

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re )  
 )  
PROCEDURES FOR ) **ADMINISTRATIVE ORDER # 02-1**  
ELECTRONIC CASE FILING )  
\_\_\_\_\_ )

WHEREAS, Fed. R. Civ. P. 83, Fed. R. Bankr. P. 9029, and Local Bankruptcy Rule (“LR”) 1001 authorizes this Court to enter an administrative order for the purpose of establishing practices and procedures required for the filing, signing and verification of documents by electronic means (“Electronic Filing Procedures”); and

WHEREAS, the proposed Electronic Filing Procedures have been reviewed and approved by each of the judges;

WHEREAS, the Electronic Filing Procedures are consistent with and further the responsibility of the clerk of the court for the control of the Court’s docket under Fed. R. Bankr. P. 5003 and Fed. R. Bankr. P. 5005, including safeguarding the integrity of the Court’s docket; and

WHEREAS, the Electronic Filing Procedures do not impose fees inconsistent with the present fee structure adopted by the Judicial Conference of the United States pursuant to 28 U.S.C. § 1914 and 28 U.S.C. § 1930; and

WHEREAS, the Electronic Filing Procedures provide the means for a signature on documents through the mechanism of a password, in compliance with LR 9004(g); and

WHEREAS, the Electronic Filing Procedures provide adequate procedures for the filing, review and retrieval of documents by parties who are not able to access the Electronic Filing System from a remote location; and

WHEREAS, the Electronic Filing Procedures are consistent with the notice requirements of Fed. R. Bankr. P. 2002,

IT IS ORDERED that:

1. The Electronic Filing Procedures attached hereto as "Exhibit 1" are approved by this Court.
2. Electronic files, consisting of the images of documents filed in cases or proceedings and documents filed by electronic means, are designated as and shall constitute the official record of the Court together with the other records kept by the Court.
3. The attorney's User Log-In and Password required to submit documents on the Electronic Filing System shall constitute the signature of that attorney for purposes of Fed. R. Bankr. P. 9011.
4. No attorney or other person shall knowingly permit or cause to permit the attorney's password to be utilized by anyone other than an authorized member or employee of the attorney's law firm.
5. The electronic filing of a document in accordance with the Electronic Filing Procedures shall constitute entry of that document on the docket kept by the clerk under Fed. R. Bankr. P. 5003, and shall be deemed accepted for filing by the office of the clerk.
6. The clerk's office shall enter all orders, decrees, judgments and proceedings of the Court in accordance with the Electronic Filing Procedures, which shall constitute entry of the order, decree, judgment or proceeding on the docket kept by the clerk under Fed. R. Bankr. P. 5003 and for purposes of Fed. R. Bankr. P. 9021.
7. The original of this Administrative Order shall be filed in accordance with both

the Electronic Filing Procedures and conventionally by the clerk of the court.

8. Amendments to this Administrative Order and the Electronic Filing Procedures may be entered from time to time in keeping with the needs of the Court.

9. This Administrative Order shall become effective on May 14, 2002 and shall apply to all cases and proceedings filed on or after that effective date.

**IT IS SO ORDERED.**

/s/ GREGG W. ZIVE

---

GREGG W. ZIVE  
Chief Judge, United States Bankruptcy Court

**EXHIBIT 1  
TO ADMINISTRATIVE ORDER #02-1**

**ELECTRONIC FILING PROCEDURES**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

**May 14, 2002**

## TABLE OF CONTENTS

<b>DEFINITIONS</b>	8
<b>I. SCOPE OF ELECTRONIC FILING</b>	10
A. Required for Designated Cases	10
B. Exceptions to Electronic Filing	10
1. Documents to be Filed Under Seal	10
2. Settlement Conference Statements	10
C. Emergency Motions	11
D. Withdrawal From System	11
<b>II. ELIGIBILITY</b>	11
A. Attorneys and Trustees	11
B. Pro-Se Parties and Petition Preparers	11
<b>III. REGISTRATION, TRAINING, AND PASSWORDS</b>	12
A. Registration	12
1. Registration Form	12
2. Address For Registration Form	12
B. Training	13
C. Passwords	13
1. Receipt of Password	13
2. Change of Password	13
3. Password Security	13
i. Prohibited Use	13
ii. Notice to Clerk’s Office of Compromised Password	13
<b>IV. CONSENT TO ELECTRONIC SERVICE AND NOTICE; WHEN CONVENTIONAL SERVICE IS REQUIRED</b>	14
A. Consent to Electronic Service and Notice	14
B. When Conventional Service or Notice is Required	14
<b>V. SERVICE OF DOCUMENTS BY ELECTRONIC MEANS; PAPER COURTESY COPIES FOR CHAMBERS</b>	15
A. Transmission of “Notice of Electronic Filing” Constitutes Service or Notice	15

B. Paper Courtesy Copies for Chambers	15
C. Paper Copies of Electronically Filed Petitions, Schedules, Statements and Amendments to Trustees Until Further Order	15
<b>VI. CONSEQUENCES OF ELECTRONIC FILING</b>	16
A. Time	16
1. When Documents Are Deemed Filed	16
2. Additional Time After Service by Electronic Means	16
B. Filing and Entry on Docket	16
C. Official Record	17
D. Title of Docket Entries	17
<b>VII. SIGNATURES</b>	17
A. Filing User’s Signature	17
B. Use of Password by Filing User’s Agent	17
C. Signature Block	17
D. Documents Requiring Original Signatures	18
1. Documents Requiring Debtor’s Signature; “Declaration re: Electronic Filing”	18
2. Other Documents	18
E. Multiple Signatures	18
<b>VIII. ORDERS</b>	19
A. Electronic Filing by Court	19
B. Submission of Proposed Orders	19
C. Form of Proposed Orders	20
<b>IX. NOTICE OF JUDGMENT OR ORDER     OF BANKRUPTCY JUDGE</b>	20
<b>X. DOCUMENTS UNDER SEAL</b>	21
A. Motion	21
B. Order	21
C. Form	21
D. Filing of Sealed Documents	21

<b>XI. RETENTION REQUIREMENTS</b>	22
A. Time For Retention	22
B. Review of Retained Documents	22
<b>XII. TECHNICAL FAILURES</b>	22
<b>XIII. PUBLIC ACCESS</b>	22
A. Internet Access	22
B. Access in Clerk’s Office	23
C. Limiting Electronic Filing or Access	23
D. Prohibited Use	23
<b>XIV. COPIES OF ELECTRONICALLY FILED DOCUMENTS</b>	23
<b>XV. FEES PAYABLE TO THE CLERK</b>	24

## DEFINITIONS

**Adobe Acrobat** - a universal application used to create and view documents in “PDF” format.

**Attachment** - an additional supporting document filed electronically with a pleading, motion or other paper.

**Case Management/Electronic Case Filing System (“CM/ECF”)** - application designed by the Administrative Office for the electronic filing of cases, proceedings and documents via the Internet.

**Docket Entry Number** - the specific number assigned to every document which appears in the official docket.

**Electronic Case Filing Order Template** - the form of order required for the submission of proposed orders in the Electronic Filing System.

**Electronic Filing Procedures** - procedures adopted by the Court for the filing of documents in electronic form.

**Electronic Filing System (the “System”)** - the Court’s system that receives documents filed in electronic form via the Internet.

**Electronic Service List** - the list of case participants to which the System automatically sends the “Notice of Electronic Filing.” Case participants include the Debtor’s attorney, the U.S. Trustee, the case trustee, and anyone who has requested special notice.

**Filing User** - one who has completed a Registration Form for the purpose of filing petitions, pleadings, papers and other documents on the Electronic Filing System. Registration as a Filing User constitutes consent to receive service electronically, except for the purpose of obtaining personal jurisdiction and in accordance with the applicable rules and these Electronic Filing Procedures.

**Local Rules (“LR”)** - the Local Rules of Practice of the United States Bankruptcy Court of the District of Nevada.

**Notice of Electronic Filing** - the verification that a filing has been made on the Electronic Filing System. The System automatically generates a “Notice of Electronic Filing” at the time a document is filed with the System. The Notice indicates the time of filing, the name of the party and the attorney filing the document, the type of document, and the text of the docket entry. It also contains a hyperlink to the filed document, allowing anyone receiving the Notice by e-mail to retrieve the document automatically.

**PDF Format (“Portable Document Format”)** - a standard type of format used for imaged documents created by Adobe Acrobat. To be filed in CM/ECF, all documents must be in “PDF” format.

**PACER (“Public Access to Court Electronic Records)** - a web-based system which provides access to federal case dockets and filings that have been stored electronically. A PACER account, a log-in and a password are required for access to PACER.

**Password** - the password which permits an attorney or other person to participate in the electronic retrieval and filing of documents in accordance with the Electronic Filing System.

**Registration Form** - provided by the office of the clerk for purposes of registering as a Filing User of the Electronic Filing System.

**Signature (“S-Slash”)** - the CM/ECF form of signature in which the name of the Filing User under whose log-in and password the document is submitted is preceded by an “/s/” such as “/s/ Jane Doe” which is typed in the space where the signature would otherwise appear.

**Sealed Document** - a document to which access has been officially prevented.

**User Login-In** - the Court-issued identifier which grants access to the Electronic Filing System.

## **I. SCOPE OF ELECTRONIC FILING**

### **A. Required for Designated Cases**

All cases and proceedings filed on or after January 2, 2002 shall be assigned to the Electronic Filing System. Except as expressly provided in Section I (B) or in exceptional circumstances preventing a Filing User from filing electronically, all petitions, motions, memoranda of law, proofs of claim, and other pleadings and papers filed with the Court in connection with a case or proceeding assigned to the Electronic Filing System shall be filed electronically.

In a case or proceeding assigned to the Electronic Filing System after the case has been opened, parties must promptly provide the clerk of the court with electronic copies of all documents previously provided in paper (“hard copy”) form. All subsequent documents must be filed electronically except as provided in these Electronic Filing Procedures or as ordered by the Court.

Notwithstanding the foregoing, attorneys and others who are not Filing Users in the Electronic Filing System are not required to electronically file pleadings and other papers in a case or proceeding assigned to the System.

### **B. Exceptions to Electronic Filing**

The following documents shall be filed conventionally and not electronically unless specifically authorized by the Court:

#### **1. Documents to be Filed Under Seal**

A motion to file document(s) under seal shall be filed electronically; however, the actual document(s) to be filed under seal shall be filed conventionally. *See* Section XI.

#### **2. Settlement Conference Statements**

Statements delivered to the Court for the purposes of settlement conferences shall not be filed with the Court or served on the other parties, either by electronic or conventional means.

### **C. Emergency Motions**

Emergency motions for orders shortening time may be filed electronically as provided by these Electronic Filing Procedures. The party filing the motion shall advise the judge's judicial assistant by telephone of the electronic filing of the emergency motion.

### **D. Withdrawal From System**

Filing Users may notice their withdrawal from participation in the System in its entirety or from participation as a Filing User in a particular case or proceeding only by filing a written notice with the court. The Filing User who is withdrawing must immediately notify, by electronic or conventional mail, all other Filing Users who are involved in cases and proceedings with the Filing User. In addition, upon withdrawal as a Filing User in the System or in a particular case or proceeding, the Filing User must provide the Clerk of the court or the technical systems manager with written notice of such withdrawal. If the Filing User withdraws from the System in its entirety, upon receipt of written notice, the office of the Clerk will immediately cancel the Filing User's password and will delete the Filing User from any applicable electronic service list.

## **II. ELIGIBILITY**

### **A. Attorneys and Trustees**

Attorneys admitted to the bar of this Court (including those admitted pro hac vice), United States trustees and their assistants, bankruptcy administrators and their assistants, private trustees, and others as the Court deems appropriate may register as Filing Users of the Electronic Filing System. Registration is in the form prescribed by the clerk and these Electronic Filing Procedures and requires the Filing User's name, address, telephone number, Internet e-mail address, and, in the case of an attorney, a declaration that the attorney is admitted to the bar of this Court and the attorney's bar number.

### **B. Pro-Se Parties and Petition Preparers**

Pro-se parties and petition preparers may not register as Filing Users unless permitted to do so by the Court.

### **III. REGISTRATION, TRAINING AND PASSWORDS**

#### **A. Registration**

##### **1. Registration Form**

A registration form shall be submitted for each attorney. A duplicate copy of the form attached to these Electronic Filing Procedures may be used. Such form may be amended by the Court from time to time.

##### **2. Address For Registration Form**

All registration forms shall be mailed or delivered to the following addresses as made applicable by LR 1071:

Clerk, United States Bankruptcy Court (Before 8-10-02)  
The Foley Federal Building  
300 Las Vegas Blvd. South  
Room 2130  
Las Vegas, Nevada 89101  
Attn: CM/ECF Systems Administrator

Clerk, United States Bankruptcy Court (After 8-10-02)  
The Lloyd D. George U.S. Courthouse  
333 Las Vegas Blvd. South  
Las Vegas, Nevada 89101  
Attn: CM/ECF Systems Administrator

or

Clerk, United States Bankruptcy Court  
The Clifton Young Federal Building  
300 Booth Street  
Room 1109  
Reno, Nevada 89509  
Attn: CM/ECF DQA/Trainer

## **B. Training**

Upon receipt of the Registration Form the office of the clerk will contact the attorney for the purpose of arranging for training on the System. The clerk's office shall provide the training at specifically scheduled dates.

## **C. Passwords**

### **1. Receipt of Password**

Each attorney admitted to practice in this Court, or others as the Court deems appropriate, shall be entitled to one Password to permit them to participate in the electronic retrieval and filing of documents in accordance with the System. Once the registration form has been processed and the training has been completed, the person registering for the System will receive notification of the User Log-In and Password which has been assigned by the System. Each attorney or other person registering for the System will receive an envelope from the office of the clerk, clearly marked "Personal and Confidential," which contains the System Password. Any person may request an alternative means for receiving a Password by telephoning the office of the clerk to arrange for retrieval of the Password.

### **2. Change of Password**

For security purposes, Filing Users are encouraged to change their Password within 24 hours after they receive it. Filing Users are encouraged to change their Passwords periodically. The office of the clerk shall not maintain a record of a Filing User's Password.

### **3. Password Security**

#### **i. Prohibited Use**

No Filing User or other person may knowingly permit or cause to permit a Filing User's Password to be used by anyone other than an authorized agent of the Filing User.

#### **ii. Notice to Clerk's Office of Compromised Password**

In the event a Filing User believes that the security of an existing Password has been compromised, the Filing User shall give immediate telephonic notice to the clerk of the court and the technical systems manager, confirmed by a written letter, to prevent use of that Password. Filing Users may be subject to sanctions for failure to comply with this provision.

## **IV. CONSENT TO ELECTRONIC SERVICE AND NOTICE; WHEN CONVENTIONAL SERVICE IS REQUIRED**

### **A. Consent to Electronic Service and Notice**

Registration as a Filing User constitutes written consent to service by electronic transmission under Fed. R. Civ. P. 5 and Fed. R. Bankr. P. 7005 and a written request for notice by electronic transmission under Fed. R. Bankr. P. 9036 as well as waiver of the following: (1) waiver of the right to receive notice by first class mail and consent to receive notice electronically; and (2) waiver of the right to service by personal service or first class mail and consent to electronic service, except with regard to service of a summons and complaint under Fed. R. Bankr. P. 7004. Waiver of service and notice by first class mail applies to notice of the entry of an order or judgment under Fed. R. Bankr. P. 9022.

### **B. When Conventional Service or Notice is Required**

Notwithstanding the preceding Section IV (A), conventional service of documents in paper (“hard copy”) form shall be required in the following circumstances:

- (1) Service of a summons and complaint is required to be made in accordance with Fed. R. Bankr. P. 7004, as noted above.
- (2) Service of a subpoena is required to be made in accordance with Fed. R. Bankr. P. 9016 and Fed. R. Civ. P. 45.
- (3) The Federal Rules of Bankruptcy Procedure, the Local Rules, or an order of the Court requires delivery or service upon an agency of the United States (except for the United States Trustee) or chambers.
- (4) Notice is required under Fed. R. Bankr. P. 2002(a)(1).
- (5) The Court orders that conventional notice or service be made.

## **V. SERVICE AND NOTICE OF DOCUMENTS BY ELECTRONIC MEANS; PAPER COURTESY COPIES FOR CHAMBERS**

### **A. Transmission of “Notice of Electronic Filing” Constitutes Service or Notice**

Each entity who electronically files a document must transmit a “Notice of Electronic Filing” generated by the System to the parties entitled to notice or service under the Federal Rules of Bankruptcy Procedure and the Local Rules. The “Notice of Electronic Filing” may be transmitted by court-generated e-mail, by hand, facsimile, or by first-class mail postage prepaid.

Except for service under Fed. R. Bankr. P. 7004 and for the other exceptions as listed in Section IV (B), electronic transmission of the “Notice of Electronic Filing” constitutes service or notice of the filed document. Parties are entitled to receive a paper copy of any electronically filed document where service is required to be made in accordance with Fed. R. Bankr. P. 7004, in other circumstances where conventional service is required as listed in Section IV, or where parties are not deemed to have consented to electronic notice or service. Service or notice must be made according to the Federal Rules of Bankruptcy Procedure and the Local Rules.

### **B. Paper Courtesy Copies for Chambers**

Filing Users shall provide paper courtesy copies for chambers of all motions, oppositions, replies, and memoranda of law together with all exhibits and attachments which have been submitted in electronic form on the System until further order by the Court.

A Filing User must submit as exhibits or attachments only those documents that are directly germane to the matter under consideration by the Court. Filing Users who file exhibits or attachments electronically do so without prejudice to their right to timely file additional documents. Responding parties may also timely file documents that they believe are germane.

### **C. Paper Copies of Electronically Filed Petitions, Schedules, Statements And Amendments to Trustees For Six Months From the Date of This Order**

Filing Users shall provide to the Chapter 7 panel trustees and to the United States Trustee paper copies of all petitions, schedules, statements and amendments thereto which have been electronically filed for a period of six months from the date of this order.

Filing Users shall provide the Chapter 13 Trustee with paper copies of all petitions, schedules, statements and amendments thereto which have been electronically filed, as well as paper copies of the proposed Chapter 13 plan for a period of six months from the date of this order.

Filing Users may make use of the “Trustee pick-up boxes” located in each of the offices of the Clerk of the Bankruptcy Court for delivery of the paper copies.

## **VI. CONSEQUENCES OF ELECTRONIC FILING**

### **A. Time**

#### **1. When Documents Are Deemed Filed**

Except in the case of documents first filed in paper (“hard copy”) form and subsequently submitted electronically as required by Section I, a document filed electronically is deemed filed *at on* the date and time stated on the “Notice of Electronic Filing.”

Filing a document electronically does not alter the filing deadline for that document. Filing must be completed before midnight in order to be considered timely filed that day.

#### **2. Additional Time After Service by Electronic Means**

When there is a right or requirement to do some act or undertake some proceedings within a prescribed period after service of a notice or other paper and the notice or paper other than process is served electronically, three days shall be added to the prescribed period as allowed pursuant to Fed. R. Bankr. P. 9006(f).

### **B. Filing and Entry on Docket**

Electronic transmission of a document to the Electronic Filing System consistent with these Electronic Filing Procedures, together with the System’s transmission of a “Notice of Electronic Filing,” constitutes filing of the document for all purposes of the Federal Rules of Bankruptcy Procedure and the Local Rules of this Court, and constitutes entry of the document on the docket kept by the clerk under Fed. R. Bankr. P. 5003.

### **C. Official Record**

When a document has been filed electronically, 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.

### **D. Title of Docket Entries**

The Filing User is responsible for designating a title for the pleading, paper or other document using one of the main categories provided by the System; *e.g.*, motion.

## **VII. Signatures**

### **A. Filing User's Signature**

The User Log-In and Password required to submit documents to the Electronic Filing System serve as the Filing User's signature on all electronic documents filed with the Court. They also serve as a signature for purposes of Fed. R. Bankr. P. 9011, the other Federal Rules of Bankruptcy Procedure, the Local Rules of this Court, and any other purpose for which a signature is required in connection with proceedings before the Court.

### **B. Use of Password by Filing User's Agent**

A Filing User may permit his/her Password to be used by an authorized agent of the Filing User, subject to Section VII (A), above. No Filing User or other person may knowingly permit or cause to permit a Filing User's Password to be used by anyone other than an authorized agent of the Filing User.

### **C. Signature Block**

Electronically filed documents must include a signature block and must set forth the name, address, telephone number and the attorney's bar registration number. In addition, the name of the Filing User under whose Log-In and Password the document is submitted must be preceded by an "/s/" such as "/s/ Jane Doe" and typed in the space where the signature would otherwise appear.

## **D. Documents Requiring Original Signatures**

### **1. Documents Requiring Debtor's Signature; "Declaration re: Electronic Filing"**

Petitions, lists, schedules and statements and plans (if applicable) requiring the signature of the debtor shall be filed electronically. Before the document(s) are electronically filed the debtor must sign a "Declaration Re: Electronic Filing of Petition, Schedules, Statements and Plan" ("Declaration"). Within 15 days after the electronic filing, the debtor must file the executed "Declaration" by either electronic or conventional means. If the "Declaration" is filed electronically, the image of the original must be attached to the document(s) in PDF format; and the original signed "Declaration" shall be retained by the Filing User for the latter of five (5) years or the maximum allowable time necessary to complete the appellate process, and upon request, the original "Declaration" shall be provided to other parties or to the Court for review.

If after 15 days the "Declaration" has not been filed by either electronic or conventional means, the Court may enter an order of dismissal for failure to file missing documents. A "Declaration re: Electronic Filing of Petition, Schedules, Statements and Plan (if applicable)" is attached to these Electronic Filing Procedures.

A Declaration is required to be filed with each amendment to a petition, schedule, statement and/or plan requiring the signature of the debtor.

### **2. Other Documents**

Amendments, pleadings, affidavits, and other documents which must contain original signatures or which require verification under Fed. R. Bankr. P. 1008 or an unsworn declaration as provided in 28 U.S.C. § 1746, shall be filed electronically and bear "electronic signatures" such as "/s/ Jane Doe." Pursuant to Section XII, the original signed document shall be maintained in original paper ("hard copy") form by the Filing User who made the filing for the later of five (5) years or the maximum allowable time necessary to complete the appellate process, and upon request, the original of any such document shall be provided to other parties or to the Court for review.

## **E. Multiple Signatures**

Documents requiring signatures of more than one party must be electronically filed either by: (1) submitting a scanned document containing all necessary signatures; (2) representing the consent of the other parties on the document; (3) identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties no later than three business days after filing; or (4) in any other manner approved by the Court.

## VIII. ORDERS

### A. Electronic Filing by Court

For all cases and proceedings assigned to the Electronic Filing System every order, judgment, or other document requiring a judge's signature, including orders to show cause, shall be filed electronically by the Court. Any document filed electronically by the Court without the original signature of the judge has the same force and effect as if the judge had affixed the judge's signature to a paper copy of the document and it had been entered on the docket in a conventional manner.

### B. Submission of Proposed Orders

A Filing User who submits a proposed order, judgment, findings of fact, or other document requiring a judge's signature may submit the proposed order by either of the following methods: (1) by e-mail, in PDF format; (2) by providing the Court with a 3.5 inch floppy disk containing the proposed order in PDF format; (3) by lodging the proposed order in paper ("hard copy") form; or (4) by mail. Proposed orders may be submitted in open court in either paper ("hard copy") form or on 3.5 inch floppy disk. For proposed orders which are e-mailed, the following e-mail addresses shall apply:

(1) Cases assigned to the unofficial Southern Division (Las Vegas)

(a). Hon. Robert Clive Jones:

e:mail: rcj\_\_orders@nvb.uscourts.gov

(b). Hon. Linda B. Riegle:

e:mail: lbr\_\_orders@nvb.uscourts.gov

(2) Cases assigned to the unofficial Northern Division (Reno)

(a). Hon. Gregg W. Zive:

e:mail: gwz\_\_orders@nvb.uscourts.gov

(b). Hon. Bert M. Goldwater:

e:mail: gwz\_\_orders@nvb.uscourts.gov

### **C. Form of Proposed Orders**

1. Proposed orders and other documents which are submitted must comply with all Local Rules, including LR 9004 and LR 9021. Filing Users shall comply with LR 9021(b) by either: (1) attaching to the proposed order a certification that the Filing User served a copy to all opposing counsel and the trustee pursuant to Section V above and waited five business days before submission; or (2) attaching to the proposed order a certification that the party upon whom the Filing User served the original either approved or disapproved the proposed order as to form. Proposed orders may not be combined with the application or motion as one document. The application or motion must be entered on the docket prior to submitting the proposed order. The resulting Docket Entry Number for the application or motion must be noted on the order template.

2. For proposed orders which are submitted by e-mail, the name of the case, the case number, and the date and time of the hearing must be placed on the subject line of the e-mail. As stated above, the proposed order submitted by e-mail must be in PDF format.

3. All 3.5 inch floppy disks must be labeled with the name of the case, the case number, the date and time of the hearing, and the name, address and phone number of the submitting attorney. The proposed order must be in PDF format. Only one proposed order shall be submitted on each 3.5 inch floppy disk.

4. The first page of any submitted proposed order must substantially conform with the "Electronic Case Filing Order Template" which is attached to these Electronic Filing Procedures. The signature line must be fixed at 4.5 inches from the left edge of the paper and 3 inches from the bottom edge of the paper. Signatures approving proposed orders will be affixed electronically.

5. Proposed orders and other documents which do not comply will be returned as defective. Notification of defects in a proposed order may be provided by a "Reply" e-mail.

6. Once entered, a conformed copy of the order or other document may be obtained by accessing the System.

### **IX. NOTICE OF JUDGMENT OR ORDER OF BANKRUPTCY JUDGE**

Immediately upon the entry of a judgment or order which has been generated by a bankruptcy judge in a case or proceeding assigned to the Electronic Filing System, the clerk will transmit to Filing Users in the matter a "Notice of Electronic Filing." Electronic transmission of the "Notice of Electronic Filing" constitutes the notice required by Fed.R.Bankr.P.

9022. The clerk shall give notice to a person who has not consented to electronic service in paper (“hard copy”) form in accordance with the Federal Rules of Bankruptcy Procedure. Any attorney who has prepared and submitted a judgment or order to the Court, upon receipt of either electronic or paper (“hard copy”) notice of the docketing of the submitted judgment or order, shall be responsible for noticing of such judgment or order as required by LR 9022.

## **X. DOCUMENTS UNDER SEAL**

### **A. Motion**

A motion to file document(s) under seal (but not the documents themselves) shall be filed electronically. If the motion itself contains confidential information, the movant shall serve and file electronically a redacted version clearly marked as such, and submit an unredacted version in camera. If requested by the Court, the movant shall deliver paper copies of the documents proposed to be filed under seal to the presiding judge for in camera review.

### **B. Order**

The Order of the Court shall be filed electronically by the Court.

### **C. Form**

If the Court grants the motion, in whole or in part, the movant shall deliver to the clerk of the court a paper (“hard copy”) form of the documents to be filed under seal (the “Sealed documents”). A copy of the sealing order in paper (“hard copy”) form shall be attached to the hard copy of the sealed documents.

### **D. Filing of Sealed Documents**

Unless otherwise ordered by the Court, the clerk of the court shall file any documents ordered to be filed under seal conventionally and not electronically.

## **XI. RETENTION REQUIREMENTS**

### **A. Time For Retention**

Documents that are electronically filed and require original signatures other than that of the Filing User must be maintained in original paper (“hard copy”) form by the Filing User who made the filing for the later of five (5) years or the maximum allowable time necessary to complete the appellate process.

### **B. Review of Retained Documents**

Upon request, the original document must be provided to other parties or the Court for review.

## **XII. TECHNICAL FAILURES**

A Filing User whose filing is made untimely as the result of a technical failure may seek appropriate relief from the Court.

## **XIII. PUBLIC ACCESS**

### **A. Internet Access**

Any person or organization, other than one registered as a Filing User, may access the Electronic Filing System at the Court’s Internet site [www.nvb.uscourts.gov](http://www.nvb.uscourts.gov) by obtaining a PACER log-in and password. Those who have PACER access but who are not Filing Users may retrieve docket sheets and documents, but may not file documents.

## **B. Access in Clerk's Office**

Internet access to the documents filed on the System and Internet access to the docket is available for viewing, without obtaining a Password, in the office of the clerk during regular business hours, Monday through Friday.

## **C. Limiting Electronic Filing or Access**

In connection with the filing of any material in an action assigned to the Electronic Filing System, any person may apply by motion for 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 privacy interests and that electronic access or electronic filing in the action is likely to prejudice those privacy interests.

## **D. Prohibited Use**

Information posted on the Electronic Filing System must not be used for any purpose inconsistent with the privacy concerns of any person or entity.

# **XIV. COPIES OF ELECTRONICALLY FILED DOCUMENTS**

Conventional copies and certified copies of electronically filed documents may be obtained from the office of the clerk during regular business hours, Monday through Friday at the following addresses:

A. Unofficial Southern Division: (Before 8-10-02)  
300 Las Vegas Blvd. South  
Las Vegas, Nevada 89101

(After 8-10-02)  
333 Las Vegas Blvd. South  
Las Vegas, Nevada 89101

B. Unofficial Northern Division: 300 Booth St.  
Reno, Nevada 89509.

The fee for copying and certification shall be in accordance with 28 U.S.C. § 1930.

## **XV. FEES PAYABLE TO THE CLERK**

Application for authorization of credit card payment must be made with the office of the Clerk prior to electronically filing documents requiring fees.