

Rule 5001-2

CLERK'S OFFICE LOCATIONS, HOURS, AND PROCEDURES FOR AFTER-HOURS FILING IN CASE OF EMERGENCY

(a) **Locations.** The Clerk's offices, located in Tampa, Jacksonville, and Orlando, are open to the public during times posted on the Court's website at www.flmb.uscourts.gov/locations/. Access to CM/ECF is generally available 24 hours a day, seven days a week.

(b) **After-Hours Filings in Cases of Emergency and by Non-Electronic Filing Users.** If CM/ECF is inaccessible, an Electronic Filing User's system is inoperable, or an emergency requires the paper filing of a document to meet a filing deadline, the Court will permit the after-hours filing of paper documents by facsimile. Non-Electronic Filing Users are also permitted to file paper documents by facsimile after hours to meet filing deadlines.

(1) **Filing by Facsimile.** If filing by facsimile, the first page and the signature page of petitions and other papers must be received by facsimile after 4:00 p.m. Eastern Standard Time and before 12:00 a.m. (midnight) Eastern Standard Time. Only the first page and the signature page of the document should be transmitted to the Court by facsimile.

(2) **Where to Fax Documents.** The pages must be transmitted to the Division assigned to handle the case. The facsimile telephone numbers can be found through the Court's website located at [After Hours Filing Procedure | U.S. Bankruptcy Court Middle District of Florida \(uscourts.gov\)](http://www.uscourts.gov).

(3) **Untimely Filed Documents Discarded.** Any document received by facsimile between the hours of 12:00 a.m. (midnight) and 4:00 p.m. will be discarded by the Clerk's Office.

(4) **Requirement to Timely File Original Document.** The original document and any required fee must be received and time stamped by the Office of the Clerk of the Court in the Division in which the case is assigned, or must be filed electronically using CM/ECF, no later than 12:00 p.m. (noon) Eastern Standard Time on the Court's next business day.

(5) **Date and Time Filed.** Documents filed in accordance with the above procedures will be deemed filed on the date and at the time printed on the document by the facsimile machine in the Office of the Clerk of Court in the Division in which the document is filed. Upon the timely receipt of the original document and any required filing fee, the Court will stamp the original document (or in the case of an electronically filed document, make an appropriate docket entry) with the following notation:

**This document is deemed filed on _____ pursuant
to Local Rule 5001-2 governing after-hours filing.**

(6) ***Untimely Documents of No Force or Effect.*** If the original document is not timely received, the Clerk will note that fact and the facsimile will have no force or effect.

(7) ***Case Number Assignment.*** The Clerk's Office will not assign a case number to a bankruptcy petition or an adversary number to an adversary complaint until the original document is filed with the Court. The Clerk shall not acknowledge the filing of the document to any creditor or other party until the original is filed.

Notes of Advisory Committee

2012

This rule incorporates abrogated Local Rule 5001-1 Unavailability of Electronic Filing System ("CM/ECF") and archived Administrative Order FLMB-2003-2 "Order Prescribing Administrative Procedures for After-Hours Filing in the Bankruptcy Court, Middle District of Florida." This new rule is effective March 15, 2012.