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 login 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 submit a New User Registration Form available on the Court's website, www.flmb.uscourts.gov, and register with PACER (Public Access to Court Electronic Records) at www.pacer.gov. Electronic Filing Users must adhere to all requirements as promulgated by the Clerk and posted on the Court's website, www.flmb.uscourts.gov. The Clerk will maintain and promulgate the requirements and guidelines as necessary.

(c) ***Restriction on Use of User Login and Password.*** No Electronic Filing User or other person may knowingly permit or cause to permit an Electronic Filing User's password to be used by anyone other than an authorized agent of the Electronic Filing User. An attorney is not permitted to use another attorney's password to file a paper with the Court using CM/ECF. An Electronic Filing User agrees to protect the security of the Electronic Filing User's login and password and must immediately notify the Clerk if the security of their password has been compromised. An Electronic Filing User may be subject to sanctions for failure to comply with this provision.

(d) ***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 on the defendant(s) under Fed. R. Bankr. P. 7004. Waiver of notice and service by first-class mail applies to notice of the entry of an order or judgment under Fed. R. Bankr. P. 9022 and to service of a summons and complaint on debtor's attorney under Fed. R. Bankr. P. 7004(g).

(e) ***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 by registering with PACER 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/filing_without_attorney/. If a *pro se* debtor elects to receive electronic notification, the Court will serve notices and orders upon the debtor electronically and will not serve the debtor by mail. However, a *pro se* debtor's election to receive electronic notification of filings is not otherwise a waiver of service by mail.

(f) ***Format.*** Papers filed electronically must be submitted in Portable Document Format (PDF). Papers in electronic format must be converted to PDF from the word processing original, not scanned, to permit text searches and to facilitate transmission and retrieval and must be on white paper 8-1/2 inches wide by 11 inches long, with one-inch margins. If only a paper copy of a document to be filed with the Court (*e.g.*, an original or copy of an exhibit) is available, it may be converted to PDF format by scanning.

(g) ***Signatures.***

(1) ***CM/ECF User Login and Password Serve as Attorney's Signature.*** A filing made through an Electronic Filing User's CM/ECF account and authorized by the Electronic Filing User, together with the Electronic Filing User's name on a signature block, constitutes the Electronic Filing User's signature for all purposes for which a signature is required in connection with cases and proceedings before the Court, including Fed. R. Bankr. P. 9011, the Federal Rules of Bankruptcy Procedure, and the Local Rules.

(2) ***Client Signatures.*** Attorneys may file papers signed by their clients by including a scanned paper bearing the client's signature or, subject to the retention requirements of section (h) of this rule, by including the client's name on a signature block.

(3) ***Papers Requiring More Than One Signature.*** Electronically filed papers that require the signatures of more than one party must be filed:

(A) by filing a scanned signature page that contains all necessary signatures;

(B) by including a signature block for each signatory together with an attestation by the filing attorney that concurrence in the filing of the paper has been obtained from each of the other signatories. The filing attorney's attestation may be included after the signature block of the additional signatory or may take the form of a declaration attached to the paper. An acceptable form of attestation is:

> "*Filer's Attestation: Pursuant to Local Rule 1001-2(g)(3) regarding signatures, [name of filing attorney] attests that concurrence in the filing of this paper has been obtained*;"

or

(C) in any other manner approved by the Court.

(h) ***Retention of Original Papers.*** Electronic Filing Users must retain paper copies bearing original signatures of the following papers for two years after the closing of the case:

(1) petitions, lists of creditors, schedules, Statements of Financial Affairs, and Statements About Your Social Security Numbers;

(2) affidavits, other papers that require verification under Fed. R. Bankr. P. 1008, and unsworn declarations as provided for in 28 U.S.C. § 1746;

(3) the written and fully executed contracts required of debt relief agencies by 11 U.S.C. § 528(a)(1) and § 528(a)(2); and

(4) proofs of service executed by a non-lawyer in compliance with Local Rule 9013-3.

On request, the Electronic Filing User must provide original documents for review to the Court, the Office of the United States Trustee, or any party in interest as ordered by the Court.

(i) ***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 a one-year period, must file these claims and documents electronically through CM/ECF or the eProof of Claim hyperlink.

(j) ***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 eBallot hyperlink on the Court's website, www.flmb.uscourts.gov.

(k) ***Filing Papers Under Seal.*** Local Rule 5005-4 governs the filing of papers under seal.

(l) ***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.

Notes of Advisory Committee

2025 Amendment

This amendment revises section (b) to delete the provision regarding CM/ECF training and to add that parties must register with PACER to become Electronic Filing Users. Section (e)(1) is updated to reflect the current procedure for registering for CM/ECF. Section (i) is

deleted as proof of service is adequately addressed in Local Rule 9013-3. This amendment to the rule is effective August 15, 2025.

2023 Amendment

This amendment to section (f) specifies the format of papers filed electronically. Other changes are stylistic. This amendment to the rule is effective August 1, 2023.

2022 Amendment

This amendment allows for service on debtor's counsel under Fed. R. Bankr. P. 7004(g) to be made electronically through CM/ECF. This amendment to the rule is effective July 1, 2022.

2021 Amendment

This amendment eliminates the requirement for the Clerk to keep a registry of authorized Electronic Filing Users because, due to current internal procedures, this is no longer necessary. This amendment to the rule is effective August 1, 2021.

2020 Amendment

This amendment moves former sections (h) and (m) to sections (d) and (e) to locate them more prominently in the rule. Re-lettered section (e)(2) clarifies that a *pro se* debtor's election to receive electronic notice is not a waiver of service by mail; however, orders and notices served by the Court will not be served by mail. Re-lettered section (h) is revised to require attorneys to retain the written and fully executed contracts required of debt relief agencies by 11 U.S.C. § 528(a)(1) and § 528(a)(2). And re-lettered section (i) clarifies requirements for filing proofs of service. This amendment to the rule is effective August 1, 2020.

2019 Amendment

This amendment revises section (e)(1) to be consistent with Fed. R. Bankr. P. 5005(a)(2)(C), effective December 1, 2018 ("a filing made through a person's electronic-filing account and authorized by that person, together with that person's name in a signature block constitutes the person's signature," and eliminating the "/s/" requirement); section (f)(3) to require that a paper copy of proofs of service filed by a non-lawyers be retained for two years after the closing of the case; and section (g) to be consistent with Fed. R. Civ. P. 5 (d)(1)(B), effective December 1, 2018 (proof of service is not required when a paper is served using the Court's electronic-filing system). This amendment to the rule is effective July 1, 2019.

2016 Amendment

This amendment incorporates the provisions regarding the signature of papers filed via CM/ECF set forth in abrogated Local Rule 9011-4 Signatures. The amendment also cross-references Local Rule 5005-4 Sealed Papers. Other revisions are stylistic. This amendment to the rule is effective July 1, 2016.

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 to the rule 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 to the rule 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).

2004 Amendment

This amendment is adapted from the "Model Local Bankruptcy Court Rules for Electronic Case Filing" approved on September 11, 2001, by the Judicial Conference of the United States Courts. This amendment sets out overall electronic filing guidance and requirements yet allows the Clerk flexibility in managing the details of this system. It is contemplated that the Clerk will actively coordinate such activities with members of the Bankruptcy Bar in the District.

This amendment also establishes a presumption that once attorneys or others become an "Electronic Filing User," they will file all documents in cases assigned to CM/ECF by electronic means only. Consistent with Fed. R. Bankr. P. 5005, this rule strongly encourages attorney participation while not making electronic filing mandatory. (Fed. R. Bankr. P. 5005 in part states that a court "may permit" papers to be filed electronically and provides that the Clerk "shall not refuse to accept for filing any paper presented . . . solely because it is not presented in proper form.")