

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS**

**ADMINISTRATIVE PROCEDURES  
FOR THE  
CASE MANAGEMENT/ELECTRONIC CASE FILING SYSTEM**

**Approved February 17, 2004  
As amended January 18, 2005,  
August 2, 2005, and March 20, 2007**

These Administrative Procedures are authorized by Federal Rules of Bankruptcy Procedure (Fed. R. Bankr. P.) 5005, 7005, 9029, and 9036, and Local Bankruptcy Rule 5005-1. They are intended to implement the change from filing paper documents to filing electronic documents. They are not intended to change any rules of substance or procedure under existing law unless the changes are explicitly stated herein.

**I. DESIGNATION OF CASES, PASSWORDS, REGISTRATION, AND APPEARANCE OF ATTORNEYS**

**A. Designation of Cases**

All cases under title 11 of the United States Code, all adversary proceedings, and all ancillary matters filed or pending in the Northern District of Illinois (“Bankruptcy Cases”) are assigned to the Case Management/Electronic Case Filing System (“System”). All documents in Bankruptcy Cases are maintained in electronic format. Except as provided otherwise herein, (1) after January 1, 2004, all petitions and other documents *may* be submitted in electronic format; and (2) after July 1, 2005, all petitions and other documents *must* be submitted in electronic format via the Internet.

**B. Passwords Required**

To file documents in Bankruptcy Cases, an attorney or non-attorney bankruptcy trustee must obtain a login and password (collectively “Password”) for electronic filing and viewing of documents in the System. Limited registrants, defined in paragraph I-C-7, must also obtain a Password.

**C. Registration**

1. PACER

Documents and court dockets in the System may be viewed from a location other than an office of the clerk using an account with the Public Access to Court Electronic Records (“PACER”) system. The PACER website is [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov). It can be reached from the hyperlink on the court’s website. (The System Password does not afford automatic access to PACER, which requires its own password and login.)

2. Application Required

To obtain a Password, an attorney, a non-attorney trustee, or a person seeking to be a Limited Registrant must fill out an on-line registration form and enroll in an appropriate training class offered by the clerk. The form is on the court’s website: [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov).

3. Training

The training class consists of a training session and a certification assignment. Upon completion of the training session, each applicant will receive a restricted password which will allow the trainee to complete the certification assignment. Within two weeks of completion of the training session, the applicant must complete the certification assignment and request activation of an unrestricted Password. Individuals with unrestricted Passwords are Registrants.

4. Authorized Use of Passwords

A Password may only be used by the Registrant to whom it is issued and by individuals authorized by the Registrant. A Registrant is responsible for all applicable charges associated with use of the Registrant’s Password. Any documents filed using the Password will be deemed authorized and signed by the Registrant.

5. Unauthorized Use of Passwords

If a Registrant believes that the Registrant’s Password has been or may be used by an unauthorized person, the Registrant must immediately notify the ECF Help Desk in the clerk’s office--telephone (312) 408-7765. If the clerk believes that a Registrant’s Password has been used improperly, the clerk will notify the Registrant. In all such instances, the clerk will make appropriate corrections to the System and issue a new Password to the Registrant.

6. Withdrawal From Use of the System

A Registrant may withdraw from use of the System, for cause, on order of the court. Any motion to withdraw from use of the System by a Registrant must be presented to the Chief Judge. If the motion is granted, the clerk will immediately cancel the Registrant's Password and delete the Registrant from all applicable electronic notice lists.

7. Limited Registrants

A Limited Registrant is a person who is authorized by the clerk to file electronically only proofs of claim, transfers of claim, withdrawals of claim, requests for service of notice, reaffirmation agreements, withdrawals of documents, and ballots. These documents constitute the Limited Filing Documents. The court or clerk may authorize Limited Registrants for additional purposes.

8. Revocation of Password

The clerk may invalidate the Password of an attorney who is disbarred or suspended. The clerk must notify the attorney that the Password has been invalidated by certified mail or certified e-mail.

D. Appearance of Attorneys

1. Local Bankruptcy Rules Not Altered

These Administrative Procedures are not intended to alter: (a) the requirement of Local Bankruptcy Rule 2090-1 that an attorney appearing before this court be admitted to practice before the District Court, (b) the procedure under Local Bankruptcy Rule 2090-3 for admission *pro hac vice*, or (c) the requirement of Local Bankruptcy Rule 2090-4 for designating local counsel.

2. Emergency Paper Filings Before Compliance

In an emergency, an attorney not admitted to practice before the District Court and not having an office in this district may file documents in Bankruptcy Cases in paper form if it is impracticable to become a Registrant or designate local counsel prior to filing the documents. However, the paper filing must be followed by a motion seeking leave to file in paper form and showing cause for not becoming a Registrant and for not designating local counsel in time to file the documents

electronically. The motion seeking leave to file in paper must be presented to the Chief Judge. If the motion for leave is not granted within 10 business days of the paper filing, the documents may be stricken by the court without prior notice. (See also paragraph II-A-4 regarding Emergency Matters.)

## II. FILING AND SERVICE OF DOCUMENTS

### A. Electronic Filing

#### 1. Requirements

##### a. General Rule

Subject to the schedule in paragraph I-A, except as expressly provided in paragraph III, and except for circumstances that temporarily prevent a Registrant from filing electronically, all petitions, motions, applications, notices, pleadings, memoranda of law, and other documents filed with the court in connection with a Bankruptcy Case must be filed electronically. Individuals without legal representation may file documents in paper form with the clerk's office where the documents will be scanned into the System.

##### b. Judge's Copy Not Required

The requirement of Local Bankruptcy Rule 5005-3(E) that copies of documents be submitted for use by the judge does not apply to electronic filings.

##### c. Format

All electronic documents must be submitted in Portable Document Format (.pdf).

##### d. Size Limit

Documents created electronically must not exceed 2 megabytes in size. Documents created by scanning must not exceed fifty pages. A proposed document which exceeds these limits must be broken into multiple .pdf files and filed as a document and attachments. A judge may order that other rules will apply in a particular case.

e. Title

Each document filed electronically must be titled as one of the events contained in the System.

f. Bookmarks

All initial bankruptcy petitions and supporting documents filed at the same time must be tagged with bookmarks, clearly labeled, generated by .pdf software to permit navigation to the following locations by clicking on the bookmarks:

- (a) Summary of Schedules
- (b) Schedule A Real Property
- (c) Schedule B Personal Property
- (d) Schedule C Exemptions
- (e) Schedule D Secured Claims
- (f) Schedule E Priority Claims
- (g) Schedule F Unsecured Claims
- (h) Schedule G Executory Contracts
- (i) Schedule H Co-debtor
- (j) Schedule I Income
- (k) Schedule J Expenses
- (l) Statement of Financial Affairs
- (m) Statement of Intention
- (n) Exhibit A (Business Declaration)
- (o) Debtor Attorney Compensation
- (p) Non-attorney Petition Preparer Certification
- (q) List of Twenty Largest Creditors (chapter 11 cases).

2. Date and Time of Filing

a. Notice of Electronic Filing

The Notice of Electronic Filing issued by the System shows the date and time of filing. Documents filed electronically outside of normal business hours are deemed filed on the date and at the time the System files them. Documents filed before midnight on the date that is a deadline are considered timely, unless the judge, these Administrative Procedures, or Local Bankruptcy Rule specifically requires an earlier time.

b. Drop Boxes Eliminated

The drop boxes referred to in Local Bankruptcy Rule 5005-2 are hereby eliminated.

3. Creditor Lists

Creditor lists must be submitted in electronic format as required by Local Bankruptcy Rule 1007-1.

4. Emergency Matters

A person filing an emergency motion electronically must immediately advise the assigned judge's courtroom deputy of the filing by phone. The name and phone number of the courtroom deputy for each judge are posted on the court's website: [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov). If the person seeks to present the emergency motion before compliance with Local Bankruptcy Rule 9013-3, the person must also notify all other interested parties by phone, fax, or personal service. If the person seeks to present the emergency motion outside the regular business hours of the court, the person must notify the emergency judge, who is identified on the court's website. If the emergency judge can not be contacted, the person may notify the clerk's office, using emergency number one-(773) 495-5842, or two-(312) 285-5852. (See Local Bankruptcy Rule 5096-1. See also paragraph I-D-2 regarding Emergency Paper Filings.)

B. Notice and Service

1. E-mail Addresses

All Registrants must maintain an active e-mail address to receive electronic notice and service from the System.

2. Consent to Electronic Notice and Service

Pursuant to Fed. R. Bankr. P. 7005 and 9036, registration as a Registrant constitutes waiver of the right to receive notice of hearings and service of documents by personal service or first class mail and further constitutes consent to receive notice and service electronically in those cases in which the Registrant has previously filed a document, except that electronic service is not sufficient service of (1) a complaint and summons in an adversary proceeding under Fed. R. Bankr. P. 7004 or (2) a subpoena under Fed. R. Bankr. P. 9016. 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.

3. Means and Effect of Electronic Service and Notice

a. General Rule

Whenever a document is filed, the System automatically sends notice of the filing via e-mail to the United States Trustee, the case trustee, and to all Registrants who have previously filed a document in the case (the “Electronic Notice”). The Electronic Notice allows the recipient to view the filed document once without charge. Unless otherwise provided herein, the Electronic Notice constitutes notice to and service on the Registrants to whom it is sent for those clients for which the Registrant has previously filed a document in the case.

b. Non-Registrants

Participants in the case who are not Registrants, or who are Registrants who have filed only Limited Filing Documents in the case, must be provided notice and service of any document filed electronically in accordance with the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules.

c. Special Rule—Local Presentment Rule

Except as stated in the next sentence, nothing in these Administrative Procedures changes the requirement under Local Bankruptcy Rule 9013-3 that notice of intent to present a motion must be personally served at or before 4:00 p.m. of the *second* business day preceding the date of presentment. If the movant intends to rely on the Electronic Notice to satisfy Local Bankruptcy Rule 9013-3, the Electronic Notice must be sent on the *third* business day preceding the date of presentment or earlier.

d. Special Rule—Emergency Motions

The Electronic Notice is not sufficient notice of an emergency motion which is being presented before compliance with Local Rule 9013-3. See also II-A-4, above, and Local Rule 5096-1.

4. Certificate of Service

Each motion, other than one filed *ex parte* or by stipulation, shall be accompanied by a certificate of service indicating the date, manner of service, name and address or e-mail address of each recipient, and a statement that copies of documents required to be served by Fed. R. Civ.

P. 5(a), made applicable by Fed. R. Bankr. P. 7005, have been served. A motion filed *ex parte* shall be accompanied by an affidavit showing cause therefor and stating whether a previous application for similar relief has been made.

5. Limited Registrants and Limited Filing Documents

The provisions of this paragraph, II-B, do not apply to Limited Registrants or to Registrants who have only filed Limited Filing Documents in the case who may not be served or given notice electronically.

6. Withdrawal of Registrant from a Particular Case

A Registrant who has filed documents in a particular case may be excused from the requirements of this paragraph, II-B, for that particular case by order, for cause, including that the Registrant is no longer involved in the matter. A Registrant seeking such relief must do so by motion and submit a proposed order entitled “Withdrawal of Registration from a Particular Case.” If the Registrant later files another document in the case (other than a Limited Filing Document) the requirements of this paragraph, II-B, shall again apply to the Registrant in the case.

C. Signatures

1. Original Non-Attorney Signatures

a. Petitions and Accompanying Documents

When a bankruptcy petition is filed electronically, the petition must be accompanied by a Declaration Regarding Electronic Filing, in a form approved by the clerk, not as an attachment to the electronic filing but as a separate document to be docketed. The Declaration must contain an original signature of the debtor(s), in a form that can be accurately scanned, and must be scanned into the System by the person who files the petition. The scanned image shall be the clerk’s permanent record, and the paper Declaration need not be submitted to the clerk.

b. Other Documents

Except for petition filings covered by subparagraph II-C-1-a, above, and except for paper filings covered by paragraph II-C-3, below, all documents associated with an electronic filing which must be signed by a person who is not the Registrant filing the



document, including those listed in Fed. R. Bankr. P. 1008, must be filed electronically, and the person who files the document must obtain an original signature, in a form that can be accurately scanned, from the appropriate person on a paper copy of the document. The page of the document containing the original signature must be scanned into the System by the person filing the document as an attachment to the electronically filed document. The scanned image shall be the clerk's permanent record, and the paper documents need not be submitted to the clerk.

2. Original Attorney Signatures

By using the Password to make an electronic filing, a Registrant is deemed to affix the Registrant's signature to the document for all purposes, including Fed. R. Bankr. P. 9011. Each filing must indicate a signature by the designation /s/, followed by the typed name of the Registrant. The typed name must be the name of the Registrant filing the document. Registrants who are attorneys must also include their complete mailing address, telephone number, and the name of the party the attorney represents. If the identifying information appearing in a document filed via the Internet is inconsistent with the identifying information supporting the Password with which the document was filed, the identifying information in the document will be disregarded, and the Registrant is responsible for the document for purposes of Fed. R. Bankr. P. 9011 and all other purposes.

3. Paper Filings

When documents listed above in paragraph II-C-1 are presented in paper form for scanning by the clerk, as permitted under paragraph II-A-1, the paper documents must contain original signatures, in a form that can be accurately scanned. The clerk will scan the paper documents into the System; the scanned image shall be the clerk's permanent record; and the paper documents may be discarded.

D. Fees Payable to the Clerk of the Court

All fees associated with electronic filings are payable at the time of filing. The System includes a procedure for automated payments to the United States Treasury. Details of the procedure are available on the court's website and from the clerk's office.

E. Orders

1. Proposed Orders Required

When motions, applications, objections to claim, and other requests for relief are filed electronically, the moving party must submit a proposed order as an electronic attachment to the request for relief.

2. Format

Proposed orders must be submitted in Portable Document Format (.pdf).

3. Minute Orders Not Required

The requirement of Local Bankruptcy Rule 9013-6 that minute order forms accompany all requests for relief does not apply to electronic filings.

F. Correcting Docket Entries

After a document has been submitted and become part of the case record, the docket may only be corrected by the clerk. Corrections will be made by adding the correct docket entry with the appropriate document(s) referencing the incorrect docket entry.

G. Technical Failures

A Registrant whose filing is untimely because of a technical failure of the System may seek appropriate relief from the judge, or if no case is pending, from the Chief Judge. Relief will only be granted for cause. Any difficulty connecting to the System and any other technical failure experienced should be reported immediately to the ECF Help Desk. (Relief will not be given because of technical failures in the Registrant's office or equipment.)

III. EXCEPTIONS TO ELECTRONIC FILING—FILINGS USING PAPER DOCUMENTS

A. Documents to be Filed Under Seal

Subject to Fed. R. Bankr. P. 9018 and Local Bankruptcy Rule 5005-4, when a party is moving to file documents under seal, the motion must be filed electronically, but the documents proposed to be filed under seal must be filed on paper. If the motion itself contains confidential information, the moving party may file and serve electronically a redacted version of the motion clearly marked as such and must submit the unredacted version on paper to the chambers of the assigned judge for *in camera* review. If the judge requests, the moving party must also submit paper copies of the documents proposed to be filed under seal for *in camera* review. Orders authorizing the filing of documents under seal will

be entered electronically pursuant to paragraph II-E.

**B. Attorneys Without Financial Ability to File Electronically and Individuals Without Legal Representation**

**1. Financial Hardship-Attorneys**

An attorney may file an Application for Waiver of Electronic Filing Requirements seeking an exemption from electronic filing requirements. The application must be presented to the Chief Judge and must allege financial inability to access the equipment necessary to comply with paragraph II-A-1 above. The application will only be granted for cause.

**2. Procedure**

A waiver from electronic filing does not waive compliance with Local Bankruptcy Rules.

**3. Optional Procedure**

Instead of filing paper documents, an attorney granted a waiver from electronic filing or an individual without legal representation may scan paper documents to a diskette using scanning equipment available to the bar and the public in the public areas of each division of the court.

**4. Individuals Without Legal Representation**

An individual not represented by an attorney may file paper documents.

**IV. PUBLIC ACCESS TO THE SYSTEM**

**A. Internet Access**

Internet access to view documents in the System requires a PACER account. See Paragraph I-C-1.

**B. Public Access at the Court**

The public will be provided electronic access to view documents in the System without charge at each division of the clerk's office, during regular business hours, Monday through Friday.

**C. Paper Copies and Certified Copies**

Paper copies and certified copies of electronically maintained documents may be purchased at the division offices of the clerk, 219 South Dearborn St., Chicago, IL 60604 and 211 S. Court St., Rockford, IL 61101. Fees for copying and certifying documents are charged pursuant to 28 U.S.C. § 1930(b).