

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

**ELECTRONIC FILING PROCEDURES**

*Revised May 1, 2006*

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## DEFINITIONS

**Adobe Acrobat** - a universal application used to create and view documents in PDF format.

**Attachment** - an additional supporting document filed electronically with a pleading, motion or other paper.

**Case Management/Electronic Case Filing System (“CM/ECF”)** - application designed by the Administrative Office for the electronic filing of cases, proceedings and documents via the Internet.

**Docket Entry Number** - the specific number assigned to every document which appears in the official docket.

**Electronic Case Filing Order Template** - the form of order required for the submission of proposed orders in the Electronic Filing System.

**Electronic Filing Procedures** - procedures adopted by the court for the filing of documents in electronic form.

**Electronic Filing System (the “System”)** - the court’s system that receives documents filed in electronic form via the Internet.

**Electronic Service List** - the list of case participants to which the System automatically sends the “Notice of Electronic Filing.” Case participants include: (1) all registered participants in the System who have entered an appearance in the particular case or proceeding by filing a document or requesting notice in the case; (2) the case trustee in cases (but not in adversary proceedings); and (3) the United States trustee in cases (but not in adversary proceedings).

**Filing User** - one who has completed a Registration Form for the purpose of filing petitions, pleadings, papers and other documents on the Electronic Filing System. Registration as a Filing User constitutes consent to receive service electronically, except for the purpose of obtaining personal jurisdiction and in accordance with the applicable rules and these Electronic Filing Procedures.

**Local Rules (“LR”)** - the Local Rules of Practice of the United States Bankruptcy Court of the District of Nevada.

**Notice of Electronic Filing** - the verification that a filing has been made on the Electronic Filing System. The System automatically generates a “Notice of Electronic Filing” at the time a document is filed with the System. The Notice indicates the time of filing, the name of the party and the attorney filing the document, the type of document, and the text of the docket entry. It also contains a hyperlink to the filed document, allowing anyone receiving the Notice by e-mail to retrieve the document automatically.

**PDF Format (“Portable Document Format”)** - a standard type of format used for imaged documents created by Adobe Acrobat. To be filed in CM/ECF, all documents must be in PDF format.

**PACER (“Public Access to Court Electronic Records)** - a web-based system which provides access to federal case dockets and filings that have been stored electronically. A PACER account, a log-in and a password are required for access to PACER.

**Password** - the password which permits an attorney or other person to participate in the electronic retrieval and filing of documents in accordance with the Electronic Filing System.

**Registration Form** - a form provided by the clerk’s office for the purpose of registering as a Filing User of the Electronic Filing System.

**Regular Filer** - an entity who is required to file electronically. A regular filer is any entity, including any attorney (without regard to whether he or she is admitted generally to practice before the court) who: (1) made more than 2 filings with the clerk in any calendar year after 2002; (2) is employed by a law firm, or has an interest as a partner, shareholder, or member of a law firm, that made more than 2 filings with the clerk in any calendar year after 2002; or (3) is employed by a governmental unit (as that term is defined in 11 U.S.C. § 101) that made more than 2 filings with the clerk in any calendar year after 2002.

**Signature (“S-Slash”)** - the CM/ECF form of signature in which the name of the Filing User under whose log-in and password the document is submitted is preceded by an “/s/” such as “/s/ Jane Doe” which is typed in the space where the signature would otherwise appear.

**Sealed Document** - a document to which access has been officially prevented.

**User Login-In** - the court-issued identifier which grants access to the Electronic Filing System.

## **I. SCOPE OF ELECTRONIC FILING.**

### **A. Electronic Filing is Mandatory.**

All filings made by regular filers must be made electronically, unless there is an exception as provided below. “Regular filers” means any entity, including any attorney (without regard to whether he or she is admitted generally to practice before the court) who:

(1) made more than 2 filings with the clerk in any calendar year after 2002; or

(2) is employed by a law firm, or has an interest as a partner, shareholder, or member of a law firm, that made more than 2 filings with the clerk in any calendar year after 2002; or

(3) is employed by a governmental unit (as that term is defined in 11 U.S.C. § 101) that made more than 2 filings with the clerk in any calendar year after 2002.

### **B. Exceptions to Electronic Filing.**

#### **1. Exempt Filings.**

The following classes of filings are exempt from the electronic filing requirement:

(a) A proof of claim filed by a creditor not represented by an attorney in the case in which the proof of claim is filed, if that creditor has filed no more than 10 proofs of claim with the clerk during the current calendar year;

(b) A proof of interest filed by any equity security holder not represented by an attorney in the case in which the proof of interest is filed, if that equity security holder has filed no more than 10 proofs of interest with the clerk during the current calendar year;



(c) A request for special notice, in accordance with Fed. R. Bankr. P. 2002(g), filed by a party not represented by an attorney in the case in which the request is filed if that party has filed no more than 10 such notices with the clerk during the current calendar year;

(d) A request to be admitted to the bar of this court for purposes of practicing in a particular case filed under Rule IA 10-2 of the Local Rules of Practice for the United States District Court for the District of Nevada;

(e) A discovery plan submitted in any adversary proceeding in accordance with LR 7026(c);

(f) Any motion or application requesting a hearing on shortened time. But if the motion is granted, any filings related to it must conform to these rules;

(g) Any filing made by an attorney in the course of representing an individual without charge as part of a recognized pro bono or other public interest program designed to assist unrepresented individuals, so long as that attorney, but for similar filings, would be a regular filer; and

(h) Any filing made by an individual debtor who appears without counsel (also known as a *pro se* litigant).

## **2. Exceptional Circumstances.**

If exceptional or emergency circumstances prevent a person from filing electronically, the person may ask the clerk to accept the filing under the Exceptional Circumstances Rule and must file a motion as set forth below. If an attorney or individual asks the clerk to accept a filing on paper because of exceptional or emergency circumstances, the clerk will accept the filing, digitize and index it, and transmit a copy of the filing to the appropriate bankruptcy judge.

Exceptional circumstances include the unpreventable unavailability of Internet services available to the person presenting the filing. Exceptional circumstances do not include an inability to file because of a failure to receive the training necessary to access the court's Electronic Filing System.

## **C. Motion to File On Paper Required.**

### **1. Who Must File.**

A person who files on paper must submit a motion which declares an exemption or requests permission to file on paper. A form “Motion To File On Paper” is available on the court’s website at [www.nvb.uscourts.gov](http://www.nvb.uscourts.gov). The motion must be filed by persons who:

- (a) Claim they are not regular filers, as that term is defined in Section I (A);
- (b) Claim an exemption from the electronic filing requirement under Section I (B)(1); or
- (c) Claim that exceptional circumstances prevent the filing of the paper by electronic means (see Section I (B)(2)).

*Pro-se* persons and petition preparers are not required to file the motion.

### **2. Time for Filing.**

The motion must be filed either concurrently with the paper filing or within 2 business days after making it. If the motion is not made within the time limit, the clerk will strike the paper filing from the docket.

### **3. Grant or Denial of Motion.**

The court will grant the motion if it finds that the person is not a regular filer, the filing is exempt, or there are exceptional or emergency circumstances that warrant an exception to the electronic filing requirement. In addition, if the court has not affirmatively denied the motion within 3 business days after the clerk receives it, the clerk will consider the motion granted and will not strike the filing. But if the court denies the motion, the clerk must strike the filing from the court’s records, and the filing will be treated as if it had not occurred.

#### **4. Requirements for Motion.**

##### **a. Declaration and Proposed Order.**

The motion must be accompanied by:

(i) a declaration or affidavit supporting the exemption or, if exceptional circumstances are claimed, an affidavit detailing the exceptional or emergency circumstances that precluded an electronic filing; and

(ii) a proposed order that the court may use in granting the motion.

##### **b. Contents of Motion and Declaration.**

Exceptional circumstances motions that assert the ground of the unpreventable unavailability of Internet services to the person filing must detail the extent and nature of the unavailability and what steps (if any) will be taken to ensure that the unavailability will not recur. The declaration must include the number of previous exceptional circumstances motions made by the office or firm that employs the person making the affidavit or declaration. In deciding whether to grant the exceptional circumstances motion and allow a paper filing, the court may consider the number and extent of prior motions made by the moving party for exceptions to the electronic filing requirement.

##### **D. Emergency Motions.**

Emergency motions for orders shortening time may be filed electronically. The party filing the motion shall advise the judge's judicial assistant by telephone of the electronic filing of the emergency motion.

## **II. REGISTRATION, TRAINING, PASSWORDS AND CHANGE OF ADDRESS.**

### **A. Registration.**

#### **1. Registration Form.**

All regular filers must complete a CM/ECF registration form, complete training, and obtain a password in order to file electronically. Registration is in the form prescribed by the clerk and these Electronic Filing Procedures and requires the Filing User's name, address, telephone number, Internet e-mail address, and, in the case of an attorney, a declaration that the attorney is admitted to the bar of this court and the attorney's bar number.

A registration form must be submitted for each attorney. A duplicate copy of the form attached to these Electronic Filing Procedures may be used. The form may be amended by the court from time to time.

#### **2. Address For Registration Form.**

All registration forms shall be mailed or delivered to the following addresses as made applicable by LR 1071:

United States Bankruptcy Court  
The Foley Federal Building and United States Courthouse  
300 Las Vegas Blvd. South  
Fourth Floor  
Las Vegas, Nevada 89101  
Attn: CM/ECF Systems Administrator

or

United States Bankruptcy Court  
The C. Clifton Young Federal Building and United States  
Courthouse 300 Booth Street  
Room 1109  
Reno, Nevada 89509  
Attn: CM/ECF DQA/Trainer

## **B. Training.**

Upon receipt of the registration form, the clerk's office will contact the attorney to arrange for training on the System. The clerk's office will provide the training at specifically scheduled dates.

## **C. Passwords.**

### **1. Receipt of Password.**

Each attorney admitted to practice in this court, or others as the court deems appropriate, shall be entitled to one Password to permit them to participate in the electronic retrieval and filing of documents in accordance with the System. Once the registration form has been processed and the training has been completed, the person registering for the System will receive notification of the User Log-In and Password that has been assigned by the System. Each attorney or other person registering for the System will receive an envelope from the office of the clerk, clearly marked "Personal and Confidential," which contains the System Password. Any person may request an alternative means for receiving a Password by telephoning the office of the clerk to arrange for retrieval of the Password.

### **2. Change of Password.**

For security purposes, Filing Users are encouraged to change their Password within 24 hours after they receive it. Filing Users are encouraged to change their Passwords periodically. The office of the clerk does not maintain a record of a Filing User's Password.

### **3. Password Security.**

#### **a. Prohibited Use.**

No Filing User or other person may knowingly permit or cause to permit a Filing User's Password to be used by anyone other than an authorized agent of the Filing User.

**b. Notice to Clerk's Office of Compromised Password.**

In the event a Filing User believes that the security of an existing Password has been compromised, the Filing User must give immediate telephonic notice to the clerk of the court and to the technical systems manager, confirmed by a written letter, to prevent use of that Password. Filing Users may be **subject to sanctions for failure to comply with this provision.**

**D. Pro-Se Parties and Petition Preparers.**

*Pro-se* parties and petition preparers will not be trained on the Electronic Filing System or given passwords.

**E. Notification of Withdrawal.**

A Filing User who is withdrawing from the System (for example, when the attorney retires or otherwise will no longer be a Filing User in this district), must immediately provide the clerk of the court or the technical systems manager with written notice of the withdrawal. The clerk's office will immediately cancel the Filing User's password and will delete the Filing User from any applicable electronic service list. The Filing User must notify, by electronic or conventional mail, all other Filing Users who are involved in cases and proceedings with the Filing User.

**F. Change of Address.**

**1. Requirements.**

If attorneys change their email address or mailing address they must submit a Notice of Change of Address of Attorney to the court to update the electronic filing system. The form is available on the court's website at [www.nvb.uscourts.gov](http://www.nvb.uscourts.gov). The form must be mailed or delivered to the appropriate address:

United States Bankruptcy Court  
The Foley Federal Building and U.S. Courthouse  
300 Las Vegas Blvd. South, Suite 4-242  
Las Vegas, Nevada 89101  
Attn: CM/ECF Systems Administrator

or

United States Bankruptcy Court  
The C. Clifton Young Federal Building and U.S. Courthouse  
300 Booth Street, Room 1109  
Reno, Nevada 89509  
Attn: CM/ECF DQA/Trainer.

**2. Failure to Change Address.**

If attorneys fail to update their mailing address or email address as required by this rule, service made to their address of record will be deemed good service, unless the court orders otherwise.

**III. CONSENT TO ELECTRONIC SERVICE AND NOTICE;  
WHEN CONVENTIONAL SERVICE IS REQUIRED.**

**A. Consent to Electronic Service and Notice.**

By executing a written waiver when registering for the Electronic Filing System, a Filing User consents to service by electronic transmission under Fed. R. Civ. P. 5 and Fed. R. Bankr. P. 7005, except as provided below.

**1. Waiver.**

The signed waiver constitutes waiver of the following:

- (a) The right to receive notice by first class mail;
- (b) The right to receive service by personal service or first class mail; and
- (c) The right to receive service and notice by first class mail of the notice of entry of an order and judgment under Fed R. Bankr. P. 9022.

## **2. Attorneys.**

The signed waiver is also consent to receive notice electronically for all matters for which the attorney is entitled to notice, and consent to receive electronic service for all matters for which the attorney is entitled to service except with regard to those matters listed in LR 7004.

Waiver does not constitute an agreement by an attorney to accept service or notice on behalf of a client.

## **3. Notice.**

The signed waiver constitutes a written request for notice by electronic transmission under Fed. R. Bankr. P. 9036.

## **4. Paper Copies.**

Parties are entitled to receive a paper copy of any electronically filed document from the filer in circumstances where conventional service is required or where parties are not Filing Users.

### **B. When Conventional Service or Notice is Required.**

#### **1. Service.**

Electronic transmission of the Notice of Electronic Filing does not constitute service or notice of the following documents, which must be served on paper:

- (a) Service of a summons and complaint under Fed. R. Bankr. P. 7004;
- (b) Service of a motion commencing a contested matter under Fed. R. Bankr. P. 9014 unless there is consent to electronic service;
- (c) Service of a subpoena under Fed. R. Bankr. P. 9016;



(d) Service of a petition under Fed. R. Bankr. P. 1010;

(e) Where conventional service is otherwise required under the Federal Rules of Bankruptcy Procedure, the Local Rules, or by court order.

## **2. Contested Matters and Consent to Electronic Service.**

Electronic transmission is the equivalent of service by mail under Fed. R. Bankr. P. 7004 for any person who has given consent to receive electronic service and notice of motions initiating contested matters under Fed. R. Bankr. P. 9014(b).

(a) Persons may acknowledge their consent to receive electronic service and notice of motions initiating contested matters by signing and submitting the court's Consent to Accept Electronic Service and Notice of Motions Initiating Contested Matters form, which is available on the court's website.

(b) The court will maintain a list of persons who have submitted the signed consent and have thereby agreed to receive service and notice by electronic transmission of motions initiating contested matters. The list will be maintained on the court's website.

(c) The lack of a signed consent does not mean that a person has not otherwise agreed to accept electronic service and notice of a contested matter motion.

(d) Unless otherwise agreed to, consent to receive electronic service and notice of contested matter motions does not constitute an agreement by an attorney to accept service on behalf of a client and does not alter other service requirements in Fed. R. Bankr. P. 7004, such as to whom or where service must be made.

#### **IV. SERVICE AND NOTICE OF DOCUMENTS BY ELECTRONIC MEANS; PAPER COURTESY COPIES FOR CHAMBERS**

##### **A. Transmission of “Notice of Electronic Filing” Constitutes Service or Notice.**

Each entity who electronically files a document must transmit a “Notice of Electronic Filing” generated by the System to the parties entitled to notice or service under the Federal Rules of Bankruptcy Procedure and the Local Rules. The “Notice of Electronic Filing” may be transmitted by court-generated e-mail, by hand, facsimile, or by first-class mail postage prepaid.

Except for service under Fed. R. Bankr. P. 7004, for other exceptions in accordance with the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, the Local Rules, and for the other exceptions as listed in Section III (B), electronic transmission of the “Notice of Electronic Filing” constitutes service or notice of the filed document on Filing Users. Parties are entitled to receive a paper copy of any electronically filed document where service is required to be made in accordance with Fed. R. Bankr. P. 7004, in other circumstances where conventional service is required as listed in Section III (B), or where parties are not Filing Users. Service or notice must be made according to the Federal Rules of Bankruptcy Procedure and the Local Rules.

A certificate of service must be included with all documents filed electronically, indicating that service was accomplished through the Notice of Electronic Filing for parties and counsel who are Filing Users and indicating how service was accomplished on any party or counsel who is not a Filing User.

##### **B. Who Receives “Notice of Electronic Filing.”**

###### **1. Registered Participants Who Have Appeared.**

Generally, only attorneys and trustees are registered participants in the Electronic Filing System. The Notice of Electronic Filing is sent electronically to:

(a) All registered participants in the system who have entered an appearance in the particular case or proceeding by filing a document or

requesting notice in the case;

(b) The case trustee in cases (but not in adversary proceedings); and

(c) The United States trustee in cases (but not in adversary proceedings).

**2. No Service on Attorney Unless Authorized.**

Service or notice on an attorney does not constitute service on a client of that attorney or an entity unless the attorney is authorized to accept service by the client, by law, or by court order.

**C. Paper Courtesy Copies for Chambers.**

Filing Users shall provide paper courtesy copies for chambers of all motions, oppositions, replies, and memoranda of law together with all exhibits and attachments which have been submitted in electronic form on the System until further order by the court.

**V. ATTACHMENTS AND EXHIBITS.**

Filing Users must submit in electronic form all documents referenced as exhibits or attachments, unless the court permits conventional filing. A Filing User must submit as exhibits or attachments only those documents that are directly germane to the matter under consideration by the court. Excerpted material must be clearly and prominently identified as such. Filing Users who file excerpts of documents as exhibits or attachments electronically do so without prejudice to their right to timely file additional excerpts or the complete document. Responding parties may timely file additional excerpts or the complete documents that they believe are directly germane. The court may require parties to file additional excerpts or the complete document.

## **VI. CONSEQUENCES OF ELECTRONIC FILING.**

### **A. Time.**

#### **1. When Documents Are Deemed Filed.**

A document filed electronically is deemed filed on the date and time stated on the “Notice of Electronic Filing.”

Filing a document electronically does not alter the filing deadline for that document. Filing must be completed before midnight local time where the court is located in order to be considered timely filed that day.

#### **2. Additional Time After Service by Electronic Means.**

When there is a right or requirement to do some act or undertake some proceedings within a prescribed period after service of a notice or other paper and the notice or paper other than process is served electronically, three days shall be added to the prescribed period as allowed pursuant to Fed. R. Bankr. P. 9006(f).

### **B. Filing and Entry on Docket.**

Electronic transmission of a document to the Electronic Filing System consistent with these Electronic Filing Procedures, together with the System’s transmission of a “Notice of Electronic Filing,” constitutes filing of the document for all purposes of the Federal Rules of Bankruptcy Procedure and the Local Rules of this court, and constitutes entry of the document on the docket kept by the clerk under Fed. R. Bankr. P. 5003.

Before filing a scanned document with the court, a Filing User must verify its legibility.

### **C. Official Record.**

When a document has been filed electronically, the official record is the electronic recording of the document as stored by the court and the filing party is bound by the document as filed.

#### **D. Title of Docket Entries.**

The Filing User is responsible for designating a title for the pleading, paper or other document using one of the main categories provided by the System (e.g., “motion”).

#### **E. Statement of Electronic Filing.**

Every electronically filed document must state in the upper right-hand corner of the first page that it was filed electronically and the date that it was filed.

### **VII. Signatures.**

#### **A. Filing User’s Signature.**

The User Log-In and Password that are required to submit documents to the Electronic Filing System serve as the Filing User’s signature on all electronic documents filed with the court. They also serve as a signature for purposes of Fed. R. Bankr. P. 9011, the other Federal Rules of Bankruptcy Procedure, the Local Rules of this court, and any other purpose for which a signature is required in connection with proceedings before the court.

#### **B. Use of Password by Filing User’s Agent.**

A Filing User may permit his or her Password to be used by an authorized agent of the Filing User, subject to Section VII (A), above. No Filing User or other person may knowingly permit or cause to permit a Filing User’s Password to be used by anyone other than an authorized agent of the Filing User.

#### **C. Signature Block.**

Electronically filed documents must include a signature block and must set forth the name, address, telephone number and the attorney’s bar registration number. In addition, the name of the Filing User under whose Log-In and Password the document is submitted must be preceded by an “/s/” such as “/s/ Jane Doe” and typed in the space where the signature would otherwise appear.

Documents containing the signature of non-Filing Users are to be filed electronically with the signature represented by a “/s/” and the name typed in the space where a signature would otherwise appear, or as a scanned image.

#### **D. Documents Requiring Original Signatures.**

##### **1. Documents Requiring Debtor’s Signature; “Declaration re: Electronic Filing.”**

Petitions, lists, schedules and statements and plans (if applicable) requiring the signature of the debtor shall be filed electronically. Before the document(s) are electronically filed the debtor must sign a “Declaration Re: Electronic Filing of Petition, Schedules, Statements and Plan” (“Declaration”). Within fifteen (15) days after the electronic filing, the debtor must file the executed “Declaration” by either electronic or conventional means. If the “Declaration” is filed electronically, the image of the original must be attached to the document(s) in PDF format; and the original signed “Declaration” shall be retained by the Filing User for the latter of five (5) years or the maximum allowable time necessary to complete the appellate process, and upon request, the original “Declaration” shall be provided to other parties or to the court for review.

If after fifteen (15) days the “Declaration” has not been filed by either electronic or conventional means, the court may enter an order of dismissal for failure to file missing documents. A “Declaration re: Electronic Filing of Petition, Schedules, Statements and Plan (if applicable)” is attached to these Electronic Filing Procedures.

A Declaration is required to be filed with each amendment to a petition, schedule, statement and/or plan requiring the signature of the debtor.

##### **2. Other Documents.**

Amendments, pleadings, affidavits, and other documents which must contain original signatures or which require verification under Fed. R. Bankr. P. 1008 or an unsworn declaration as provided in 28 U.S.C. § 1746, shall be filed electronically and bear “electronic signatures” such as “/s/ Jane Doe.” Pursuant to Section XI, the original signed document shall be maintained in original paper (“hard copy”) form by the Filing User who made the filing for the later of five (5)

years or the maximum allowable time necessary to complete the appellate process, and upon request, the original of any such document shall be provided to other parties or to the court for review.

### **E. Multiple Signatures.**

Documents requiring signatures of more than one party must be electronically filed either by: (1) submitting a scanned document containing all necessary signatures; (2) representing the consent of the other parties on the document; (3) identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties no later than three (3) business days after filing; or (4) in any other manner approved by the court.

## **VIII. ENTRY OF COURT-ISSUED DOCUMENTS.**

### **A. Electronic Filing by Court.**

All orders, decrees, judgments, and proceedings of the court will be filed in accordance with these Electronic Filing Procedures, which will constitute entry on the docket kept by the clerk under Fed. R. Bankr. P. 5003 and 9021. Any order or other court-issued document filed electronically without the original signature of a judge or clerk has the same force and effect as if the judge or clerk had signed a paper copy of the document and it had been entered on the docket in a conventional manner.

The court may sign, seal and issue a summons electronically, although a summons may not be served electronically.

### **B. Submission of Proposed Orders.**

A Filing User who submits a proposed order, judgment, findings of fact, or other document requiring a judge's signature must submit the proposed order electronically in PDF format.

## **C. Form of Proposed Orders.**

### **1. Compliance.**

Proposed orders and other documents which are submitted must comply with all Local Rules, including LR 9021 and LR 9004. Proposed orders may not be combined with the application or motion as one document. The application or motion must be entered on the docket prior to submitting the proposed order.

### **2. Returned Orders.**

Proposed orders and other documents that do not comply will be returned as defective. Notification of defects in a proposed order may be provided by email.

### **3. Copies.**

Once entered, a conformed copy of the order or other document may be obtained by accessing the System.

## **IX. NOTICE OF JUDGMENT OR ORDER OF BANKRUPTCY JUDGE.**

Immediately upon the entry of a judgment or order which has been generated by a bankruptcy judge in a case or proceeding assigned to the Electronic Filing System, the clerk will transmit to Filing Users in the matter a "Notice of Electronic Filing." Electronic transmission of the "Notice of Electronic Filing" constitutes the notice required by Fed.R.Bankr.P. 9022. The clerk shall give notice to persons who are not Filing Users in accordance with the Federal Rules of Bankruptcy Procedure. Any attorney who has prepared and submitted a judgment or order to the court, upon receipt of the notice of the docketing of the submitted judgment or order, shall be responsible for noticing of such judgment or order as required by LR 9022.



## **X. DOCUMENTS UNDER SEAL.**

### **A. Motion.**

No document, or portion of a document, may be filed under seal without first obtaining a court order. A motion to file a document under seal (but not the document itself) must be filed electronically, unless prohibited by law or unless the filing is exempt or excepted from the requirement of electronic filing. If the motion itself contains confidential information, the movant must serve and file a redacted version clearly marked as such, and submit an unredacted version *in camera*. If the court requests, the movant must deliver paper copies of the documents proposed to be filed under seal to the presiding judge for *in camera* review.

### **B. Order.**

The court will review the motion to seal, and any *in camera* submission, and will then enter an appropriate order directing that all or part of the document be filed under seal, be made part of the public record, or be permitted to be withdrawn. If the court orders the document sealed, the moving party must submit an order in compliance with LR 9021, which the clerk will docket. The court order authorizing filing the document under seal must be filed electronically, unless prohibited by law.

### **C. Form.**

Papers submitted for the court's *in camera* inspection must be accompanied by a captioned cover sheet complying with LR 9004, indicating that they are being submitted *in camera*. Counsel must provide to the court an envelope large enough for the *in camera* papers to be sealed without being folded. If the court grants the motion to seal, in whole or in part, the movant must deliver to the clerk of the court a paper copy of the documents to be filed under seal. A copy of the sealing order in paper must be attached to the sealed documents.

### **D. Filing Sealed Documents.**

Unless the court orders otherwise, the clerk will file all documents ordered to be filed under seal on paper and not electronically.

### **E. Motion Denied.**

If the motion to file under seal is denied, the movant must submit an order in compliance with LR 9021. If the document is thereafter filed, it can be filed only in the public record. If the court permits the document to be withdrawn, the submitting party must retrieve any *in camera* submission within five days after the order denying the motion to seal is entered, or the court will dispose of it.

## **XI. RETENTION REQUIREMENTS.**

### **A. Time For Retention.**

Documents that are electronically filed and that require original signatures other than that of the Filing User must be maintained in original paper form by the Filing User who made the filing for the later of five (5) years or the maximum allowable time necessary to complete the appellate process.

### **B. Review of Retained Documents.**

Upon request, the original document must be provided to other parties or to the court for review.

## **XII. TECHNICAL FAILURES.**

A Filing User whose filing is made untimely as the result of a technical failure may seek appropriate relief from the court.

## **XIII. PUBLIC ACCESS.**

### **A. Internet Access.**

Any person or organization may access the Electronic Filing System at the court's web site at [www.nvb.uscourts.gov](http://www.nvb.uscourts.gov) by obtaining a PACER log-in and password. Those who have PACER access but who are not Filing Users may retrieve docket sheets and documents, but may not file documents.

**B. Access in Clerk's Office.**

Internet access to the documents filed on the System and Internet access to the docket is available for viewing, without obtaining a Password, in the office of the clerk during regular business hours, Monday through Friday.

**C. Prohibited Use.**

Information posted on the Electronic Filing System must not be used for any purpose inconsistent with the privacy concerns of any person or entity.

**XIV. COPIES OF ELECTRONICALLY FILED DOCUMENTS.**

Paper copies and certified copies of electronically filed documents may be obtained from the office of the clerk during regular business hours, Monday through Friday at the following addresses:

United States Bankruptcy Court  
Foley Federal Building and United States Courthouse  
300 Las Vegas Blvd. South  
Fourth Floor  
Las Vegas, Nevada 89101

United States Bankruptcy Court  
The C. Clifton Young Federal Building and United States Courthouse  
300 Booth St.  
Room 1109  
Reno, Nevada 89509.

The fee for copying and certification shall be in accordance with 28 U.S.C. § 1930.

## Revision Table

Revisions to Electronic Filing Procedures	
Revision Date	Section(s) Affected and Comments
May 1, 2006	<p>Definitions. Added definitions of “Electronic Service List” and “Regular Filer.”</p> <p>Sec. I (A). Added provision that electronic filing is mandatory for regular filers; added definition of “regular filers.”</p> <p>Sec. I (B). Added provision on exceptions to electronic filing</p> <p>Sec. I (B)(1). Added classes of filings exempt from electronic filing requirement.</p> <p>Sec. I (B)(2). Added exceptional circumstances exemption.</p> <p>Sec. I (C)(1). Added provision that a motion to file in paper is required to be filed, and who must file it.</p> <p>Sec. I (C)(2). Added time for filing the motion.</p> <p>Sec. I (C)(3). Added section on grant or denial of motion.</p> <p>Sec. I (C)(4). Added requirements for motion due to exceptional circumstances.</p> <p>Sec. I. Deleted provision on eligibility.</p> <p>Sec. I. Deleted provision on withdrawal from the System.</p> <p>Sec. II (A)(1). Added provision that all regular filers must complete registration and training and obtain a password.</p> <p>Sec. II (D). Added provision that <i>pro-se</i> parties and petition preparers will not be trained or given passwords.</p> <p>Sec. II (E). Added provision for notification of withdrawal.</p> <p>Sec. II (F). Added provision for changes of</p>

Revisions to Electronic Filing Procedures	
Revision Date	Section(s) Affected and Comments
	<p>address.</p> <p>Sec. III (A). Revised provisions on waiver of right to receive service and notice; added provision that waiver does not constitute attorney’s agreement to accept service or notice on behalf of client.</p> <p>Sec. III (B)(1). Revised provisions regarding when service or notice on paper is required.</p> <p>Sec. III (B)(2). Added provision that parties may consent to electronic service of motions initiating contested matters.</p> <p>Sec. IV (A). Added to provision that electronic transmission of “Notice of Electronic Filing” constitutes service or notice except “for other exceptions in accordance with the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, the Local Rules.”</p> <p>Sec. IV (B). Added provision on who receives “Notice of Electronic Filing.”</p> <p>Sec. VI (E). Added requirement that every electronically filed document must state in upper right-and corner of first page that it was filed electronically and the date that it was filed.</p> <p>Sec. VII. Deleted “each document filed electronically must indicate that it has been electronically filed.” (See added provision in Sec. VI (E).</p> <p>Sec. VIII (B). Changed “may” to “must.”</p> <p>Sec. VIII(C)(1). Revised to conform to the Local Rule 9021.</p> <p>Sec. IX. Deleted “has not consented to electronic service in paper (“hard copy”) form” and deleted “either electronic or paper (“hard copy”).</p>

Revisions to Electronic Filing Procedures	
Revision Date	Section(s) Affected and Comments
	<p>Sec. X. Revised to conform to Local Rule 9018.</p> <p>Sec. XIII (C). Deleted provision on “Limiting Electronic Filing” and deleted “other than one registered as a filing user” from those who can access the System on the court’s web site with a PACER password.</p> <p>Sec. XIV. Changed “conventional copies” to “paper copies.”</p> <p>Sec. XV. Deleted.</p>