

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

FILED

2020 MAR 20 P 2: 35

U.S. BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

FILING OF DOCUMENTS BY PRO SE
PARTIES

OPERATING ORDER 20-05

In response to the spread of the Coronavirus Disease 2019 (COVID-19), a public health emergency has been declared by the Executive Branches of the United States and the State of South Carolina. The Center for Disease Control has issued recommendations to limit the spread of COVID-19 that may adversely affect the rights of parties without legal representation if emergency accommodations for the filing of documents are not made. In response and in the interest of public safety and access to justice, the Court temporarily suspends SC LBR 5005-4(c)(1) to the extent it prohibits parties without legal representation from filing documents in a manner other than specified in that Rule,¹ on the following terms, and such other terms and conditions as the relevant judge may deem appropriate.

If a person **not represented by counsel** needs to file documents to initiate a petition for bankruptcy relief and accompanying documents (“petition”), or if a debtor or party in interest in an existing bankruptcy case or proceeding pending before this Court needs to file a document with the Court, and that person cannot do so by delivery of papers to the Court, they shall transmit the documents to the Court by electronic mail (“electronic filing”) to the following address: ProSeFilings@scb.uscourts.gov or by faxing the same to 803-253-3710. Questions may be directed to the Court at (803) 765-5436.

¹ This Order supersedes Paragraph 4 of Operating Order 20-03 to the extent it may limit a party without legal representation from filing in a manner other than specified in SC LBR 5005-4(c). Operating Order 14-07, as amended, remains effective and Chapter 13 cases in the Charleston Division may continue to be commenced under the terms of that Order in addition to the procedures set forth herein.

Each electronic filing shall include a statement detailing the inability to file in person or by mail and shall **include a copy of a government issued photo identification of the debtor(s) or filer** that includes the party's name and address. Each electronic filing submitted in this manner shall be deemed filed at the time of receipt by the Clerk of Court, unless otherwise ordered by judicial determination.

Any electronic filing that requires a signature shall be signed with the original handwritten signature of the filer² before transmission to the Court and the electronic filing must reflect this signature. The original petition or original document shall be mailed or delivered to the Clerk of Court at 1100 Laurel Street, Columbia, SC 29201 within seven (7) days of electronic transmission.

For any electronic transmission requiring the payment of a fee, the fee shall be remitted to the Clerk of Court within seven (7) days by mailing or delivering cash, a certified check, or a money order, in the exact amount, to: Clerk of Court, 1100 Laurel Street, Columbia, SC 29201.

If the original petition or original document, and any applicable fee, has not been **received** by the Court within seven (7) days of electronic transmission, if the electronic transmission, original petition or original document lack the required signature, or fails to include the photo identification of the filing party, appropriate action may be taken without further notice, including, but not limited to, denying the relief requested and dismissing and closing any case initiated. Parties without legal representation are directed to the Court's webpage at www.scb.uscourts.gov for more information about filing without an attorney and to the Clerk of Court's phone number at (803) 765-5436 for further assistance.

The Court will vacate or amend this Order as necessary and appropriate. This Order is not intended to alter or limit any similar relief provided by any other order or authority, but

² The filing party shall not electronically sign the document.

rather is intended to provide alternative relief. Presiding judges retain authority to manage their dockets and cases in a different manner as necessary if doing so better promotes the interests of justice and the goals of the Court.

AGREED AND ORDERED THIS 20th DAY OF MARCH, 2020.

/s/ Helen E. Burris
Chief United States Bankruptcy Judge
/s/ John E. Waites
United States Bankruptcy Judge
/s/ David R. Duncan
United States Bankruptcy Judge