

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN

IN THE MATTER OF:

GENERAL ORDER NO. 2020-6

TEMPORARILY SUSPENDING
“WET” SIGNATURE REQUIREMENT

By General Order No. 2020-3 dated March 27, 2020, and General Order No. 2020-5 dated May 5, 2020, this Court amended its signature requirement due to the recent outbreak of coronavirus, which causes the disease designated as COVID-19, and the disaster declarations issued by State officials requiring citizens in the Western District of Wisconsin to “shelter in place.” The Court hereby further amends its signature requirements as follows:

Signature Requirements

The Court’s requirement that attorneys receive and maintain “wet signatures” on documents, such as Petitions, Schedules, Statements of Financial Affairs, Plans, and other similar documents filed, is suspended until July 1, 2020, unless further extended by the Court. Until July 1, 2020, documents requiring a client’s or other third party’s signature may either be: (a) received and maintained in “wet signature form” in accordance with prior practice; (b) received by facsimile, email, text, or photo transmission from the signer (with attorneys using reasonable safeguards to ensure that the debtor has actually signed the applicable document); or (c) signed utilizing a commercially available electronic signing technology, such as DocuSign, that


maintains an audit trail and other security features to ascertain the authentic identity of the signer.

Attorney Certifications

The electronic filing by an attorney of a document requiring the signature of a debtor, that is filed without the original “wet signature” in the attorney’s possession, constitutes a certification by the debtor’s attorney that: (i) the debtor’s attorney transmitted the entire document to the debtor for review and signature, communicated with the debtor regarding the substance and purpose of the document, and received express authorization from the debtor to file the document; and (ii) the debtor has signed the document and that, at the time of filing, the debtor’s attorney is in possession of an electronic image or other facsimile of the document, including the signature page received electronically from the debtor. **Additionally, the debtor’s attorney must file a certification within thirty (30) days of filing an electronically signed document that he or she has now received the debtor’s original “wet signature” and will maintain it in accordance with the Western District of Wisconsin’s Case Management/ Electronic Case Filing Administrative Procedures.**

IT IS SO ORDERED.

Dated: May 28, 2020


Catherine J. Furay
Chief U.S. Bankruptcy Judge