

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN**

In re:

ADMINISTRATIVE ORDER AMENDING  
ECF ADMINISTRATIVE PROCEDURES

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No. 06-13

The Court's ECF Administrative Procedures are amended as stated in the attached.

IT IS SO ORDERED.

Dated: June 13, 2006

/s/ Steven Rhodes  
Steven Rhodes  
Chief Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

**Administrative Procedures  
for Electronic Case Filing**

Adopted May 16, 2005

Amended September 26, 2005, November 15, 2005, and February 14, 2006  
and June 13, 2006

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## **ECF Procedure 1 Title**

The Administrative Procedures for Electronic Case Filing in this Court may be abbreviated as the “Procedures” or, individually, as “ECF Procedure \_\_\_\_.” These Procedures are available in their current version on the Court’s Website at [www.mieb.uscourts.gov](http://www.mieb.uscourts.gov).

## **ECF Procedure 2 Definitions**

The following terms appear in these Procedures for Electronic Case Filing:

- (a) The “Court’s Website” address is [www.mieb.uscourts.gov](http://www.mieb.uscourts.gov).
- (b) The “E-Government Act of 2002” establishes a broad framework for the use of technology to enhance public access to government information and services. Pub. L. No. 107-347, 116 Stat. 2899. *See* 44 U.S.C. §§ 3601, *et seq.*
- (c) “Electronic Filing” means the filing a Paper over the internet by a Filer or a User.
- (d) “Electronic Case Filing” or “Electronic Filing System” (“ECF”) refers to the Court’s automated system that receives and stores Papers filed in electronic format. The program is part of the CM/ECF (Case Management/Electronic Case Files) software, developed for the Federal Judiciary by the Administrative Office of the United States Courts.
- (e) “Electronically Generated Text” is electronic text generated by converting or printing from an original word processing file to the Portable Document Format (“PDF”), so that the text of the Paper may be electronically searched and copied.
- (f) A “Filer” is an individual with an approved login and password, registered to use the ECF system in this Court under ECF Procedure 4(a).
- (g) A “Hyperlink” is a selectable connection from a word, picture, or information object to another, providing a mechanism for navigating to information between or within Papers filed electronically. Hyperlinks are activated when a reader clicks on an “active” region on the Paper. The active region is usually indicated by the highlighting or underlining of text. In the context of ECF, an example of a useful Hyperlink would be a case citation that leads the reader to the text of the cited case, maintained on the internet, outside of the ECF system.
- (h) A “Notice of Electronic Filing” (NEF) is a notice automatically generated by ECF when a Paper is filed, stating the time of filing, the name of the Filer or User filing the Paper, the type of Paper, the text of the docket entry, the names of those receiving the notice, and a Hyperlink to the filed Paper, which allows recipients to retrieve the Paper automatically.
- (i) A “Paper” includes a petition, schedules, a statement of financial affairs, a pleading, a motion, an exhibit, a declaration, an affidavit, a brief, a judgment, an order, a notice, a proof of claim, an application to withdraw unclaimed funds, an appearance, an assignment of a claim, a reaffirmation agreement, and any other document filed by or with the Court.
- (j) “Portable Document Format” or “PDF” refers to a non-modifiable, electronic file in a format

that will look the same on a computer screen and in print, regardless of the printer used to print it and regardless of the software package originally used to create it. A PDF file is created either by converting a word processing file or by scanning or imaging a traditional paper copy.

- (k) A “Proposed Order” is a draft of an order submitted for a judge’s editing and signature in **Word or** WordPerfect format, and not in PDF. The process for submitting a Proposed Order to the judge is established by the Court on its website.
- (l) “Public Access to Court Electronic Records” or “PACER” is an automated system that allows any individual to view, print and download docket information over the internet.
- (m) “Scanned Material” is an electronic image of text or other material in PDF format produced by a scanning or imaging process.
- (n) A “Text-Only Order” is a docket entry that constitutes an order. A Text-Only Order is official and binding. **See ECF Procedure 7(f).**
- (o) “Traditional Filing” means filing by traditional paper (hard copy) at the clerk’s office.
- (p) A “User” is an individual with an approved login and limited password, registered for restricted use of the ECF system in this Court under ECF Procedure 4(b).

### **ECF Procedure 3 Scope of Electronic Filing**

**(a) Electronic Filing Effective Dates.** ~~The Court will accept for Electronic Case Filing all Papers filed in compliance with these Procedures according to a phase-in schedule available on the Court’s website. When the Court so orders after the phase-in schedule, the Court will only accept Papers filed in compliance with these Procedures, unless upon motion showing good cause, the Court enters a specific order authorizing a Traditional Filing of a particular Paper.~~

- (b) Traditional Filing Authorized.** The following Papers shall be filed by a Traditional Filing:
- (1) Papers under seal in compliance with ECF Procedure 9;
  - (2) Papers filed by *pro se* parties;
  - (3) Proofs of claim filed by entities who are neither Filers nor Users;
  - (4) A Paper commencing or related to a miscellaneous matter;**
  - (5) A record on appeal (which is transmitted to the district court);** and
  - ~~(6)~~ Other Papers on a limited basis, if permitted by the assigned judge upon motion showing good cause.

### **ECF Procedure 4 Registration, Waiver of Notice and Service by Mail, Consent to Electronic Notice and Service, and Withdrawal from Electronic Filing System**

**(a) Required Registration Procedure for Filers.** The following shall register as Filers in the Court’s ECF system:

- (1) Attorneys admitted to practice in the United States District Court for the Eastern District of Michigan;
- (2) Case trustees and examiners;

- (3) Assistant United States Trustees;
- (4) Assistant United States Attorneys; and
- (5) Others as the Court determines appropriate.

To register as a Filer, a Filer registration must be completed through the on-line registration process available on the Court's Website. To be assigned a Filer login and password, a Filer must either receive ECF training from the Court or provide to the Court both a copy of the training certificate and the Filer's login name issued by a U.S. Bankruptcy Court in which the Filer has been qualified to file in an ECF system. (A Filer who has a login name issued only by a district court is required to receive training.) Members of a Filer's staff are encouraged to participate in ECF training, but will not receive a separate login and password.

**(b) Required Registration Procedure for Users.** The following entities shall register as ECF Users:

- (1) Entities authorized to appear on behalf of a child support creditor;
- (2) Entities authorized to file applications to withdraw unclaimed funds;
- (3) Entities authorized to submit reaffirmation agreements; and
- (4) Entities authorized to submit notices of transferred claims.

Any entity, including those who file proofs of claim, may register as a User.

To register as a User, a User Registration must be completed through the on-line registration process available on the Court's Website. For instructional material on how to file proofs of claim, reaffirmation agreements, etc., Users shall consult the Court's "ECF Creditor Manual." [*This will be available on the Court's internet site when ECF is implemented.*] As a general rule, a User will receive one login and password, but upon a written request and a sufficient explanation of business necessity, members of a User's staff may receive separate logins and passwords, although the principal User remains responsible for usage of a staff member's login and password.

**(c) Login and Password.** After the Filer or User's on-line registration is processed and training, if required, is completed, the Court will send an email message notifying the Filer or User of the login and password assigned. The email message ensures that the Filer or User has a properly functioning email address which will be used by the Court's ECF system.

**(d) Password Security.** Each Filer or User is required to protect the security of the assigned password. If there is any reason to believe the security of the assigned password may have been compromised, the Filer or User shall immediately notify the Information Technology Department both by email addressed to [cmecfhelpdesk@mieb.uscourts.gov](mailto:cmecfhelpdesk@mieb.uscourts.gov) and by telephone to the clerk at (313) 319 6188. This email message must originate from the primary email address of the registered Filer or User making the report; **if that email address is no longer available, the Filer or User may submit the notice by a signed letter on the Filer or User's printed letterhead.** A Filer or User may be subject to civil liability, sanctions or other consequences for failure to take required action in connection with the security of the assigned password.

**(e) Electronic Notice And Service Request, Waiver and Consent.** Registration as a Filer or User constitutes waiver of the right to personal service and first class mail service. Registration as a Filer or User also constitutes a written request for, and consent to, electronic service by receipt of a "Notice of Electronic Filing" from ECF of all filed Papers to which the Filer or User is entitled, except when service of a traditional paper copy is required. [See ECF Procedure 12 - "Service on

Filers, Users and Others.”]

**(f) Withdrawal as Filer or User.** To withdraw from ECF, a Filer or a User must file a written request with the clerk who will then forward the request to the Court for entry of an order authorizing the withdrawal. Upon the entry of such an order, the User’s or Filer’s password will be deactivated.

**(g) Suspension or Revocation of Use.** Upon notice and opportunity for hearing, the Court may for cause enter an order suspending or revoking participation in ECF by any Filer or User. Upon receiving information indicating a potential risk or harm to ECF, the Court may temporarily suspend participation in ECF by any Filer or User without prior notice, and will provide prompt notification of such action to the Filer or User.

**(h) Payment of Required Fees.** All required fees shall be promptly paid; the ECF system permits one credit card payment for a series of filings performed during one log-on session. Failure to complete prompt payment will result in suspension from the ECF system. Upon suspension, an email will be sent for the payments due and the *Internet Payments* option will become the only ECF payment option available. Upon completion of the payments due, the suspension will be automatically terminated and the ECF system will become available.

**(i) Notification of Changes in Information for a Filer or User.** Each Filer and User has a continuing responsibility to notify the Court of any change in any information provided through on-line registration, by promptly completing a Notice of Change of Information Form available on the Court’s Website. The Filer or User shall also promptly serve a notice of such changes on all other parties in that Filer’s or User’s open cases. Service upon an obsolete email address will constitute valid service if the Filer or User has not notified the Court of a new email address.

**(j) Accounts Required.** Filers and Users must have both a PACER account and an ECF account in this Court.

## **ECF Procedure 5 Consequences of Electronic Filing**

**(a) Filing and Entry on the Docket.** Once electronic transmission of a Paper to ECF, consistent with these rules, has been received by the Court, the Paper has been filed for all purposes required by the Bankruptcy Code, Federal Rules of Bankruptcy Procedure and the Local Rules of this Court, and is entered upon the docket kept by the clerk under Rule 5003.

**(b) Official Record.** When a Paper has been filed through ECF, the official record is the electronic recording of the Paper as stored by the Court and the filing party is bound by the Paper as if filed by a Traditional Filing.

**(c) Filing Date and Time.** A Paper filed through ECF is deemed filed at the date and time stated on the Notice of Electronic Filing from the Court. Filing a Paper electronically does not alter the filing deadline for the filing of that Paper. Unless otherwise ordered, a filing must be completed before midnight local time where the Court is located in order to be considered timely filed that day.

**(d) Appropriate Title of ECF Filed Papers.** A Filer or User electronically filing a Paper is responsible for designating the appropriate title for that Paper when making a selection from the

ECF event menu. Assistance in selecting the appropriate title is available on the Court's website.

**(e) Corrections.** If a docket entry must be corrected, the clerk's office will notify the Filer or User. The Filer or User will be directed to file a corrected Paper.

## **ECF Procedure 6 Filing a Motion Under LBR 9014-1**

**(a) Filing a Motion Under LBR 9014-1.** A party filing a motion under LBR 9014-1 shall file the following as part of the same pdf file as the motion, with each exhibit separately bookmarked by an identifying tab in the PDF file:

Exhibit 1 - The Proposed Order

Exhibit 2 - The Notice of Opportunity to Respond

Exhibit 3 - The Brief in Support

Exhibit 4 - The Proof of Service

Exhibit 5 - Affidavits

Exhibit 6 - Documentary Exhibits, beginning with a list of the exhibits (See Exhibit A of these Administrative Procedures) and with each exhibit separately bookmarked by an identifying tab in the PDF file.

At the Filer's option, each of these exhibits may be filed as separate attachments to motion.

The requirement to file a blank notice of hearing is abrogated. The clerk will serve a notice of hearing either electronically or traditionally, as appropriate.

**(b) Relief Sought.** A motion may only request one type of relief. A party seeking more than one type of relief shall file a separate motion for each type of relief sought. The Filer should be guided by the list of motions in the ECF event menu. A motion is filed in violation of this rule will be denied without prejudice.

**(c) Filing a Certificate of No Response Under LBR 9014-1(c).** See ECF Procedure 7(a)(3) and (b).

## **ECF Procedure 7 Orders**

**(a) Step One in Obtaining the Entry of an Order.** The following shall be electronically filed, separately and before a Proposed Order may be submitted, and, except as provided below, may not be combined into one Paper with the Proposed Order:

(1) Approvals as to the form of a Proposed Order under LBR 9021-1(a)(3);

(2) A certificate of no response under LBR 9021-1(a)(4)(A);

(3) A certificate of no response under LBR 9014-1(c), except the requirement to file a copy of the proof of service with this certificate is abrogated;

(4) A stipulation for the entry of ~~a~~an attached Proposed Order;

(5) A statement of consent to the entry of ~~a~~an attached Proposed Order;

(6) A joint motion for the entry of ~~a~~an attached Proposed Order; and,

(7) An *ex parte* motion. (In addition, unless the Court orders otherwise, before submitting a Proposed Order, the *ex parte* motion shall be served on all interested parties, either by email or other means.)



If the Court excuses presentment of a Proposed Order under LBR 9021-1(a)(2), the Proposed Order may be submitted as set forth in paragraph (b).

The following Papers may have the electronic signatures of consenting parties as otherwise required: a Proposed Order confirming a chapter 13 plan; a stipulation and a Proposed Order adjourning a chapter 13 confirmation hearing. The submission of such a Proposed Order shall be governed by paragraph (b), below.

**(b) Step Two in Obtaining the Entry of an Order.** The Proposed Order shall be submitted in Word or WordPerfect format and not in PDF using the procedure available on the Court's website. The Proposed Order shall not contain a signature block for the judge's signature, and shall be left blank after the text of the Proposed Order. No other special formatting is required for a Proposed Order submitted by this procedure.

**(c) Consideration of a Proposed Order.** If the judge declines to enter a Proposed Order, the judge may prepare and enter an order, or the judge may direct that counsel submit a revised Proposed Order.

**(d) LBR 9021-1(a)(1) Abrogated.** LBR 9021-1(a)(1), relating to the Court's signing of an order at the conclusion of a trial or hearing, is abrogated, since traditional paper orders will no longer be entered.

**(e) Effect of a Judge's Electronic Signature.** The electronic signature of a bankruptcy judge on any order, judgment or other Paper filed in ECF shall have the same force and effect as if the judge had manually signed a traditional paper version.

**(f) Text-Only Orders.** Upon request or upon its own initiative, the Court may cause the entry of a Text-Only Order. A motion or stipulation may suggest language for a proposed Text-Only Order. A Text-Only Order shall have the same force and effect as if the judge had manually signed a traditional paper version. Upon the entry of a Text-Only Order, ECF will generate a Notice of Electronic Filing. When a Text-Only Order is entered, the judge will not generally issue an order in PDF.

**(g) Entry on the Docket.** The entry of an order or a judgment on the docket required to be kept by the clerk under Bankruptcy Rules 5003 and 9021 results when the Court either (1) files an order or a judgment in ECF, or (2) enters a Text-Only Order.

**(h) Notice of an Orders or a Judgments.** Immediately upon the entry of an order or a judgment, the clerk shall:

(1) Electronically transmit a Notice of Electronic Filing to all Filers and Users who are or who represent contesting parties, and to other Filers and Users that the Court directs, which constitutes the notice required by Bankruptcy Rule 9022; and

(2) Give notice to contesting parties who are neither Filers nor Users, and to others as the Court directs, in accordance with the Federal Rules of Bankruptcy Procedure.

**(i) Format of Orders.** Proposed orders should be in a basic text format. The following shall **not** be a part of a Proposed Order: party or attorney signatures; textboxes; saved as "read-only"; linked fields; attached templates; add-ons; lines at the end of the final paragraph; and signature block for judge. Six single spaced lines must be left at the end for the Court to insert the judge's signature

block and date stamp. If necessary, the last page should be broken up so that the signature block and date stamp does not become appended to an additional page. (NOTE: The best method to determine where the signature block and date stamp will be inserted is to hold down the **ctrl** key and press the **end** key. This will place the cursor at the insertion point.)

## **ECF Procedure 8 Filing Format Requirements**

**(a) PDF Requirements.** All Papers transmitted to ECF shall be Electronically Generated Text in PDF format so that the text of the Paper may be searched and copied, except as provided in subsection (c) below. The file name of a converted file shall contain the extension “.pdf”. All fonts embedded in PDF records (except in Papers that have been scanned) must have been publicly identified as legally embeddable (i.e., the font license permits embedding) in a file for unlimited, universal viewing and printing. The most commonly used font styles are: Courier (Regular, Bold, Italic, and Bold Italic); Arial MT (Regular, Bold, Oblique, and Bold Oblique); Times New Roman PS MT (Roman, Bold, Italic, and Bold Italic); Symbol; and ZapfDingbats.

**(b) Hyperlinks.** A Hyperlink contained in an Electronic Filing is merely a convenient mechanism created by the author for accessing material cited in a Paper. A Hyperlink is not a part of the Court’s record. Accordingly, the Court does not endorse nor exercise any responsibility over the content at the Hyperlink destination. Any Hyperlink to a case or other authority included in a Paper shall be expressed in the full traditional citation method for the cited authority.

**(c) Attachments and Exhibits.** All attachments and exhibits available in original electronic format shall be converted to PDF and filed electronically, subject to the size limitations and formatting requirements contained herein. All attachments and exhibits not available as Electronically Generated Text (i.e., those that must be scanned) shall be transmitted to ECF as Scanned Material in PDF format. The offering party shall retain a traditional paper copy, or an accurate electronic copy, of all attachments and exhibits until entry of a final order by the Court and, if applicable, appellate courts.

**(d) [Abrogated]**

**(e) Size Limitations Per Transmission.** Each transmission to ECF shall not exceed two (2) megabytes total file size. Files which exceed two (2) megabytes shall be broken into smaller files and transmitted to ECF in multiple transmissions. The ECF system may refuse to accept a Paper in excess of this limitation

**(f) Use of Bookmarks Required for Grouped Papers.** In some circumstances, the ECF event menu permits a group of Papers to be filed together as a single PDF file (e.g., the petition and accompanying Papers); when such a group of Papers is filed, each such separate Paper (including each separate schedule, the statement of financial affairs, etc.) shall be separately bookmarked by an identifying tab in the PDF file.

**(g) Requirement to File Separate Document.** Official Form B22A Statement of Current Monthly Income and Means Test Calculation, which is required to be filed by every individual chapter 7 debtor whose debts are primarily consumer debts, shall be filed *as a separate Paper* and shall not be filed within a group of Papers described in ECF Procedure 8(f).

## ECF Procedure 9 Filing a Paper Under Seal

**(a) Definition.** A Paper filed under seal is a Paper which the Court has ordered to be sealed.

**(b) Filing Requirements.** Unless otherwise ordered by the Court, a motion to file a Paper under seal shall be filed electronically. The motion shall not contain confidential or privileged information. The proposed order authorizing the filing of a Paper under seal shall be filed under ECF Procedure 7(b). The Court may sua sponte order a Paper to be sealed. The Paper ordered to be filed under seal shall be filed with the clerk both in traditional Paper form and in PDF on diskette, compact disc (CD), or digital video disc (DVD), accompanied by a traditional paper copy of the order to seal the Paper.

**(c) Protection of Privacy Interests.** A motion may be filed requesting an order limiting electronic access to or prohibiting the Electronic Filing of certain specifically identified materials on the grounds that such material is subject to protected privacy interests and that electronic access or Electronic Filing of those materials is likely to prejudice those privacy interests. If the Court determines that access should be limited or that Electronic Filing would unduly prejudice those privacy interests, then the materials shall be filed as ordered by the Court. The order determining access to or prohibiting the Electronic Filing shall be filed under ECF Procedure 7(b), unless the Court determines otherwise.

## ECF Procedure 10 Retention Requirements

**(a) Retention of a Paper with an Original Signature.** Each Paper that must contain an original signature **by a person other than the Filer or User**, or that is required to be verified under Rule 1008 or as provided in 28 U.S.C. §1746 **by a person other than the Filer or User**, shall be filed electronically by ~~Filers and Users~~ **a Filer or a User**. The Paper containing the original signature shall be retained by the Filer or User who files the Paper for five years after the closing of the case or adversary proceeding. This retention does not affect or replace any other retention period required by other applicable laws or rules.

**(b) Sanctions; Production of Original Papers.** Failure to maintain a Paper for the specified period shall subject the Filer or User to sanctions, including disgorgement of fees. On request of the Court or any party in interest, the Filer or User shall provide the original Paper for review.

## ECF Procedure 11 Signatures

**(a) Electronic Filing Constitutes Signature.** The filing by a Filer or User of any Paper constitutes any required signature of that Filer or User on such Paper. The Filer **or User** need not manually sign a transmitted Paper. The filing is the equivalent of a signing a Paper for all purposes, including, without limitation, the Federal Rules of Bankruptcy Procedure, including Rule 9011, the Bankruptcy Code, and the Local Bankruptcy Rules of this Court.

**(b) Electronic Filing Constitutes Certification.** The filing by a Filer or User of any Paper constitutes certification of the Filer or User that all persons other than the Filer or User indicated to have signed the Paper have actually executed an original prior to filing with the Court.

**(c) Use of Password.** A Filer or User shall not knowingly permit or cause to permit the Filer's or User's password to be used by anyone other than an agent specifically authorized by the Filer or User.

**(d) Form of Electronic Signatures.**

**(1) Required Information for Filers and Users.** A Paper filed by ECF shall be signed in the following form and shall include the following information:

/s/ Name of Filer or User  
Address  
City, State, Zip Code  
Phone: (xxx) xxx-xxxx  
Email: xxx@xxx.xxx  
[attorney bar number, if applicable]

**(2) Filing a Paper with Multiple Signatures.** A Paper with more than one signature shall contain the signature form and information required by subsection (d)(1) for each signature. The filing of such a Paper constitutes certification that all persons indicated to have signed the Paper have actually signed an original prior to filing or have consented to their signature on the Paper.

**ECF Procedure 12 Service on Filers, Users and Others**

**(a) Service Upon Filers and Users.** Pursuant to the consent of a Filer or User through ECF registration:

- (1) The transmission from the Court to the Filer or User of the "Notice of Electronic Filing" of a Paper constitutes notice and service of the filed Paper upon that Filer or User.
- (2) If two or more attorneys appear on behalf of a party, service on one of the attorneys shall be sufficient, unless otherwise required by law.
- (3) Service of a Paper filed through ECF is complete upon transmission of the "Notice of Electronic Filing" by ECF.

**(b) When Service of a Paper Copy is Required.** A traditional paper copy of the following shall be served in accordance with the rules applicable to them:

- (1) In a bankruptcy case, a motion under Rule 9014, except that service by mail is not required to any respondent's attorney who is on the Electronic Email Notice List of the case, which is available through the ECF Utilities screen by clicking on -> Mailings... -> Mailing Info for a Case -> [Enter Case Number -> Submit];
- (2) In an adversary proceeding,
  - (i) a summons and complaint under Rule 7004; and,
  - (ii) a motion filed with a complaint, such as a motion for a temporary restraining order or a motion for a preliminary injunction.

In an adversary proceeding, any other motion may be filed and served electronically.

**(c) Issuance of a Summons in an Adversary Proceeding.** The issuance of a summons in an adversary proceeding shall be completed electronically as follows:

- (1) After the complaint is filed by ECF, the Filer shall download the issued summons in PDF

format by clicking on the appropriate Hyperlink in the NEF.

(2) The Filer shall then print and serve as required a hard copy of the summons. The Filer shall not bring the summons to the clerk's office for issuance.

(3) The summons is deemed issued when the complaint is filed.

**(d) Issuance of a Summons in an Involuntary Bankruptcy Case.** The issuance of a summons in an involuntary bankruptcy case shall be completed electronically as follows:

(1) Before filing an involuntary petition, the Filer shall download the appropriate PDF form of summons from the Court's website and complete it electronically.

(2) After filing the involuntary petition, the Filer shall electronically file the completed summons as a separate Paper. The Filer shall not bring the summons to the clerk's office for issuance.

(3) The Filer shall then print and serve as required a hard copy of the completed and filed summons.

(4) The summons is deemed issued when the complaint is filed.

**(e) Issuance of a Subpoena.** A PDF form of subpoena is available through the Court's website. This form can be downloaded, completed, printed and then served as appropriate. No filing is necessary, except that a proof of service may be filed.

**(f) Calculating a Response Deadline.** When there is a right or requirement to do some act or undertake some proceeding within a prescribed period after service, the additional three days allowed by Rule 9006(f) shall apply, even if no mailing is involved.

**(g) Service Upon Others.** Service upon anyone who has not registered as a Filer or User shall be made according to the Federal Rules of Bankruptcy Procedure and any applicable Local Bankruptcy Rules.

**(h) Certificate of Service Required.** A party serving a Paper shall file a certificate of service on all parties entitled to service or notice is still required when a party files a Paper electronically. The certificate shall state the Paper served, the manner in which service or notice was accomplished on each party so, and the parties served. This certificate of service may not be included as part of the Paper that was served; it shall be a separate filing. Appendix B is a sample certificate of service.

### **ECF Procedure 13 Technical Failure**

In the event of a technical failure in the ECF system, the Court will determine whether to extend deadlines under Rule 9006(a).

### **ECF Procedure 14 Public Access**

**(a) Public Access at the Court.** The public may view all Papers in the ECF System at no charge at the clerk's offices in Bay City, Detroit and Flint during regular business hours.

**(b) Internet Access.** Internet access to the ECF system is limited to subscribers to PACER. In accordance with the Bankruptcy Court Fee Schedule established by the Judicial Conference of the United States pursuant to 28 U.S.C. § 1930, fees are charged for accessing certain detailed case

information. Information regarding subscribing to PACER is available on the Court's Website and at the clerk's offices in Bay City, Detroit and Flint.

**(c) Copies and Certified Copies.** Copies and certified copies of electronically filed Papers may be purchased at the clerk's office. The fee for copying and certification is in accordance with 28 U.S.C. § 1930.

### **ECF Procedure 15 Privacy**

In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all Papers filed with the Court, including exhibits thereto, whether filed electronically or by a Traditional Filing, unless otherwise ordered by the Court or required by statute, the Federal Rules of Bankruptcy Procedure, or the Official Bankruptcy Forms.

**(a) Social Security Numbers.** If an individual's social security number must be included in a Paper, only the last four digits of that number should be used.

**(b) Names of Minor Children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used. On Schedule I of Official Bankruptcy Form 6, list the relationship and age of the debtor's dependents (e.g., Son, Age 6).

**(c) Dates of Birth.** If an individual's date of birth must be included in a Paper, only the year should be used. On Schedule I of Official Bankruptcy Form 6, list the age of each of the debtor's dependents.

**(d) Financial Account Numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used. On Schedules D, E, and F of Official Bankruptcy Form 6, debtors, if they so choose, may include their full account numbers to assist the trustee and creditors.

In compliance with the E-Government Act of 2002, a party wishing to file a Paper containing the personal data identifiers listed above may file a motion to file an unredacted Paper under seal as set forth under ECF Procedure 9. This Paper shall be retained by the Court as part of the record. The Court may still require the party to file a redacted copy for the public file.

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Clerk will not review each Paper for compliance with this rule.

**Appendix A - Sample Exhibit List**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN**

**[CASE CAPTION]**

**Exhibit List**

Exhibit

Description

- |     |  |
|-----|--|
| A   | Affidavit of John Smith  |
| B   | Excerpts from Jane Doe's Deposition                                |
| C-1 | Contract Between XYZ Company and ABC Company (Part 1, Pages 1-35)  |
| C-2 | Contract Between XYZ Company and ABC Company (Part 2, Pages 36-69) |
| D   | XYZ Company General Ledgers  |

**Appendix B - Sample Certificate of Service**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN**

**[CASE CAPTION]**

**Certificate of Service**

I hereby certify that on     (date)    , I ~~electronically filed the foregoing Paper(s) with the Clerk of the Court using the ECF system which will send notification of such filing to the following:~~

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and I hereby certify that I have mailed by United States Postal Service the Paper(s) to the following ~~non-ECF participants~~ **served the following Paper:**

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**on the following parties at these addresses:**

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**by the following means:**



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/s/ Name of Filer or User

Address

City, State, Zip Code

Phone: (xxx) xxx-xxxx

Email: xxx@xxx.xxx

[attorney bar number, if applicable]