

Entered: May 22nd, 2020
Signed: May 22nd, 2020

SO ORDERED



Thomas J. Catliota
THOMAS J. CATLIOTA
U.S. BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

In Re:

COVID-19 PANDEMIC PROCEDURES

MISCELLANEOUS
PROCEEDING NO. 20-90006

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**ADMINISTRATIVE ORDER 20-12 AUTHORIZING PILOT
ELECTRONIC DOCUMENT SUBMISSION SYSTEM**

In response to the current state of emergency declared by the Governor of Maryland over the spread of the coronavirus known as COVID-19, and recognizing the need to maintain safe distancing among individuals and to take precautions to reduce the possibility of exposure to the virus, the Court has significantly altered court operations. This includes reducing accessibility of the Greenbelt and Baltimore courthouses by non-court personnel. Beginning March 16, 2020, and until further notice there is no in-person public access to the Clerk’s Office. The Clerk’s Office remains open to the public through telephone access and drop boxes located in the lobby of each courthouse. CM/ECF continues to be available for electronic filing.

Considering the limited accessibility of the Greenbelt and Baltimore courthouses by non-attorney individuals for the purpose of filing bankruptcy cases or filing documents, pleadings or other papers in pending bankruptcy cases, the Court has developed a pilot Electronic Document

Submission System (EDSS). EDSS will allow non-attorney individuals to securely submit documents to the Court electronically in portable document format (PDF). Authorizing implementation of the pilot EDSS during the ongoing state of emergency and while the Court maintains significantly limited operations is a necessary and important response to the COVID-19 pandemic.

Therefore, it is, by the United States Bankruptcy Court for the District of Maryland, hereby ORDERED as follows:

1. The Court authorizes the use of EDSS on a pilot basis. The Clerk is directed to implement the pilot EDSS in order to accept through EDSS, from unrepresented individuals only, the electronic submission of new bankruptcy case filings and the filing of documents, pleadings or other papers in pending bankruptcy cases;

2. The EDSS Administrative Procedures, attached to this Administrative Order, are adopted and shall apply to every bankruptcy case, filing, pleading, or other paper submitted using EDSS;

3. The EDSS Administrative Procedures supplement, and to the extent necessary, modify, existing Administrative Order 03-02 Adopting Case Management/Electronic Case Filing Procedure (as amended 12/1/2016); and

4. Authorization for the pilot EDSS may be modified by further Order of this Court as necessary, or terminated when the pilot EDSS is no longer necessary for Court operations during the COVID-19 pandemic.

END OF ORDER

Electronic Document Submission System

Administrative Procedures

I. General Requirements

All parties appearing before the Court must comply with the applicable Rules and Statutes, including Fed. R. Bankr. P. 5005, and all applicable Court orders including the Administrative Order that authorizes document submission via the Electronic Document Submission System.

A. Electronic Submission

“Electronic submission” means uploading a pleading or document from the user’s computer using the Court’s Electronic Document Submission System (“EDSS” or “System”) to file that pleading or document in the Court’s case file. Unless otherwise provided in these Administrative Procedures (“Procedures”), the Court’s Local Bankruptcy Rules (“LBR”), or Court order, sending a document or pleading to the Court via e-mail does not constitute electronic filing.

B. Official Case File

Except as otherwise provided by these Procedures or other applicable laws or rules, the Clerk’s Office will not maintain a paper file in any case assigned to the Case Management/Electronic Case File (CM/ECF) System. The official court record is the CM/ECF System.

II. Using The Electronic Document Submission System

A. If a document submitted using EDSS is received, accepted, processed, and placed on the public docket by the Clerk’s Office, such document shall be deemed officially filed as of the date and time submitted. When added to the docket, the date and time of filing indicated on the docket will match the date and time that the document was submitted using EDSS.

B. An individual or entity using EDSS must provide both a valid email address and valid telephone number.

C. The Clerk’s office will send an e-mail confirming the receipt of the uploaded document, and the individual or entity using EDSS consents to receipt of this information via email.

III. Electronic Submission and Service of Documents

A. Document Legibility and Formatting

Documents must be verified for legibility before being submitted via EDSS. Illegible documents will not be accepted for filing.

Documents can only be submitted in a flattened .PDF format. Whenever possible, documents should be electronically created and not scanned in.

B. File/Document Size Limitations

Whenever possible, and with the exception of signature pages, all papers must be compiled into a single file. EDSS can accept up to five files per pleading. Each file cannot exceed 3 MB.

C. Timeliness of Electronic Submission

Submitting a document electronically does not change the filing deadline for that document. The Filing must be completed before midnight Eastern Time to be considered filed on that day.

D. Service

Submitting a document using EDSS does not constitute service of that document. Parties must comply with applicable rules of service (See Fed. R. Bankr. P. 7004, 7005; Fed. R. Civ. P. 4, 5; Local Bankruptcy Rule 9013-4, and the Administrative Order that authorizes document submission via the EDSS).

E. Document Retention Periods

A person submitting a document through EDSS must maintain the original signed document for a period of three years after the bankruptcy case is closed. The original must be made available upon request of the Court.

F. Signatures

The original signature pages must be scanned and uploaded through EDSS. A person submitting an image of a signed document through EDSS must maintain the original signed document for a period of three years after the bankruptcy case is closed.

G. Fees Payable to the Clerk's Office

Certain filings require the payment of fees, including filing a new case and certain types of motions. Anyone submitting a document using EDSS must pay all required fees. Fees must be paid in person (when the Clerk's Office is open during normal business hours), via the court's drop boxes located in each courthouse, or through the mail. Debtors may only pay filing fees with cash (accepted in person only not by mail or the court's drop boxes), cashier's check, or money order. Cashier's checks and money orders must be made payable to the "Clerk, United States Court." The Clerk's Office cannot accept personal checks from debtors or third-party checks. The failure to timely submit any required fee may result in the denial of any motion or other relief requested or dismissal of the case.

H. Orders and Notices Issued by the Court

The Clerk's Office will electronically file all signed orders and all notices. Except for debtors participating in Debtor Electronic Bankruptcy Noticing (DeBN), notice to debtors generally will be given in paper format.

I. Creditor Matrix

If filing a petition, the creditor matrix can be completed and submitted using the Court's creditor matrix tool available at <http://www.mdb.uscourts.gov/creditematrix/login>. If not using the Court's tool, the creditor matrix must comply with the formatting requirements set forth in these Procedures.

J. Correcting Documents Filed in Error

If a document is incorrectly submitted in a case, the individual must amend or withdraw the document submitted in error. No changes to a document can be made once transmission is made and the transaction is accepted by the EDSS.

K. Privacy Protection for Electronically Submitted Documents

Any person submitting a document through EDSS must comply with the privacy protection requirements of Fed. R. Bankr. P. 9037 and LBR 9037-1.