Access CM/ECF via the Court's website: [www.wvnb.uscourts.gov](http://www.wvnb.uscourts.gov). Click on E-Filing (CM/ECF):





3. The only menu with available options is Bankruptcy” and there is only filing choice: “Pro Se Filings.” The same Menu is used regardless of whether your document is intended for a main case or adversary proceeding.



4. In the Case Number field, you may only successfully input a case number in which you have been granted e-filing rights. Inserting the wrong case number results in the following message:

The screenshot shows the 'File a ProSe document' form on the ECF website. The form has a blue header with the ECF logo and the word 'Bankruptcy'. Below the header, the text 'File a ProSe document' is displayed. The form contains a 'Case Number' field with a text input box containing the value '5:15-bk-11'. Below the input box are two buttons: 'Next' and 'Clear'.



5. After inserting the correct case number, select Pro Se Document and click “Next.”

Type: bk	Chapter: 7 v	Office: 5 (Wheeling)
Assets: n	Case Flag: CounDue, DebtEd, MEANSU, ProSeFiling	

Start typing to find an event.

**Available Events** (click to select an event)

Pro Se Document	S
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6. Browse for your document. It must be in PDF format. Click “Next.”

Type: bk	Chapter: 7 v	Office: 5 (Wheeling)
Assets: n	Case Flag: CounDue, DebtEd, MEANSU, ProSeFiling	

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**Document number assignment:** no number assigned

**Filename**

H:\Ryan Johnson\Clerk\Outreach\WVU l 

**Attachments to Document:** ☐ No ☒ Yes

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7. If you have attachments, browse and upload them in PDF format. Click “Next”

Type: bk	Chapter: 7 v	Office: 5 (Wheeling)
Assets: n	Case Flag: CounDue, DebtEd, MEANSU, ProSeFiling	

Select one or more attachments.

1) Select the PDF document that contains the attachment.

Filename

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2) Fill in the fields below.

Category *and/or* Description

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.

8. Click “Next”

Type: bk	Chapter: 7 v	Office: 5 (Wheeling)
Assets: n	Case Flag: CounDue, DebtEd, MEANSU, ProSeFiling	

9. Click, “Next”

Type: bk	Chapter: 7 v	Office: 5 (Wheeling)
Assets: n	Case Flag: CounDue, DebtEd, MEANSU, ProSeFiling	

Docket Text: Final Text

Pro Se Document by Debtor. (Attachments: # (1) Exhibit) (Pro Se, Train)

**Attention!!** Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

10. Receipt confirmation – Finished.

Type: bk	Chapter: 7 v	Office: 5 (Wheeling)
Assets: n	Case Flag: CounDue, DebtEd, MEANSU, ProSeFiling	
<b>U.S. Bankruptcy Court</b>		
<b>Northern District of West Virginia</b>		
Notice of Electronic Filing		
The following transaction was received from ProSe, Train entered on 12/15/2015 at 11:41 AM EST and filed on 12/15/2015		

11. Although submitted, your document will not be publically available until such time as it is reviewed and properly docketed by the bankruptcy clerk's office. The filing date and time is as stated in your confirmation of e-filing.

### C. Other Electronic Filing Options

**Attorneys:** Attorneys are required to register with the court for electronic filings in CM/ECF unless granted a specific exception by the court.

**Limited Use Filers:** Limited Use Filers may obtain a log-in and password to CM/ECF via the court's website to file a certain documents in any pending bankruptcy case. Those documents are limited to:

Affidavit, Certificate of Service, Creditor Maintenance, Enter Individual Creditors, Expunge/Withdrawal of Claim, File Claims, File Speed Claim, Financial Management Course, Notice of Appearance and Request for Notice, Notice of Change of Address, Notice of Mortgage Payment Change, Notice of Post-Petition Mortgage Fees, Expenses, and Charges, Objection to Claim, Objection to Transfer of Claim, Reaffirmation Agreement, Reaffirmation Agreement (pro se), Redact, Redact Proof of Claim, Redemption Agreement, Response to Notice of Final Cure Payment Rule 3002.1, Response/Objection, Transfer of Claim, Withdraw as Party.

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**UNITED STATES BANKRUPTCY COURT**  
**Northern District of West Virginia**  
Honorable Patrick M. Flatley, Judge – Ryan W. Johnson, Clerk

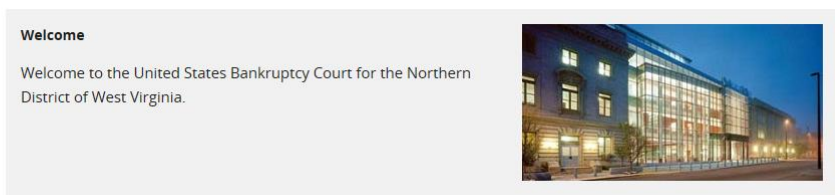
Understanding Bankruptcy | Court Info | Judges' Info | Attorney's & E-Filers | Filing Without an Attorney | Forms | Case Info | Office of the US Trustee | Programs & Serv

Case Locator (PACER) »  
E-Filing (CM/ECF) »  
Claims E-Filing »  
CM/ECF Login Accounts »

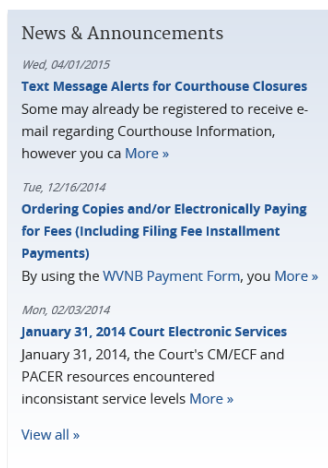
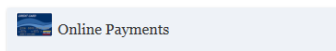
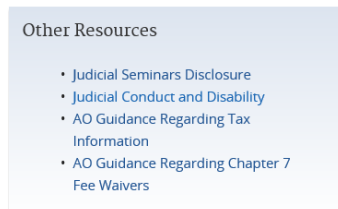
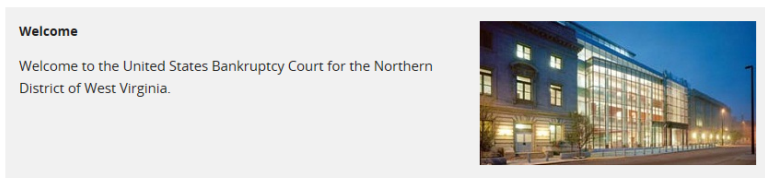
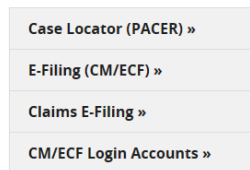
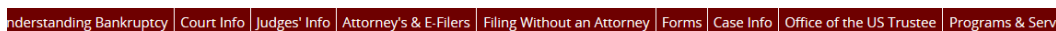
Welcome

Welcome to the United States Bankruptcy Court for the Northern District of West Virginia.

Proofs of Claim: any creditor may file a proof of claim via the court's website without the need to obtain a log-in and password to the CM/ECF system or to register as a pro se e-filer.



Payments: Any party owing a fee to the bankruptcy clerk's office, or any party desiring to order items from the clerk's office, may pay or order those items through the bankruptcy court's website.



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

*Please list the Case Name and Case Number of the Case(s) in which you are Requesting  
Electronic Filing Privileges:*

**Case Name**

**Case Number**

**PRO SE E-FILING AGREEMENT AND / OR REQUEST FOR ELECTRONIC  
NOTICES**

**PRO SE E-FILING REGISTRATION:** I understand that I am required to complete my own application for CM/ECF registration.

- I am a pro se party in the above-captioned case(s). A username and password to the CM/ECF system will be assigned to me upon the Clerk's Office's acceptance of this Agreement as to one or all of the above-captioned cases. The username and password are only for use in the Bankruptcy Court for the Northern District of West Virginia and may only be used in the specifically authorized case(s).
- Use of the login and password issued by the Court constitute my signature on all electronically filed documents for all purposes, including those under Rule 9011 of the Federal Rules of Bankruptcy Procedure and 28 U.S.C. 1746. Use of my log-in and password has the same force and effect as affixing my wet signature on a paper document filed with the Court. Every document I file electronically shall be signed by me, in the following format: "/s/ John Doe", on the signature line.
- I am solely responsible for any documents submitted electronically to CM/ECF by means of my e-filing login and password. I will protect and secure the password issued to me. If there is reason to suspect that my password has been compromised, it is my responsibility to change my password and immediately notify the Bankruptcy Clerk by calling 304-233-1655.
- My e-filing ability may be restricted or revoked by the Bankruptcy Clerk at any time, without notice, and shall terminate on closure of the above captioned case(s).
- By signing below, I accept these terms and conditions.

**E-MAIL REGISTRATION AND NOTICES OF ELECTRONIC FILING:** Pursuant to Fed. R. Bankr. P. 9036, whenever the clerk or some other person as directed by the court is required to send notice by mail, I hereby request that all or part of the information required to be contained in the notice be sent via email instead of U.S. mail. Registration will result in notification to me of all public documents filed in the above captioned case(s), whether or not the document affects my individual rights. I understand that the first time the Bankruptcy Clerk's Office receives an e-mail bounce back (undeliverable e-mail), my e-mail registration for notices of electronic filing may be terminated without notice and I will receive court notices and orders by

U.S. mail. If I do not check this box, I will only receive court notices and orders that affect me by U.S. Mail and will only see publically filed documents that are specifically served upon me by other parties.

***Please provide your “wet” signature on the line below and mail this document to:***

***Bankruptcy Clerk’s Office***

***P.O. Box 70***

***Wheeling WV 26003***

***If approved, the Clerk’s Office will issue your e-filing log-in and password.***

Signature: \_\_\_\_\_

Date:

Printed Name

Address Ln. 1

Address Ln. 2

Address Ln. 3

Daytime Telephone Number:

Email Address: