

5005-2. Signatures

(a) A document electronically filed with the Court shall bear the typed name of the person purporting to have signed the document and shall be deemed to be signed by the person (“Signatory”) when the document identifies the person as a Signatory and the filing complies with either subsection (b), (c), or (d). Any filing in accordance with any of these methods shall bind the Signatory as if the document were physically signed and filed, and shall function as the Signatory’s signature whether for purposes of Rule 9011 of the Federal Rules of Bankruptcy Procedure, to attest to the truthfulness of an affidavit or declaration, or for any other purpose.

(b) In the case of a Signatory who is a Registered Participant, such document shall be deemed signed, regardless of the existence of a physical signature on the document, provided that such document is filed using the user ID and password of the Signatory.

(c) In the case of a Signatory who is a Registered Participant but whose user ID and password are not utilized in the electronic filing of the document, as in the case of documents requiring multiple signatures, the filing of the document constitutes the filer’s attestation that concurrence in the filing of the document has been obtained from each of the signing Registered Participants, which shall serve in lieu of their signatures on the document. The filer shall maintain records to support this concurrence for subsequent production for the Court, if so ordered, or for inspection upon request by a party, until five years after the case or adversary proceeding in which the document was filed is closed.

(d) In the case of a Signatory who is not a Registered Participant, as in the case of documents requiring multiple signatures or documents signed by a third party such as a debtor, the filing of the document constitutes the filer’s attestation that the filer has possession of (i) an original ink signature, (ii) a copy of the original ink signature that has been electronically scanned, or (iii) a copy of the original ink signature transmitted by facsimile. The filer shall maintain records to support this attestation for subsequent production to the Court, if so ordered, or for inspection upon request by a party, until five years after the case or adversary proceeding in which the document was filed is closed.

(e) The provisions of subsection (d) of this Rule notwithstanding, in appropriate circumstances the Court may require that filers collect and retain original ink signatures of parties who are not Registered Participants.

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