

Rule 1001-2

CASE MANAGEMENT AND ELECTRONIC CASE FILING SYSTEM – CM/ECF

(a) ***Case Management/Electronic Case Filing System.*** The Court has established an online case management and electronic case filing system (“CM/ECF”), on which the Court maintains paperless court files and dockets and which allows a party with a log-in and password issued by the Clerk (“Electronic Filing User”) to electronically file papers in court files.

(b) ***Electronic Filing Users.*** Attorneys filing papers with the Court must be Electronic Filing Users. Those persons entitled to become Electronic Filing Users include attorneys admitted to practice in the United States District Court for the Middle District of Florida, United States Trustees and their assistants, private trustees, governmental units, commercial claim filers, or others as may be provided by administrative order. To become an Electronic Filing User, attorneys and other parties must complete CM/ECF training and register with the Clerk. The Clerk shall establish registration, training, and certification procedures, which shall include administering a CM/ECF training program. The Clerk shall keep a registry of authorized Electronic Filing Users. Electronic Filing Users shall adhere to all requirements as promulgated by the Clerk and posted on the Court’s website, www.flmb.uscourts.gov. The Clerk shall maintain and promulgate the requirements and guidelines as necessary.

(c) ***Format.*** Papers filed electronically shall be submitted in Portable Document Format (PDF). Papers in electronic format shall be converted to PDF from the word processing original, not scanned, to permit text searches and to facilitate transmission and retrieval. If the filer possesses only a paper copy of a paper to be filed with the Court (*e.g.*, an original or copy of an exhibit), it may be converted to PDF format by scanning.

(d) ***Retention of Original Papers.*** Electronic Filing Users shall retain paper copies bearing original signatures of the following papers for two years after the closing of the case: all petitions, lists, schedules, statements, including the Statement of Social Security Number(s) (Official Form 21), affidavits, and other papers that require verification under Fed. R. Bankr. P. 1008, and unsworn declarations as provided for in 28 U.S.C. § 1746.

(e) ***Waiver of Service by Mail.*** Registration as an Electronic Filing User constitutes (1) waiver of the right to receive notice by first-class mail and the right to service by first-class mail or personal service and (2) consent to receive notice electronically 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 mail applies to notice of the entry of an order or judgment under Fed. R. Bankr. P. 9022.

(f) ***Electronic Filing of Proofs of Claim and Related Documents.*** Claimants who are not Electronic Filing Users may file proofs of claim in paper or through the eProof of Claim hyperlink on the Court’s website, www.flmb.uscourts.gov. All claimants who have filed or expect to file ten or more claims and/or claim-related papers, such as transfers of claims and

withdrawals of claims, within any one-year period, shall file these claims and documents electronically through CM/ECF or the eProof of Claim hyperlink.

(g) ***Electronic Ballot Filing in Chapter 11 Cases.*** Parties may file paper ballots with the Court under Local Rule 3018-1, but are encouraged to electronically file ballots through the Chapter 11 eBallots hyperlink on the Court's website, www.flmb.uscourts.gov.

(h) ***Unavailability of CM/ECF or Hyperlinks.*** Electronic Filing Users may file paper documents whenever CM/ECF is inaccessible or an Electronic Filing User's computer system is not functioning. Filers of proofs of claim who cannot access the Court's eProof of Claim hyperlink and filers of ballots who cannot access the Court's eBallot hyperlink may file paper proofs of claim and ballots. After-hours emergency filing procedures are set forth in Local Rule 5001-2.

(i) ***Access to CM/ECF by Non-Electronic Filing Users.***

(1) ***PACER Access.*** Any person or organization, including parties appearing before the Court *pro se*, may access CM/ECF at the Court's website by obtaining a log-in and password from PACER (Public Access to Court Electronic Records), available at www.pacer.gov. Those who have PACER access but who are not Electronic Filing Users may retrieve docket sheets and court papers but may not file documents electronically.

(2) ***Request by Pro Se Debtors to Receive Electronic Notification.*** Individual *pro se* debtors who have an Internet email address may request to receive electronic notification of filings made in their bankruptcy cases by submitting the form available on the Court's website at www.flmb.uscourts.gov/cmecf.

Notes of Advisory Committee

2015 Amendment

New section (c) of the rule requires Electronic Filing Users to convert papers maintained in electronic format from the word processing original to Portable Document Format (PDF). This does not apply to papers originally in paper form, such as client records or exhibits. In addition, section (d) reduces the time during which Electronic Filing Users must retain paper copies bearing original signature from four years to two years. This amendment is effective July 1, 2015.

2014 Amendment

This amendment revises section (e) to provide that claimants who have filed or expect to file ten or more claims (reduced from 25) with a one-year period shall file their claims and claims-related papers electronically. This amendment is effective July 1, 2014.

2013 Amendment

This amendment reflects current CM/ECF practices and electronic filing procedures, including the requirement that attorneys filing papers with the Court be Electronic Filing Users. This amendment supersedes and replaces archived Administrative Orders FLMB 2003-4, FTM 2005-2, JAX-2004-2, ORL-2004-2, and TPA 2005-05 (establishing deadlines for attorneys to participate in CM/ECF) and archived Administrative Orders FTM-2008-1, JAX-2006-5, ORL-2008-1, and TPA-2008-10 (establishing deadlines for claimants to electronically file proofs of claim and related papers).