

Electronic Case Filing Procedures

UNITED STATES BANKRUPTCY COURT Northern District of California

~~GLORIA L. FRANKLIN~~
EDWARD J. EMMONS
CLERK OF COURT

~~February 1, 2010~~

March 16, 2020

ELECTRONIC CASE FILING PROCEDURES

~~4.~~ **1. Establishment of Electronic Case Filing Procedures:** ~~As authorized by this Court's Pursuant to~~ Bankruptcy Local Rule ("BLR") 5005-1(a), ~~these "Electronic Case Filing Procedures" (ECF Procedures) have been established by~~ the Clerk of Court for the United States Bankruptcy Court, Northern District of California. ~~Advance~~ establishes these "Electronic Case Filing Procedures" ("ECF Procedures" or "Procedures") to govern access and use of the Electronic Case Filing System (the "ECF System"). Prior to the effective date of any modification to the ECF Procedures, notice of ~~all modifications to these ECF Procedures~~ such modification will be ~~given via~~ posted on the Court's website at: ~~www.canb.uscourts.gov~~ www.canb.uscourts.gov.

~~2.~~ **2. Scope of Electronic Filing and Mandatory Requirement for Attorneys to File Electronically via CM/the ECF:** ~~System:~~ System: All cases and adversary proceedings filed or pending in the Court shall be, and hereby are, assigned to the ~~Electronic Case Filing System (the "ECF System").~~ Unless the filer is ECF System. In accordance with BLR 5005-1(c), ~~unless exempted, all documents are required to be filed~~ attorneys practicing in the Court shall electronically in accordance with Bankruptcy Local Rule 5005-1(c). ~~More detailed information may be obtained from the Court's web site at: www.canb.uscourts.gov > ECF > Reference Desk > Revised ECF Exemption Procedures.~~ In the event that the Court denies the file documents in PDF format via the ECF System. Procedures to request an exemption, from electronic filing are posted on the Court website at www.canb.uscourts.gov > ECF > Reference Desk > Revised ECF Exemption Procedures. If an ECF filing exemption request is denied the Court may also, at its discretion, order the document filed by the non-exempt attorney be stricken, or impose such other conditions on the filing or filer as the Court deems proper to preclude future violations appropriate.

Any attorney who files a document in violation of BLR 5005-1-(c), including ~~documents that are~~ a document not accompanied by an ~~application that alleges~~ ECF filing exemption request asserting an extreme hardship that is colorable and reasonable, or ~~a previous~~ an order

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granting an exemption that is still in effect, may be subject to monetary or ~~non-monetary~~ other sanctions pursuant to BLR 9011-1.

Documents previously filed in paper form prior to January 1, 2005, ~~are~~ may not ~~be~~ available on the ~~Court's CM/ECF s~~System, and the official file with respect to those documents shall remain the paper file. ~~—~~ After January 1, 2005, all documents not filed electronically ~~will be~~ scanned (~~imaged~~) and entered by Clerk's Office staff ~~into~~ the ~~CM/ECF system.~~ ~~—~~ ~~The~~System. Original paper documents scanned by ~~the~~ Clerk's Office staff will be held for a period of five ~~business~~ days at the divisional office where the case is pending. ~~—~~ Parties and attorneys who wish to retrieve ~~the~~ such original paper documents ~~they filed~~ may visit ~~or send a representative to~~ the respective divisional office.

~~Documents filed in a case opened prior to locate the documents~~ December 1, 2003, and thereafter closed for ~~retrieval~~ at least one year, are accessible electronically to case participants only. Non-case participants may access and request copies of such documents at the Clerk's Office.¹

1. 3. Access to the ECF System, Notification of Electronic Filing of Documents: ~~—~~ : Access to the ECF System is limited to Registered Participants ~~shall~~ via use of a eCourt-issued login and password ~~to access the CM/ECF system. Their use of this.~~ Use of the login and password ~~will allow them to make~~ allows entries to ~~be made on~~ the official eCourt docket, and ~~to file~~ for documents ~~to be~~ electronically filed with the Court. ~~When a Registered Participant makes an entry to the docket and files documents electronically, the CM/ECF system In such instance, the ECF System will automatically generate and send a return e-mail message of the "Notification of Electronic Filing." This termed a "Notification of Electronic Filing" (NEF). The NEF constitutes verification that a document has been electronically filed and is equivalent to the a conformed paper copy traditionally stamped "Filed" or "Original Filed." All or "Original Filed."~~ Registered Participants are highly encouraged to retain the ~~"Notification of Electronic Filing"~~ NEF as proof of ~~an~~ electronic filing.

4. Registered Participants, Logins and Passwords: ~~—~~ ~~Each~~ An attorney in good standing ~~with the Court (and such others~~ and admitted to practice in the federal courts of the Northern District of California in accordance with Civil Local Rule 11 (Civil L.R.) (and non-attorneys as the Court deems appropriate²) is eligible to become a Registered Participant ~~and receive an ECF System login and password.~~

¹ Access to documents filed in a case opened prior to December 1, 2003 is in accordance with the privacy policy adopted by the Judicial Conference of the United States. *Guide to Judiciary Policy*, Vol. 10, Ch. 1 at §110.20; JCUS-SEP 10 at pp. 12-13.

² Accounts for non-attorneys (for example, bankruptcy trustees, accountants, creditors, transcribers, Resolution Advocates and Approved Personal Financial Management Course Providers) with limited access to the ECF System are available. Refer to the Court website at www.canb.uscourts.gov > ECF. *Pro se* parties and bankruptcy petition preparers may not be Registered Participants unless permitted by the Court.

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To receive a login and password a Registered Participant applicant must successfully complete Court-sponsored ECF training, consisting of a webinar course and a practice filing assignment or alternatively, obtain a training waiver. Unless training is waived all applicants and their office personnel who will be making entries into the ECF System are required to successfully complete the training. Registration forms to sign up for ECF training or to request a training waiver are available from the Court website at www.canb.uscourts.gov > ECF. All requests to obtain a login and password or a training waiver are subject to the review and approval of the Clerk.

~~To which will entitle~~ sign up for ECF training an applicant must e-mail a completed registration form to the Clerk at ecf_training@canb.uscourts.gov. The applicant will be sent an e-mail providing a training login and password and instructions on accessing the webinar.

Alternatively, to request a waiver of the webinar and practice filing assignment an applicant must e-mail a completed registration form to ecf_training@canb.uscourts.gov along with copies of system-generated NEFs showing at least six (6) successful electronic filings in another U.S. Bankruptcy Court(s) within the past six (6) months and a letter indicating the applicant has read the court's Electronic Case Filing Procedures, Chamber's Copy Requirements and Division Procedures for ECF.³ State "Request Training Waiver" in the e-mail subject line.

Upon successful completion or waiver of the training, the Clerk issues and sends new ECF System login credentials directly to the Registered Participant ~~to receive an ECF System login and password. To become a~~ ECF account holder, to enable access and filing to the ECF System. The Clerk does not send such ECF System login credentials to any other person, including office personnel or other persons associated with the Registered Participant, ~~the person must receive training~~ ECF account holder.

~~3.—A Registered Participant's password may be used by 1) the Registered Participant, 2) personnel in the Registered Participant's office or 3) by the Court unless the Clerk is satisfied that the a person has already received adequate training in another district. Pro se parties and bankruptcy petition preparers may not be Registered Participants unless permitted by the Court.~~

~~The Clerk's Office will post on the Court's web site a CM/ECF training class schedule. Attorneys in good standing with the Court and trustees are encouraged to access the schedule and sign up to attend this training as soon as possible. This court sponsored~~

³ System-generated NEFs from the U.S. Bankruptcy Court for the Eastern District of California are not accepted.

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~~CM/ECF training will be held on specified dates and locations as announced on the Court's web site > ECF > Training. Attorneys and trustees who practice in multiple locations may attend training at the location of their preference. Attorneys and trustees who practice primarily or exclusively in one location are encouraged, but not required, to attend training at that location.~~

~~Attorneys and trustees are encouraged to enroll all employees who will be making entries to the system to attend the court sponsored CM/ECF training. It is recommended that employees attend the training session with the attorney or trustee with whom they work.~~
or entity

~~To become a Registered Participant, attorneys and trustees shall complete and submit a registration form (available from the Court's web site). A training login and password will be provided to the Registered Participant at the training session. Once the Registered Participant has completed the assigned training homework (successfully filing to this Court's CM/ECF training database), they will be issued a new password for the "live-CM/ECF" database to begin filing with this court electronically.~~

~~Attorneys and trustees must attend a court-sponsored training class to become a CM/ECF Registered Participant in this Court. Attorneys who can demonstrate that they have successfully filed electronically in the past six months with another U.S. Bankruptcy Court may apply to become Registered Participants in this district without having to attend the court-sponsored training. All requests must be made by submitting a completed registration form (available from the Court's web site). The request must identify the name and location of the court(s) where the electronic filings were made and must include copies of the system-generated "Notification of Electronic Filings" reflecting the successful filings. The completed request "package" shall be sent via e-mail to the CM/ECF Help Desk at: ecf_training@canb.uscourts.gov ("Request Training Waiver" in the e-mail subject line). All such requests to obtain a CM/ECF system login and password and to waive court sponsored CM/ECF training are subject to review and approval by the Clerk of Court.~~

~~Only the Registered Participant, another attorney in the Registered Participant's office, an employee of the Registered Participant or their law office staff may~~uses to perform document filing services, to file documents and otherwise use the Registered Participant's login and password to file ECF System on behalf of the Registered Participant.~~—The~~ A Registered Participant's password may not be used to file documents or otherwise use the ECF System on behalf of an attorney or other person who is not the Registered Participant.

Any misuse of the ECF System, including misuse of a login or password, may result in a suspension or revocation of the Registered Participant's ECF System access and use privileges, an order to undergo additional ECF training, or the imposition of monetary or

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other sanctions as the Court deems appropriate. A Registered Participant is responsible for all access and use of the ECF System made with a password assigned to the Registered Participant. A Registered Participant shall be responsible for any filings made using his or her login and password. Misuse of the ECF System's login and password may result in the revocation of the Registered Participant's login and password privileges and/or the imposition of sanctions. No Registered Participant shall not knowingly permit a password to be used by anyone who is not or on behalf of anyone not authorized to do so pursuant to these Procedures or a Court order. A person shall not knowingly use a password assigned to a Registered Participant unless such person is authorized to use the password and no person shall knowingly use the password of a Registered Participant unless such person is so authorized. If an employee of a Registered Participant do so.

If a person is no longer permitted such access to use a password, or if the Registered Participant has there is otherwise a reason to believe that the security of his or her a password has been compromised, the Registered Participant shall forthwith contact the CM/ECF Help Desk at the Court's Information Technology Section, helpdesk@canb.uscourts.gov to obtain a new password. assigned the password shall immediately change the password by logging into the ECF System at *Utilities > Change Your Password*, or by contacting the ECF Help Desk at helpdesk@canb.uscourts.gov.

A Registered Participant may withdraw ~~for cause~~, or be ~~required to withdraw~~ ordered withdrawn by the Court, from ~~participation in~~ the electronic filing component of ~~CM/the~~ ECF ~~on order of the Court.~~ System. The Registered Participant shall provide a written notice of withdrawal ~~for cause~~ to the ~~CM/ECF Help Desk,~~ at ~~the address shown above~~ helpdesk@canb.uscourts.gov, and provide at least ten days advance notice to all Registered Participants who are, or who represent, parties in interest in cases assigned to the ECF System in which the withdrawing Registered Participant has entered an appearance. ~~A court~~ copy of a Court order to withdraw a Registered Participant will be sent by the ~~judicial officer~~ ordering judge to the ~~CM/ECF Help Desk.~~ Upon receipt of the written request or court such a notice of withdraw or Court order, the Help Desk staff will follow internal procedures to ~~cancel~~ cancel the Registered Participant's login and password ~~to be cancelled,~~ and remove the Registered Participant ~~will be removed~~ from the ~~Notification of Electronic Filing~~ NEF service list(s).

A password not used to access the ECF System for a continuous period of at least five (5) years, is automatically deactivated. If a password is deactivated due to inactivity, please contact the ECF Help Desk for assistance in having it reactivated.

4. 5. Orders:— The ~~Court's~~ Court's electronic filing of orders, decrees, memoranda, opinions and judgments shall constitute entry on the Court's docket for purposes of Federal Rules of Bankruptcy Procedure ("FRBP") 5003 and 9021. ~~Any~~ order filed

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electronically by the Court has the same force and effect as it would if the judge had affixed ~~the judge's~~ his or her signature to a paper ~~copy form~~ of the order, and it had been entered on the docket in a conventional non-electronic manner.

Each judge ~~shall determine~~ determines how ~~he or she wishes~~ proposed forms of orders ~~to~~ shall be submitted ~~to that judge~~. Judges may sign orders manually or by any electronic means permitted by FRBP 5005(a)(2), or may use docket text orders. ~~For~~ directions regarding the submission of proposed forms of orders, Registered Participants are directed to BLR 9021-1 and 9022-1, and the Court's web site > ECF > Reference Desk > website at www.canb.uscourts.gov > ECF > Reference Desk to the information provided under the headings E-Orders Submission Procedure and Division Procedures, for specific directions regarding the submission of proposed forms of orders (submitted orders) for each Judge.

6. Electronic Filing of Documents, Exhibits and Attachments: ~~An exhibit or attachment longer than 25 pages may be filed if created from a word processing (text) file. Transmission time for, Size Limitation, Pre-Filing Flattening Requirement:~~ Documents submitted for electronic filing into the ECF System must be in a PDF format. Prior to filing, documents which the Registered Participant filer has in an electronic format must be converted to PDF from the electronic original, not scanned or otherwise imaged.⁴

If the Registered Participant filer possesses only a paper copy of a document, it may be scanned into a PDF format. All documents, including but not limited to pleadings, attachments and exhibits created by scanning ~~that are more than 25 pages and/or three~~ into a PDF format must have *a resolution of 300 DPI*.

Prior to filing in the ECF System, **all documents** whether in electronic form or in a PDF format must be "flattened." A document is flattened by using a "print to PDF" command feature. **DO NOT** use a "save to PDF" command as this will not flatten a document. Instructions to flatten a document are attached to these Procedures as Appendix A. Documents not flattened prior to filing may not upload into the ECF System or may have poor image quality when viewed via ECF. Proposed orders not flattened prior to uploading may not allow for a judge's signature to be affixed to the order. Flattening a document also reduces the document size.

~~5.~~ All PDF documents to be filed into the ECF System, including but not limited to pleadings, attachments and exhibits are subject to a 35 megabyte document size limit. Generally, documents greater than 35 megabytes in size will frequently time out during transmission and fail to file due to system security features. ~~Electronic exhibits Exhibits and attachments created by scanning (imaging) that are more than 25 pages or more than three~~ 35

⁴ A document electronically created using bankruptcy case preparation software, or electronically created using word processing software is an example of an electronic document to be converted, not scanned, to a PDF format. A document converted from an electronic original to PDF must be text searchable.

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megabytes in size must be segmented and filed as multiple attachments ~~(the system will allow multiple attachments to any pleading/document to be filed to an electronically)~~. All pleadings/documents and attachments/exhibits which are created by scanning (imaging) shall be black and white (without color), in PDF format and the resolution *should be set to 300 DPI*. filed document.

~~6. Documents Filed Under Seal:—A motion to file a document(s) under seal shall be filed electronically (unless prohibited by applicable non-bankruptcy law); however the actual document(s) to be sealed shall be filed conventionally, on paper, in accordance with Civil LR 79-5, incorporated by reference by BLR-1001-2 (63).—If the motion itself contains confidential information, the movant shall electronically file and serve a redacted version of the motion to file under seal. The movant shall deliver paper copies of the document(s) to be sealed to the Clerk's Office at the divisional office of the assigned judge for in-camera review. The order of the court authorizing the filing of such document(s) under seal shall be entered by the Court or the Clerk's Office staff and shall indicate that the motion to file document(s) under seal has been so granted. A paper copy of the order authorizing the filing under seal must be delivered to the Clerk with the documents that the Registered Participant wishes to be filed under seal. The conventionally filed paper version of the sealed document(s) will be maintained by the Clerk's Office in a manner consistent with the Civil LR 79-5, as cited above.~~

~~7. 7. Signature and Verified Pleadings:—A Registered Participant who electronically files a document with the Court shall be deemed to have certified under penalty of perjury that he or she has personally reviewed the document, is in good standing with the ~~State Bar~~state bar of all states in which the ~~attorney~~Registered Participant is authorized to practice as an attorney, and is authorized to appear in ~~this~~e Court.~~

Each electronically filed document shall bear the typed name of the person purporting to have signed the document.—Pleadings, including but not limited to petitions, lists, schedules and amendments that are required to be verified under FRBP 1008, or ~~to that~~ contain an unsworn declaration as provided in~~by~~ 28 U.S.C. §1746, and all ~~affidavits or other pleadings~~documents in which a person verifies, certifies, affirms or swears under oath or penalty of perjury concerning the truth of matters set forth in ~~that pleading or such~~ document (~~“Verified a “Verified Pleading” may”~~) must be filed electronically. A Registered Participant filing a Verified Pleading electronically shall insure that the electronic version it conforms to the original, signed pleading/ or document. Each signature on the original, signed pleading/ or document shall be indicated on the electronically filed Verified Pleading with~~by~~ the typed name of the person purported to have signed the original pleading/ or document. The electronic filing of a Verified Pleading constitutes a representation by the Registered Participant who files it that ~~the Registered Participant has in his or her possession~~ at the time of filing he or she

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possesses the fully executed original, signed pleading/ or document.

~~8.~~ **8. Retention Requirements:**— All originally executed pleadings/ and documents signed by someone other than the Registered Participant (e.g., Verified Pleadings), which are, and subsequently electronically filed with the Court, must shall be retained by the Registered Participant for five years after the case or adversary proceeding has been closed. The CM/ECF sSystem provides notice of all case closings to Registered Participants. Upon request of the Court, the Registered Participant filer must provide to the Court shall produce and furnish the original, signed pleadings/ or documents for review to the Court.

~~9.~~ **9. Notice of Electronic Filing and Service: Whenever, Current and Active Registered Participant E-Mail Address:** When a document, including but not limited to a pleading, document or eCourt order, is filed electronically in accordance with these ECF Procedures, the system ECF System will automatically generate the Notification of Electronic Filing, which will be emailed e-mail an NEF to all Registered Participants who have consented to electronic service and have appeared in the case or adversary proceeding in which the document is filed.—This transmission Transmission of the Notification of Electronic Filing NEF to a Registered Participant shall constitute effective service in accordance with Federal Rule of Civil Procedure (“FRCP”) 5(b)(2)(E), BLR 9013-3(c) and 9022-1(b).

~~Beginning May 1, 2008 all new CM/ECF Registered Participants will be given the option to consent in writing to receive service electronically by checking the appropriate box on the Clerk’s Office CM/ECF Registration form.—CM/ECF Registered Participants who registered prior to April 30, 2008 will be required to reaffirm their consent to receive electronic service.—The Clerk’s Office shall solicit written consents, consistent with FRCP 5(b)(2)(E), from all those Registered Participants via an electronic consent process.~~

~~Registered Participants who DO NOT consent to electronic service WILL NOT receive a Notification of Electronic Filing and their name and mailing address will appear at the bottom of the Notification of Electronic Filing (as an alert that this party will only accept service by regular first class mail).~~

All Registered Participants ~~who consent to electronic service~~ shall maintain a current and active e-mail address with the ~~court to receive Notification of Electronic Filing.—To enable proper service via the transmission of the Notice of Electronic Filing, in pending cases, Court.~~ A Registered Participants shall not withdraw, change or otherwise deactivate their e-mail address from any case or de-activate their e-mail account while involved in any case, adversary proceeding or contested matter without prior notification to the Clerk’s Clerk’s Office of their new e-mail

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~~address or, the filing of a proper withdrawal from case, consistent with Civil LR 11-5, incorporated by reference by BLR 1001-2(31).~~ in accordance with Civil LR 11-5, as incorporated by BLR 1001-2(a), or by the Registered Participant voluntarily requesting removal of their primary e-mail address from a case or adversary proceeding by using the ECF event "Request to Remove Primary Email From Case" located in the drop-down "Bankruptcy" and "Adversary Proceeding" menus under "Miscellaneous" events.

~~Technical Failure:—If the Court's CM/ECF site~~ A Registered Participant's voluntarily removal of their primary e-mail address from a case or adversary proceeding immediately terminates all NEF e-mails to such e-mail address in the case or adversary proceeding.

~~40.~~ **10. Technical Failure:** Except for reserved and other ECF System unavailability noticed pursuant to paragraph 15 of these Procedures, if after 9:00 a.m. on any given day the ECF System is unable to accept filings continuously or intermittently over the course of any period of time greater than two hours after 9:00 a.m. on any given day, a party whose filing is made untimely as the result of a technical failure may seek appropriate relief from the Court. The Court shall asserting a technical failure. The Court, on a case-by-case basis, will determine whether a technical failure has occurred on a case-by-case basis. Problems, Issues occurring on the filer's end, including, but not limited to, those related to phone lines, Internet Service Providers (ISP) or internet connections, internet service providers, hardware and/or software, will do not constitute a technical failure under these procedures nor excuse an untimely filing. A filer who cannot file a pleading/Procedures. A document that cannot be electronically filed because of a problem an issue on the filer's end must file the pleading/document be filed conventionally, on paper, or by facsimile pursuant to Civil L.R. 5-2,3, as incorporated by reference by BLR 1001-2(20).a). Whether issues other than a technical failure constitute an excuse for an untimely filing will be determined by the Court on a case-by-case basis.

~~Fees:—~~ **11. Fees, Disabled ECF Account for Non-Payment of Fees:** For filings that require a fee, the CM/ECF sSystem will prompt the filer (Registered Participant) to enter credit or debit card account information (card number, and expiration date and security code) and the payment amount following the transaction. "Credit."⁵ The Court no longer accepts "Credit Card Authorization Forms" are no longer required by the Court for CM/ for ECF credit card transactions. The credit card receipt shall include a reference to the case and docket number. Funds

⁵ When an attorney is a debtor in a bankruptcy case the Court prohibits use of a personal or business credit or debit card of the attorney to make a payment in that attorney's bankruptcy case. The Court will allow such attorney to use a business credit or debit card to make a payment for the attorney's client in a bankruptcy case.

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will be automatically charged to or debited from the card holder's account by the United States Treasury Department. ~~All credit~~ A dated payment receipt will enter on the case docket providing the receipt number, amount received, case number and referencing the filing for which the fee was received. All credit and debit card filing fee payments are subject to audit and review by Clerk's Office staff. ~~Any, and~~ identified discrepancyies will be brought to the attention of the ~~filer~~ (Registered Participant). ~~The CM/ filer.~~

~~11.~~ Access to the ECF system ~~System to electronically file and view documents will be automatically disable access~~ disabled for a Registered Participants with filing fees outstanding at midnight of after 11:59 p.m. on the filing date. ~~The Registered Participant whose access to CM/ECF has been disabled will be able to~~ Upon login to CM/ECF but will not be able to view or file any documents until he or she clicks on "Utilities" then "Internet ~~the ECF System, a~~ Registered Participant with such disabled access will be directed to screens displaying "Outstanding Fees" and "Internet Payments Due" and pays," and will be required to submit payment. Upon payment of the outstanding fees. ~~Once the outstanding fees are paid,~~ the Registered Participant's ~~system's~~ access to electronically file and view electronic documents in the ECF System will be immediately reinstated. ~~Payments must be~~ Payment of outstanding fees not made within 24-hours may subject a case to dismissal, a document or other matter to be stricken, or the imposition of monetary or other sanction as the Court deems appropriate.

~~24-hours or the case/matter is subject to dismissal/being stricken.~~

~~12.~~ 12. Issuance of a Summons in an Adversary Proceeding: ~~The "Summons and Notice..... in an Adversary Proceeding" shall be issued by the Clerk's Office electronically [for the Santa Rosa Division 'Summons and Notice of Scheduling Conference in an Adversary Proceeding', for the San Jose Division 'Summons and Notice of Telephonic Status Conference in an Adversary Proceeding', and for the San Francisco and Oakland Divisions 'Summons and Notice of Status Conference in an Adversary Proceeding'];~~ When- or Involuntary Bankruptcy Case: In accordance with FRBP 1010 and 7004, when an adversary complaint and cover sheet or an involuntary petition is electronically filed, the Clerk's Office will prepare and enter the "Summons and Notice... in an Adversary Proceeding". ~~This 'Summons and Notice in an Adversary Proceeding' will be transmitted by a Notice of Electronic Filing (NEF) transmits a summons⁶ electronically via NEF to the attorney for the plaintiff for service on the defendants in accordance with~~ F.R.B.P.

⁶ In an adversary proceeding this document is titled *Summons and Notice of Scheduling Conference in an Adversary Proceeding*. In an involuntary bankruptcy case this document is titled *Summons to Debtor in Involuntary Case*.

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y complaint and cover sheet is filed in paper form, the Clerk's Office shall issue the 'Summons and Notice... in an Adversary Proceeding' and it will be mailed via the Bankruptcy Noticing Center (BNC) to the plaintiff's or to the attorney or plaintiff, if not represented by an attorney, for the involuntary case petitioning creditor(s), as applicable, for service.

In the event an "alias summons" is required, the ~~Plaintiff shall~~ plaintiff in an adversary proceeding or the petitioning creditor(s) in an involuntary case must electronically file a "Request for Alias Summons to be Issued".~~—~~ The Clerk's Office ~~shall issue the~~ will then transmit an alias summons ~~which will be transmitted~~ electronically via NEF to the attorney for the plaintiff ~~via the NEF.~~ For requests for 'Alias Summons to be Issued' that are filed in paper, the Clerk's Office will issue and send the 'Alias Summons and Notice. in an Adversary Proceeding' by mail ~~via~~ or to the attorney for the involuntary case petitioning creditor(s), as applicable, for service.⁷
~~the BNC, to the plaintiff's~~ The attorney or, plaintiff, if not represented by an attorney or petitioning creditor(s) is responsible for service of the summons or alias summons.

~~13. Policy for Chambers~~ **13. Lodging Copies of ECF Filed Documents:** ~~—~~ with Chambers: The judge(s) at each divisional office ~~(with the exception of the Santa Rosa division) have~~ have identified policies and procedures for lodging Chambers copies of ECF filed documents. ~~—~~ with chambers. Registered Participants are directed to the Court's web site website at www.canb.uscourts.gov > ECF > Reference Desk section www.canb.uscourts.gov > ECF > Reference Desk and the information provided under the heading Division Procedures for specific information regarding ~~the lodging of Chamber's~~ copies of ECF filed documents with chambers.

14. Electronic Filing Errors and Corrections: ~~—~~ Once a ~~Pleading or~~ document is electronically filed and becomes part of the electronic record, corrections to the docket entry may be made only by the Clerk's Office staff. ~~—~~ ~~A pleading or document may be incorrectly filed as the result of e.g., posting the~~ Examples of an incorrect PDF file filing include, but are not limited to, posting an incorrect PDF to a docket entry, selecting the an incorrect document type from the menu selection, or entering the providing an incorrect case number, etc. ~~—~~ ~~The CM/ECF system.~~

⁷ When an adversary complaint and cover sheet, an involuntary petition or a "Request for Alias Summons to be Issued" are filed in paper form, the Clerk's Office transmits the summons or alias summons by regular mail to the attorney for the plaintiff or petitioning creditor(s) or, if not represented by an attorney, to the plaintiff or petitioning creditor(s) for service.

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After such a transaction has been accepted, the ECF System will not permit a Registered Participant to remove or reattach an incorrectly filed pdf/PDF document, or to change the form of an incorrect docket entry ~~once the transaction has been accepted. In the event,~~

14. ~~If a Registered Participant discovers~~ an electronic filing error ~~is discovered~~, the Registered Participant should ~~contact the Clerk's Office~~, as soon as possible, notify the Clerk at the location/divisional office where the case is pending ~~and ask the Clerk's Office staff to make the correction of the error.~~ The Registered Participant should be prepared to provide the Clerk with the case number and document number for which the correction is being requested/required. If appropriate, the Clerk's Office staff will make an entry indicating ~~that the pleading/document filing was filed in error. The~~ advise the Registered Participant will be advised if the ~~pleading/document~~ will need to be re-filed or withdrawn, and ~~instructed~~ provide information on the proper procedure: to do so.

~~CM/~~If the Clerk discovers an electronic filing error, an error message may be entered on the docket and an electronic notification sent to the Registered Participant. In such instance, prior to contacting the Clerk the Registered Participant should review any error messages on the docket and attempt to correct the errors.

15. **15. ECF System Unavailability:** ~~During 2:00 a.m. to 3:00 a.m. every day and for The Court reserves 24 hours on the third Saturday of every month, the Court's CM/ECF system to conduct system upgrades and maintenance. The ECF System will be unavailable to Registered Participants for filing due to regular system maintenance and back-up operations. Any other downtime during that time. Prior notice of scheduled ECF System unavailability will be posted on both the CM/ECF System home page and the Court's internet site, website. Registered Participants will also be notified via e-mail and are instructed not to attempt to access this site the ECF System during these periods of unavailability.~~

16. **16. Access to ~~CM/~~the ECF System via ~~the~~ Clerk's Office ~~Lobby~~ Public Computer Terminals and the Public Access to Court Electronic Records (PACER: System: Electronic access to ~~CM/ECF~~ view dockets and documents electronically filed in the ~~system~~ ECF System is available to the public ~~for viewing~~ at no charge via computer terminals located in each the lobby of the Clerk's divisional offices, during regular business hours. ~~A fee Pursuant to 28 U.S.C. §1930, a fee is charged for a paper copy of an electronic document is required. Additionally, in accordance with 28 U.S.C. Section 1930. In accordance with the ruling of~~ the policy adopted by the Judicial Conference of the United States, a user fee ~~will be~~ is charged for access via PACER to dockets and documents electronically filed in the ~~system through the Public Access to Court Electronic Records System (PACER).~~ ECF System. Fees are posted on the Court website at www.canb.uscourts.gov > Court Fees, and at the Clerk's divisional offices.**

Electronic Case Filing Procedures

17. Pro se Filing: ~~For~~ Unless permitted by the Court to file electronically, a *pro se* litigant filing with this Court, litigant shall prepare and file all petitions, pleadings and other documents shall be prepared and filed with the Court on paper. — *Pro se* litigants, and shall not have access to electronic filing (, except for that a *pro se* litigant issued an active Limited Access Accounts for filing Proofs of Claim, Transfer of Claims, etc). — For more information see the Court's web site at www.canb.uscourts.gov > *ECF*. All Account password may electronically file proofs of claim and related documents, and a *pro se* litigant who is an attorney and issued an active ECF System password may file electronically. *Pro se* paper filings shall be scanned (imaged) and entered on the docket by Clerk's Office staff to enable create an electronic record to be created. For more information see the Court website at www.canb.uscourts.gov > ECF.

18. Maintaining Mailing Address, Changing a Registered Participant Attorney Mailing Address: Registered Participants are required to maintain a current mailing address on their ECF account. To change an address on a ECF account an attorney must comply with all applicable local rules, including filing and serving a *Notice of Change of Address*, and submit a completed *Request to Change Attorney Address in CM/ECF* form to the Help Desk. For more information and forms see the Court website at <http://www.canb.uscourts.gov> > *ECF* > Reference Desk > Request to Change Attorney Address in CM/ECF.

~~17. —~~