

APPENDIX A

ADMINISTRATIVE PROCEDURES FOR ELECTRONIC FILING

Administrative Procedures for Electronic Case Filing

Effective February 2018

Revised July 27, 2020¹

1. SCOPE OF ELECTRONIC FILING

(a) Short Title

The Administrative Procedures for Electronic Case Filing may be abbreviated and referred to as the "Administrative Procedures" or if addressed individually, as "ECF Procedure # " and are available in their current version on the Court's website: www.ctb.uscourts.gov.

(b) Definitions

"Electronic Case Filing" (ECF) refers to documents filed in electronic format.

"Conventional Filing" refers to documents filed in paper format.

"Filer" refers to any entity with an approved login and password, registered for full use of the ECF system in compliance with these Administrative Procedures.

"User" refers to a person or entity with an approved login and password, registered for limited use of the ECF system in compliance with ECF Procedure number 2(b) below.

(c) Electronic Case Filing

The Court will only accept documents filed in electronic format in compliance with these Administrative Procedures, unless otherwise authorized by order of the court, and as excepted in paragraph (d) below. Failure to file electronically, except as authorized in subsections (d) and (e) below, will result in the issuance of a Court's Motion to Dismiss or Strike, and may result in the eventual dismissal or striking of the non-compliant document. Persistent non-compliance with these procedures may result in referral for disciplinary action.

(d) Conventional Filing Authorized

The following documents may be filed conventionally:

- (1) documents under seal pursuant to an order of the court allowing the filing conventionally in compliance with ECF procedure number 8;
- (2) documents filed by Pro se parties;
- (3) proofs of claim;
- (4) other limited documents or filings, as ordered by the Court.

¹ See Clerk's Announcement 2020-05.

(e) Exemption from Electronic Filing

Exemption from electronic filing is available only upon motion granted for cause shown in exceptional circumstances, and attorneys seeking an exemption must follow the instructions in section 15 of these Administrative Procedures.

2. REGISTRATION and TRAINING

(a) Required Registration Procedure for Filers

(1) Eligibility for Registration as a Filer

The following persons or entities are eligible to register as Filers in the Court's ECF system: (a) attorneys admitted to practice in the United States Bankruptcy Court for the District of Connecticut, including those admitted pro hac vice; (b) case trustees; (c) Assistant United States Trustees; (d) Assistant United States Attorneys; and (e) other entities the Court determines appropriate. In order to register as a Filer, an entity must complete a Filer Registration form (ECF Form 1), or Pro Hac Vice Registration form (ECF Form 1a). Registration will be made in a form prescribed by the Clerk of Court and requires the Filing User's name, bar number, address, telephone number, Internet e-mail address and, in the case of an attorney, a declaration that the attorney is authorized to practice in this Court. Members of a Filer's staff are encouraged to participate in the on-line ECF training tutorial.

(2) Training for Filers

Filers will be required to complete training as required by the Clerk of Court. Applicants may train through the Court's on-line ECF Training Tutorial. All applicants will be required to successfully complete the Court's On-line Test for Filers in order to be assigned a filer login and password, unless the filer specifies that they have a current login and password from another CM/ECF court. On-line training may be accessed at any time. If the on-line test is not satisfactorily completed, the Clerk of Court, may require the applicant to participate in online training.

Applicants with a current and valid ECF registration and login issued by another United States Bankruptcy Court will be issued a login and password upon completion of the first two pages of the registration form.

(3) Submission of Registration Forms

The signed registration form and on-line test, if applicable, may be submitted either via email at ctb_ecf_help@ctb.uscourts.gov or by regular mail to:

United States Bankruptcy Court
450 Main Street, 7th Floor
Hartford, CT 06103
ATTN: ECF Registration Desk

Attorneys who are acting trustees must register and will receive different logins for use as either an attorney and/or a trustee.

(4) Address changes

Registered Filers shall immediately notify the Court of any changes in the Filer's e-mail address by sending an e-mail to ctb_ecf_help@ctb.uscourts.gov.

(b) Required Registration Procedure for Users

(1) Eligibility to Register as User

Except as provided in ECF Procedure 1(d) ("Conventional Filing Authorized"), the following persons or entities are eligible to register as Users in the Court's ECF system:

Any entity, including entities who file proofs of claim and/or requests for notice, but are not appearing as parties in the case.

In order to register as a User, an entity must complete a User registration form (ECF Form 2). Users shall consult the Court's CM/ECF on-line training found at www.ctb.uscourts.gov for instructional material on how to file proofs of claim, requests for notice and other events available to Users.

(2) Training for Users

Users will be required to complete the Court's On-line ECF training tutorial and successfully complete the on-line test for Users in order to be assigned a User login and password.

The signed User registration form (ECF Form 2) and a completed on-line test, should be either emailed to ctb_efc_help@ctb.uscourts.gov or sent via first-class mail to:

United States Bankruptcy Court
450 Main Street, 7th Floor
Hartford, CT 06103
ATTN: ECF Registration Desk

Registered Users shall immediately notify the Court of any changes in the User's email address by sending an e-mail to ctb_ecf_help@ctb.uscourts.gov. Applicants with a current and valid ECF registration and login issued by another United States Bankruptcy Court will be issued a login and password upon completion of the first two pages of the registration form.

(c) Suspension or Revocation of Use

The Court may, for cause, enter an order suspending or revoking a Filer's or User's access to the ECF system. Further, the Clerk of Court, upon information received, which indicates potential risk or harm to the ECF system may, without prior notice, temporarily suspend participation in the ECF system by any Filer or User, and shall provide prompt notification of such action to the Filer or User. In the event of suspension or revocation the Filer or User will be required to correct any condition that led to the suspension or revocation, and may be required to take the online training in order to have access to the system restored.

3. LOGINS, PASSWORDS AND SECURITY

(a) Login and Password

Once the registration and on-line test are reviewed for accuracy, 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.

(b) Password Security

Every 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 must immediately notify the Court's Information Technology Department by email to CTB_ECF_Help@ctb.uscourts.gov. A Filer or User may be subject to civil liability, court sanctions or

other consequences for failure to take required action in connection with the security of the assigned password. Members of a Filer's or User's staff are encouraged to participate in either on-site or on-line ECF training, but will not receive a separate login and password. Filers or Users are responsible for the entries made by any person using that Filer's or User's password and login.

4. ELECTRONIC NOTICE AND SERVICE

(a) Request, waiver and consent

Registration as a Filer constitutes waiver of the right to personal service or first-class mail service. Registration as a Filer also constitutes a written request for, and consent to, electronic service via receipt of a "Notice of Electronic Filing" from ECF of all filed documents, including Orders and Judgments, to which the Filer is entitled. The Notice of Electronic Filing that is automatically generated by the courts Electronic Filing System constitutes service or notice of the filed document on Filers. Parties who are not Filers, must be provided service of any pleading or other document electronically files in accordance with the Federal Rules of Civil Procedure, Federal Rules of Bankruptcy Procedure and the Local Rules.

(b) Certificates of Service

Except with regard to the method of service authorized by these Procedures, the provisions of the Federal Rules of Bankruptcy Procedure continue to govern the content of a certificate of service. 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 or counsel who are registered Filers, or specify how service was made if the party or counsel being served is not a registered Filer.

(c) Personal Service Requirements Not Abrogated

Nothing contained in this procedure relieves counsel of the burden of providing personal service under Fed. R. Bankr. P. 7004, 9014 or Fed. R. Civ. P. 4.

(d) Rule 9006(f)

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 created by Fed. R. Bankr. P. 9006(f) shall apply.

5. CONSEQUENCES OF ELECTRONIC FILING

(a) Filing and Entry on the Docket

Once an electronic transmission of a document is made in accordance with these administrative procedures, and has been received by the Court, the document shall be considered filed for all purposes as required by the Federal Rules of Bankruptcy Procedure and the Local Rules of Bankruptcy Procedure of this Court. The document will be entered on the court docket kept by the clerk pursuant to Rule 5003.

(b) Official Record

When a document has been filed through ECF, 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. A document filed through ECF is deemed filed at the date and time stated on the Notice of Electronic Filing from the Court. Documents filed pursuant to these procedures as a conventional paper filing will be time stamped and converted to electronic format and stored in the ECF system and the electronic version will become the official record.

(c) Filing Date and Time

Filing a document electronically does not alter the filing deadline for that document. Unless otherwise ordered, filing must be completed before midnight local time where the Court is located in order to be considered timely filed that day. Conventional paper filings will be deemed filed as of the date and time they are file stamped by the Clerk's Office.

(d) Appropriate Title of ECF Documents

A Filer or User electronically filing a pleading or other document shall be responsible for designating the appropriate title for that pleading or other document by selecting among the categories provided through the ECF system.

(e) Corrections

In the event that a docket entry must be corrected, the clerk's office will correct the entry and the electronic Filer or User will receive notification of the corrected docket entry via NEF.

(f) Payments of Required Fees

(1) Fees to be paid using Internet Credit Card Procedure

All required fees, with the exception of those listed in section below, must be promptly paid using www.Pay.gov. In the event that internet credit card processing is not available at the time of filing, payment must be made within 48 hours by going to the CM/ECF Utilities Menu - "Internet Payments Due".

(2) Fees to be paid by mail or at the clerk's office. The following fees must be paid by mail, or in person at the Clerk's office:

- Sanctions
- Treasury (small dividends)
- Treasury (registry funds)
- Any replacement check for a filing fee
- Inter-district Index fee
- Rental deposits due in connection with pre-petition eviction judgment against an individual who rents residence.

6. COURT ORDERS

(a) Entry of Orders

The Clerk of Court shall enter all orders and judgments in ECF, which shall constitute entry on the docket kept by the Clerk under Rules 5003 and 9021. The electronic signature of the Court or the entry of the order on the docket shall have the same force and effect as if manually signed and docketed as a conventional filing.

(b) Filing Proposed Orders

Unless otherwise ordered by the Court, all proposed orders shall be filed with the underlying motion or application which shall be docketed as one event and one document. When applicable, the proposed order should contain the language set forth on this Court's website. The submission requirements may change from time to time, and Filers should consult these procedures, and the Court's CM/ECF website for any amendments. www.ctb.uscourts.gov

(c) **Notice to Filers of Orders**

Immediately upon the entry of an order or judgment in a case, including an adversary proceeding, the Clerk's office shall electronically transmit to all Filers who represent the contesting parties and to such other Filers and Users as the Court shall direct, a Notice of Electronic Filing. Electronic transmission of the Notice of Electronic Filing constitutes the notice required by Rule 9022 and service shall be deemed complete upon transmission.

(d) **Notice to Others of Orders**

Immediately upon the entry of an order or judgment in a case, including an adversary proceeding, the Clerk's office or such others as the court shall direct, shall give notice to contesting parties who are neither Filers nor Users, and to such other entities as the Court shall direct, in accordance with the Federal Rules of Bankruptcy Procedure.

7. **FILING FORMAT REQUIREMENTS**

(a) **Definitions.** "Electronically Generated Text" is electronic text generated by converting or printing to Portable Document Format (PDF) from the original word processing file, so that the text of the document may be electronically searched and copied. "Scanned Material" is an electronic image of text or other material in PDF format produced by a scanning or imaging process.

(b) **PDF Requirements.** All documents transmitted via the ECF system shall be in Electronically Generated text, so that the text of the document may be searched and copied, except as provided in subsection (c) below.

(c) **Attachments, Exhibits and Other Documents.** Unless otherwise ordered, all exhibits for evidentiary hearings and trials shall be submitted in PDF format to the ECF system. All attachments, exhibits, and other documents not available as Electronically Generated Text (i.e., those that must be scanned) shall be transmitted to the ECF system, as Scanned Material in PDF format.

(d) **Size Limitations Per Transmission.** Each transmission to the ECF system shall not exceed twenty (20) megabytes total file size. Files which exceed twenty (20) megabytes shall be broken into smaller files and transmitted to the ECF system as attachments to the main document.

8. **FILING OF DOCUMENTS UNDER SEAL**

(a) **Definition.** A document may be filed under seal only upon a court order or pursuant to statute or rule.

(b) **Filing Requirements.** Unless otherwise ordered by the Court, a motion to file a document under seal shall be filed electronically. The motion shall not contain confidential or privileged information. The proposed order authorizing the filing of a document under seal shall be filed electronically unless otherwise ordered by the court. A document ordered to be filed under seal shall be filed electronically via the courts CM/ECF system. The event to be used is "file a sealed document", which appears under the miscellaneous section of the CM/ECF events. The sealed document will be unavailable for viewing by everyone except for, the Judge, Clerk, Chief Deputy and the filer of the sealed document.

(c) **Protection of Privacy Interests.** Any entity may file a motion seeking 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. Unless otherwise directed, the Court order determining access to or prohibiting the electronic filing shall be filed electronically.

9. **RETENTION REQUIREMENTS**

- (a) **Retention of Original Signatures.** Petitions, lists, schedules, statements, amendments, pleadings, affidavits, and other documents that must contain original signatures or that require verification under Rule 1008 or an unsworn declaration as provided in 28 U.S.C. § 1746, shall be filed electronically by Filers and Users. The documents containing the original signature must be retained by the Filer or User who files such a pleading, document, or other matter for five (5) years after the closing of the case or proceeding. This retention does not affect or replace any other retention period required by other applicable laws or rules. Paper documents containing original signatures or verification received by the court from pro se filers, or as otherwise ordered by the court, will be retained and/or disposed of by the court pursuant to procedures as established by the director of the Administrative Office of the United States Courts.
- (b) **Production of Documents.** On the request of the Court or other authorized entities, the Filer or User must provide original documents for review.
- (c) **Sanctions.** Failure to maintain original documents for the specified period shall subject the Filer or User to sanctions.

10. **SIGNATURES**

- (a) **Electronic Filing Constitutes Signature.** Except as provided in section 9 of the Administrative Procedures, the transmission by a Filer or User to the ECF system of any document constitutes any required signature of that Filer or User on such document. The Filer need not manually sign a transmitted document. The transmission is the equivalent of a signed 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 transmission by a Filer or User of any document constitutes certification by the Filer or User that all persons indicated on such document have signed the document and have executed an original prior to electronic filing with the Court.
- (c) **Form of Electronic Signatures.**
 - (1) **Required Information for Filers and Users.** A document transmitted via ECF shall include a signature block setting forth the Filer's or User's name, complete address, telephone number, email address, and the Filer's Connecticut's federal court bar registration number and firm affiliation, if applicable, preceded by a signature line on which is typed "/s/ Name" where the Filer's or User's signature would otherwise appear in a signed document.
 - (2) **Required Information for Other Entities.** A document transmitted via ECF requiring or containing signatures of entities who are not Filers or Users shall either (a) show an image of such signature as it appears in the original signed document, or (b) bear the name of the signatory preceded by "/s/ Name" typed in the space where the signature would otherwise appear in a signed document, accompanied by the signature block information recited in subsection (c)(1) above. When an original signature is required, or has been executed, it must be maintained in accordance with Procedure 9(a) above.
 - (3) **Multiple Attorney/Party Signatures.** A document requiring or containing signatures of more than one entity or counsel shall contain the signature information recited in subsections (c)(1) and/or (c)(2) above.

11. **TECHNICAL FAILURE**

A Filer or User whose ECF filing is made untimely as a result of technical failure may through motion seek appropriate redress from the Court. Filers and Users are responsible for consulting the Court's website to determine any scheduled system unavailability due to maintenance. Technical difficulties should be

reported to the Court's ECF Help desk immediately at www.ctb_ecf_help@ctb.uscourts.gov. Conventional filings may be authorized by the Clerk's Office in the event of recurrent or persistent ECF system failure or other technical failure, if time is of the essence

12. PUBLIC ACCESS

- (a) **Public Access at the Court.** The public may view all documents in the ECF System at no charge at any divisional office of the Court during regular business hours 9 am to 4 pm, Monday through Friday. The Clerk's offices are located in Hartford, New Haven and Bridgeport.
- (b) **Internet Access.** Internet access to the ECF system is limited to Public Access to Court Electronic Records ("PACER") system subscribers. Filers and Users may take advantage of the "one free look" provided with the Notice of Electronic Filing to download documents referenced in each Notice of Electronic Filing. In accordance with the Bankruptcy Court Fee Schedule established pursuant to 28 U.S.C. § 1930, User fees are charged for accessing certain detailed case information. Information regarding subscribing to PACER is available on the Court's web site at www.ctb.uscourts.gov and at the clerk's offices. The one free look is available for fifteen (15) days from the date the document was entered on the docket.
- (c) **Copies and Certified Copies.** Copies and certified copies of electronically filed documents may be purchased at the Clerk's Office. The fee for copying and certification will be in accordance with 28 U.S.C. § 1930 and Judicial Conference Policy.

13. PRIVACY

In compliance with the policy of the Judicial Conference of the United States, and the EGovernment 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 documents and pleadings filed with the Court, including exhibits thereto, whether filed electronically or conventionally, 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 pleading, only the last four digits of that number should be used, with the exception of the Statement of Social Security Number Form B121.
- (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 pleading, 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.

NOTE: In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers listed above may file an un-redacted document under seal. This document shall be retained by the Court as part of the record. The Court may, however, still require the party to file a redacted copy for the public file. The responsibility for redacting personal identifiers rests solely with counsel and the parties. The Clerk will not review documents for compliance with this procedure.

14. **REGISTRATION FORMS**

When completing any of the following forms and accompanying test, please return them either via email at ctb_ecf_help@ctb.uscourts.gov, or via first-class mail to

United States Bankruptcy Court
450 Main Street, 7th Floor
Hartford, CT 06103
ATTN: ECF Registration Desk

We will contact you regarding your registration and password after review of the submitted information.

ECF Form No 1. [Filer Registration Form](#)

ECF Form No 1a. [Pro Hac Vice Filer Registration Form](#)

ECF Form No 2. [User Registration Form](#)

15. **MOTION FOR EXEMPTION FROM ELECTRONIC FILING OVERVIEW AND PROCEDURES**

OVERVIEW

All documents filed in any case or adversary proceeding must be filed electronically, unless otherwise ordered by the Court upon motion granted for cause shown. The Court will not refuse any document for filing, but attorneys who file documents conventionally without obtaining an exemption order risk dismissal or striking of the document and may be subject to sanctions.

Pro Se Filers/litigants

Parties who are not attorneys are not subject to mandatory electronic filing procedure for applying for exemption. No blanket exemptions will be granted to attorneys. Exemption from Electronic Filing must be sought on a case by case basis. A Motion for Exemption should be submitted to the Court. The motion should be submitted in paper with the first paper document submitted for filing. Documents submitted without a motion will not be refused for filing but may result in the issuance of a Court's Motion to Dismiss or Strike, which will be set for hearing before the assigned judge.

Not-yet-trained exemption

The attorney must take the necessary online courses to become familiar on how to file documents electronically through and include a reference to that in the motion for exemption.

Trained-but-no-login exemption

Attorneys who have completed ECF training but who have not yet obtained a login and password may be granted an exemption for 15 days to complete their preparation for ECF filing.

Other-circumstances exemption

In addition to the exemptions listed above, the Court may grant exemptions from electronic filing where exceptional circumstances justify such relief. The circumstances should be described in detail in the motion. Exemptions for exceptional circumstances will be made on a case by case basis, and orders granting the exemption will apply only in the particular case in which the order was entered.

Out-of-district attorneys

The Court's electronic filing requirements and the exemptions thereto apply to all attorneys, whether or not located in the district, and whether or not admitted to practice in the district.

Sanctions

Any attorney who files documents in paper form, who fails to submit a motion for exemption, or who continues to file documents in paper form after a motion for exemption has been denied or after an exemption has expired, may risk striking of the document or dismissal of the case, and ultimately be subject to disciplinary action. When an attorney attempts a filing in violation of the above requirements, the following procedure will be followed:

1. The document will be docketed by the Clerk's office.
2. The Clerk shall refer the matter to the assigned judge. The matter may be dismissed or stricken from the record.