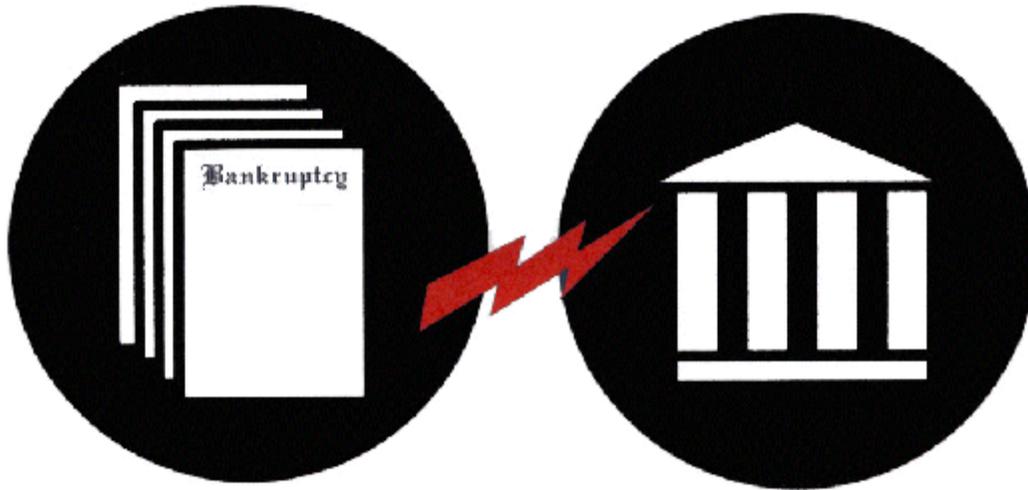


UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF WISCONSIN



CM/ECF

Case Management/Electronic Case Filing

ADMINISTRATIVE PROCEDURES (Revised August 2005)

Clerk's Office: Madison
United States Courthouse
120 N. Henry Street
P.O. Box 548
Madison, WI 53701-0548
(608) 264-5178

Clerk's Office: Eau Claire
Federal Building
500 S. Barstow Street
P.O. Box 5009
Eau Claire, WI 54702-5009
(715) 839-2980

**Wisconsin Western
ECF Technical Help Desk**
(800) 373-8708 Toll Free
(608) 264-5630 Madison
(715) 839-2993 Eau Claire
helpdesk@wiwb.uscourts.gov

Court's web site: <http://www.wiw.uscourts.gov/bankruptcy>

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ECF ADMINISTRATIVE PROCEDURES

I. REGISTRATION FOR THE ELECTRONIC CASE FILING SYSTEM

A. DESIGNATION OF CASES

All cases filed in the Western District of Wisconsin are deemed to be assigned to the Electronic Case Filing System (hereafter System) unless otherwise indicated by the Court. Except when expressly provided otherwise, all pleadings and documents filed in a case assigned to the System may be submitted in electronic format.

B. PASSWORDS

Any attorney admitted to practice in this Court, United States Trustees, private trustees, and others with court approval may register as Filing Users (hereafter Filer or Filers) of the System. Registration will permit the Filer to participate in the electronic retrieval and filing of pleadings and other documents. An attorney/participant's password issued by the Court, combined with the Filer's identification, constitutes the participant's signature on any document or pleading submitted electronically through the System.

C. REGISTRATION

1. A registration form (in the form specified by the Clerk's Office) must be submitted for each Filer.

2. All registration forms are to be returned to:

United States Courthouse	Federal Building
120 N. Henry Street	or 500 S. Barstow Street
P. O. Box 548	P.O. Box 5009
Madison, WI 53701-0548	Eau Claire, WI 54702-5009

3. After completion of training with a Clerk's Office employee, each Filer will be assigned a login and password for the System. Each Filer will receive an internet e-mail message after his/her password has been assigned. This is to ensure that the Filer's internet e-mail address has been entered correctly in the ECF System. The Filer may contact the Clerk's Office for activation of his/her live system login and password. The password information for the live system will then

either be mailed to the Filer by regular, first-class mail, or the Filer may arrange to pick it up at the Clerk's Office.

4. A Filer may change the assigned password. In the event a Filer believes that the security of an existing password may have been compromised, the Filer shall immediately change that password. If a Filer forgets his/her password information, the Clerk's Office will assign a new password which will be provided to the Filer as in Section I.C.3. Passwords should not be shared with unauthorized users, as only the authorized attorney/participant will be deemed to have signed the pleading for purposes of Fed. R. Bankr. P. 9011 or other applicable law.
5. Once registered, a Filer may withdraw from participation in the System by providing the Clerk's Office with written notice of withdrawal. Upon receipt of the written notice, the Clerk's Office will immediately cancel the Filer's password and delete the Filer from any applicable electronic service list. An attorney's withdrawal from participation in the CM/ECF System does not constitute withdrawal from representation in any pending case. An attorney who wishes to withdraw as attorney of record in a particular case must still file an appropriate pleading in the case. A withdrawing attorney must notify all parties/attorneys who have appeared in a pending case that they can no longer be served electronically and must be served conventionally.

D. LIMITED USE PARTICIPANTS

1. Attorneys and creditor representatives may obtain a "Limited Use Password" for access to the CM/ECF System. Access to the CM/ECF System is restricted to filing of the following documents:
 - (a) Creditor Request for Notices and/or Notices of Appearance
 - (b) Proofs of Claim
 - (c) Withdrawals or Transfers of Claim
 - (d) Reaffirmation Agreements
2. Attorneys or creditor representatives wishing to obtain Limited Use access to the CM/ECF System must complete a Limited Use registration form (in the form specified by the Clerk's Office). Upon completion of all applicable training, registrants will receive a limited

use login and password. The use of this login and password are governed by the provisions of paragraph I.C above.

3. Documents filed by a Limited Use participant are governed by all provisions of these administrative procedures, including the provisions regarding electronic signature contained in paragraph II.D. If a Limited Use participant files a proof of claim electronically, all attachments, security interests, or evidences of indebtedness required to be attached under the Federal Rules of Bankruptcy Procedure should be attached electronically to the proof of claim.
4. In the event a Limited Use participant wishes to file a proof of claim in a case in which the creditor is not listed on the Mailing Matrix, the creditor may add themselves to the Matrix in order to file the proof of claim. In all other cases, a Notice of Appearance or other pleading, together with subsequent action by the Clerk's Office, is required to add parties to the Mailing Matrix.

II. ELECTRONIC FILING AND SERVICE OF DOCUMENTS

A. FILING ELECTRONICALLY

1. Except as expressly provided for in paragraph III.A below, all pleadings and documents required to be filed with the Court in connection with a case assigned to the System may be electronically filed. No party will be required to file pleadings or other papers electronically, although all parties are encouraged to do so whenever possible.
2. Documents that are associated with a pleading may be prepared as separate documents but should be electronically filed together as attachments to the primary pleading; e.g., any affidavits, supporting briefs, or memoranda of law should be filed as attachments to the motion, complaint, or other pleading to which it relates. See III.A.1.b. and II.I. regarding exhibits. Proposed orders should not be filed as attachments, but rather as separate documents.
3. Any document which requires leave of the Court to file, such as a document to be filed out of time, should be attached as an exhibit to the motion requesting leave. If leave is granted, the document must be separately filed.
4. *Filer* is defined as (i) the attorney of record, (ii) the actual party in interest, if not represented by counsel, or (iii) any other individual

authorized to utilize the System in accordance with Sections 1.B and 1.C, who transmits any pleading or document to the Court.

B. SERVICE

1. Whenever a pleading or other paper is filed electronically, the System will automatically generate a "Notice of Electronic Filing" (see Appendix) by electronic means at the time of docketing.
2. The Filer must serve pleadings or documents upon all persons entitled to notice or service in accordance with the applicable rules. If the recipient is a registered attorney in the System, service of the "Notice of Electronic Filing" shall be the equivalent of service of the pleading or other paper by first class mail, postage prepaid.

C. NOTICE TO THE UNITED STATES TRUSTEE

Chapter 11, 12, and Involuntary 7 Cases. Filers must serve all notices regarding "first-day motions" by FAX (608-264-5182) or in person on the United States Trustee.

D. SIGNATURES AND AFFIDAVITS OF SERVICE

1. When the original petition is filed electronically, the attorney for the debtor(s) is to file the hard copy of the originally executed "Declaration Re: Electronic Filing" (in the form specified by the Clerk's Office) with the Court within 5 business days of the electronic filing of the petition. This declaration will be scanned into the System by the Clerk's Office. The paper copy will be retained by the Court in conformity with its normal internal procedures regarding paper files.
2. Amendments, pleadings, affidavits, and any other documents which must contain original signatures or which require verification or an unsworn declaration under any rule or statute may be filed electronically. Upon request, the original signed documents must be provided to the Court or other parties for review. *The pleading or other document electronically filed shall indicate a signature like "/s/Jane Doe," unless the document has been scanned and shows the original signature.*
3. In the case of a stipulation or other document to be signed by two or more persons, the following procedure will be used if the document is filed electronically:

- (a) The Filer will initially confirm that the content of the document is acceptable to all persons required to sign the document and will obtain their actual signatures on the document.
 - (b) The Filer will then file the document electronically, either by scanning the document to produce a copy of the original signatures, or by indicating the signatories, e.g., “/s/ Jane Doe,” or “/s/ John Doe,” etc.
 - (c) The hard copy or copies of the document containing the original signatures need not be filed with the Court. For evidentiary purposes the parties are encouraged to retain the original document in their records.
4. *Pro Se filers* must file fully signed paper originals of all petitions, lists, schedules, statements, amendments, pleadings, affidavits, and other documents which must contain original signatures or which require verification or an unsworn declaration under any rule or statute. These documents will be scanned and entered into the Electronic Case Filing System by the Clerk’s Office. The original documents will be maintained in accordance with the Court’s normal internal procedures regarding paper files.

E. SPECIAL DOCUMENT FILING REQUIREMENTS

Creditor Matrix. The creditor matrix is prepared with word processing software in a single column format with a 1" left margin (not centered). The name and address of each creditor must be 5 lines or fewer and each line may contain no more than 40 characters including blanks. Account numbers or “attention” lines should be placed on the second line of the name/address. Creditors are single spaced with a double space separating one creditor from the next. The city, state, and zip must all be on the last line, and states must be two-letter abbreviations. The word processing file is saved as a text (.txt) file and uploaded to the Electronic Case Filing System per the user’s manual.

F. FEES PAYABLE TO THE CLERK

For filings that require a fee, Filers must pay the filing fee on-line at the time a document is filed in the System.

G. ORDERS

1. Proposed orders may be filed electronically. They should be filed as separate documents at the same time the motion in question is filed. Please do not state in the body or caption of the order that it is a “proposed” order. All proposed orders must be submitted in conformity with the requirements specified by the Clerk’s Office for proper integration into the ECF System’s electronic order approval module. (See the ECF User’s Manual for formatting requirements.)
2. From time to time, parties may be instructed to prepare an order as the result of a hearing or other disposition by the Court. These orders may also be filed electronically in the same fashion as other pleadings.
3. **PLEASE DO NOT FILE A PLEADING WHICH CONTAINS AN ORDER IN THE BODY OF THE DOCUMENT.** Proposed orders should be filed as a separate documents. Although “agreed orders” may contain approving signatures, orders approving stipulations should be filed separately from the underlying stipulation.

H. TITLE OF DOCUMENT ENTRIES

The person electronically filing a pleading or other document will be responsible for designating a title for the document by selecting among the categories provided in the System.

I. EXHIBITS/ATTACHMENTS

For the convenience of the Filer and other parties, documents and claims that reference exhibits, including but not limited to leases, notes, and the like, may be submitted in summary form. Such a summary need only include a brief description of the exhibits that are directly germane to the matter under consideration by the Court. The summary should be submitted as part of the document. The Filer should also file a Certificate of Service noting that the actual exhibits are available to counsel and the Court upon request. The certificate should be appended to the underlying document and submitted as a PDF document. The actual exhibits must be available in the Courtroom at any time they are intended to be used as evidence. (See Appendix for a sample of the “Certificate of Service.”)

III. EXCEPTIONS TO ELECTRONIC FILING

Pleadings and papers except documents under seal, exhibits, and claims may be filed via the Internet.

A. ALTERNATE PROCEDURES

1. Sealed Documents and Exhibits. The following documents shall be filed conventionally and not electronically unless specifically authorized by the Court:
 - (a) Documents under seal. The motion to file document(s) under seal may be filed electronically. However, the actual document(s) shall be prepared in paper form and submitted to the Court. If the motion is granted, a copy of the order will be attached to the documents held under seal.
 - (b) Exhibits.
 - (i) Trial Exhibits should be submitted conventionally in accordance with the Federal Rules of Bankruptcy Procedure, the Federal Rules of Evidence, and any rules or orders of the Court.
 - (ii) Exhibits which are referenced by motions or other pleadings may be submitted to the Court in summary fashion as indicated in section II.I.
2. Claims. Claims may be filed electronically, if the claimant is a registered participant, or conventionally. Claims submitted in conventional fashion will be scanned into the System by the Court, at the discretion of the Clerk of Court.

B. CONVENTIONAL SERVICE

Pleadings or other documents which are filed conventionally shall be served in the manner provided for, and on those parties entitled to notice, in the Federal Rules of Bankruptcy Procedure and any applicable local rules or as otherwise provided by Order of the Court.

When a pleading or other document is filed electronically, the "Notice of Electronic Filing" generated by the System will constitute service of process

as provided in section II.B only upon those recipients who are registered participants in the System.

IV. PUBLIC ACCESS TO THE DOCKET SYSTEM

A. INTERNET ACCESS WITHOUT A PASSWORD

(Not available at this time.)

B. INTERNET ACCESS WITH A PASSWORD

Access to Electronic Bankruptcy Records is available for a fee through the Court's web site. Contact the PACER Service Center for a login and password at 1-800-676-6856 or at <http://pacer.psc.uscourts.gov>.

Parties in a bankruptcy case will receive one free look at documents in the case through the hyperlink included in the Notice of Electronic Filing.

C. PUBLIC ACCESS AT THE COURT

The public will have electronic access to bankruptcy records at no charge. Electronic bankruptcy records can be reviewed at each of the Federal Courthouses (Madison and Eau Claire) in the Western District of Wisconsin during regular business hours.

D. CONVENTIONAL COPIES AND CERTIFIED/EXEMPLIFIED COPIES

Conventional copies and Certified/Exemplified copies of electronically filed documents may be purchased at the Clerk's Office during regular business hours Monday through Friday or by mailing in a request and designating the document(s) by title or docket number. If requesting through the mail, a self-addressed, stamped return envelope and the proper fee must be provided for mailing of the copy work.

The fee for copying, certification, and/or exemplification is set under 28 U.S.C. § 1930.

APPENDIX

**SAMPLE NOTICE OF ELECTRONIC FILING
GENERATED BY SYSTEM WHEN A DOCUMENT IS FILED**

Notice of Electronic Filing

The following transaction was received from Jim C. Doe on 01/01/2001 at 12:01 AM and filed on 01/01/2001 at 12:01 AM

Case Name: Debtor name
Case Number: 00-00000-ABC
Document Number: 14

Docket Text:
MOTION FOR RELIEF FROM STAY filed by Jim C. Doe of Creditor's law firm on behalf of Creditor. (Doe, Jim C.)

The following document(s) are associated with this transaction:

Document description: Main Document
Original filename: x:/xxxx/12345.pdf
Electronic document Stamp:
[STAMP wiwbStamp_ID=1111111111[Date=01/01/2001][File Number=11111-1][other codes]]

00-00000-ABC Notice will be electronically mailed to:

Jim C. Doe jdoe@creditors.com
Julie W. Doe jdoe@lawfirm.com

00-00000-ABC Notice will not be electronically mailed to:

John Doe
123 Main St.
Nowhere, USA

Jane Doe
456 Main St.
Somewhere, USA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

In re:)
)
)
) Case No.
)
)
 Debtor(s))

SUMMARY OF EXHIBITS AND CERTIFICATE OF SERVICE

The following exhibits in reference to the _____ (Motion/Claim to be filed) _____ are available upon request:

- 1.....
- 2.....
- 3.....

Respectfully submitted,

ATTORNEY FOR _____

Copy of the above served this _____
day of _____, _____, on:

[respondent parties, if motion]
[debtor's(s)' attorney and trustee, if claim]