

Clean Copy of
Proposed SC LBR
5005-4, 5080-1, and
9036-1

LOCAL RULE 5005-4: ELECTRONIC FILING

- a. **Record of the Court.** All pending, reopened, and newly filed cases and proceedings in the Court shall be assigned to the Case Management/Electronic Case Filing system (CM/ECF). The docket of the cases and proceedings shall be available electronically. The electronic record is the official record of this Court. The Court's electronic records are available for public access (view only) at pacer.uscourts.gov. Except as provided, all documents, including proofs of claim, shall be electronically submitted by utilizing the CM/ECF system or the Court's [electronic claims interface](#).¹
- b. **CM/ECF Participants.** Attorneys and certain parties may become registered CM/ECF Participants. Information about registration is available on the [Courts website](#). CM/ECF Participants must update all information submitted with the registration through www.pacer.gov in a timely fashion, including primary and alternate email addresses. Electronic notices returned to the Court may not be re-transmitted and may result in the discontinued use of the associated email address. CM/ECF generated email is sent by scb_ecf_nef@scb.uscourts.gov. Participants should not reply to CM/ECF email from this address. Participants must ensure the domain name "@scb.uscourts.gov" is added to their email address book to avoid problems with the receipt of email from the Court. A participant's account shall be used only by the participant or an authorized agent under the direction and supervision of the participant. Participants filings documents are responsible for ensuring documents are correctly filed under the applicable CM/ECF event, bear the correct case and/or proceeding numbers, and are readable and accessible. When filing a document, participants shall ensure the document is appropriately titled, linked, and docketed to properly identify the content of the document and that the event and document are docketed in the correct case for proper notice (and service, when applicable) to be provided. Failure to do so may require the re-filing of the document and the cancellation of any hearing associated therewith, denial of any requested relief, or the document may be stricken from the record. Any participant who fails to correctly file a document, files a document using an incorrect case and/or proceeding number, files an unreadable or inaccessible document image, or files a document in an incorrect case or proceeding shall have an affirmative duty to immediately file appropriate motions for the Court to consider and remedy issues resulting therefrom. A participant's privileges, login, and password may be terminated, disabled, or revoked following notification of disbarment or suspension of a participant who is an attorney or any order of this Court so directing. A participant may deactivate a CM/ECF account through www.pacer.gov. Prior to deactivating an account, the participant shall determine that the requirements of any rule governing the participant's duty to represent the client have been satisfied.
- c. **Registered CM/ECF Participants and Represented Parties.**
 1. **CM/ECF Unavailable.**
 - A. **Normal Hours.** If CM/ECF cannot be accessed during regular business hours of the Clerk's Office, the filer shall contact the CM/ECF Help Desk at the Clerk's Office to confirm that CM/ECF is not accessible and make suitable arrangements with the Clerk of Court for the filing to occur.
 - B. **After Hours.** If CM/ECF cannot be accessed after regular business hours of the Clerk's Office, and **only** if the filing is time-sensitive and will be made untimely as the result of a technological failure of CM/ECF, the filer shall electronically file the document by uploading to the Court's [Electronic Documents Submission System](#) ("EDSS").

¹ Information about claim filing and the interface to file a claim or related document is available at <http://www.scb.uscourts.gov/electronic-filing-claims>.

2. **CM/ECF Available.** If the filer is unable to file electronically through CM/ECF a time-sensitive document notwithstanding the general availability of CM/ECF,² filing may be made by delivering the paper document to the Clerk of Court in Columbia during normal business hours or by uploading the document to [EDSS](#).
 3. **Certification of Inability to File Electronically.** Any document submitted under paragraphs (c)(1) or (2) shall be accompanied by a certification setting forth in detail the reasons for the filer's failure to submit the documents through CM/ECF, the time-sensitive nature of the filing, and a request to receive the documents in the manner submitted.
 4. **Determination of Filing.** The Clerk's Office shall immediately submit the documents received pursuant to paragraphs (c)(1)-(3) to the judge assigned to the case for consideration, with or without hearing, and to determine whether to allow the filing or an extension to file. The Court may strike the pleading, deny relief, and require electronic filing if the submission is found to be an abuse of the Court's exceptions to electronic filing through CM/ECF or the electronic claims interface.
- d. **Pro Se Individuals.** Individuals without legal representation (*pro se* individuals) may effect filings according to the following procedures. This rule applies only to individuals representing themselves, and does not include corporations, partnerships, LLCs or other similar business entities.³
1. **Paper Filings.** Documents for filing with the Court may be delivered to the Clerk of Court at 1100 Laurel Street, Columbia, South Carolina 29201. Documents are not accepted at the Court's Charleston or Greenville locations. If the submission is a petition for bankruptcy relief and accompanying documents, it must be submitted with a copy of a government-issued photo identifications of the debtor(s) and any individual filing on their behalf that include name and address. Unless otherwise provided herein, documents received will be processed after receipt during normal business hours on Court business days. If the Court is unable to open to the public or operate during normal business hours, *pro se* individuals may utilize a "drop box" when available at the Columbia location of the Clerk's Office. Access hours are 8:30 a.m. to 4:30 p.m. on business days. With each submission, the *pro se* individual shall note the current time and date on the envelope, document, or payment and call (803)765-5436 to alert the Clerk's Office that the document or payment was placed in the drop box. The Clerk's Office shall check for any items in the drop box at least once per business day. If a *pro se* individual asserts an item placed in the drop box is urgent, a prompt call to the Clerk's Office will facilitate retrieval or other guidance. Each submission shall be deemed filed or received at the time noted (if available), unless otherwise ordered by judicial determination. If no notation is available, the submission shall be deemed filed or received upon retrieval.
 2. **Electronic Bankruptcy Petitions.** *Pro se* individuals may submit a petition for bankruptcy relief electronically by utilizing the [Electronic Self-Representation System](#) ("eSR").⁴
 - A. To complete the submission of a petition through [eSR](#), the *pro se* individual shall, within three (3) days of submittal, deliver to the Clerk of Court in Columbia by uploading to the [Electronic Document Submission System](#) ("EDSS"), hand delivery, U.S. mail, or overnight carrier a:
 - i. completed and signed copy of the *pro se* individual's [Declaration Regarding Electronic Filing](#);

² If the inability to electronically file is expected to persist, due to natural disaster or other reasons beyond the control of the filer, the request for an alternative means of filing may govern multiple cases if requested and approved by the applicable judge of the United States Bankruptcy Court.

³ See [SC LBR 9011-2](#). For filings not covered by this Rule, see [9011-4](#).

⁴ Documents submitted through eSR are limited to the voluntary petition, schedules, and statements (Official Forms B101, B106A/B – 106J, B107, B108, B122A-1, B122A-1Supp, B122A-2, B122C-1, and B122C-2).

- ii. completed and signed Statement About Your Social Security Numbers ([Official Form B121](#)); and
 - iii. copy of a government-issued photo identification of the *pro se* individual that includes name and address⁵
 - B. Each petition electronically submitted through [eSR](#) shall be deemed filed at the time of receipt by the Clerk's Office of all documents required under paragraphs (d)(2)(A)(i) – (iii), unless otherwise ordered by judicial determination.
 - C. The Court reserves the right to refuse or return any electronic filing that does not comply with applicable procedures.
3. **Other Electronic Filings.** *Pro se* individuals may electronically file papers described in Fed R. Bankr. P. 5005(a)(1), other than petitions for bankruptcy relief, by uploading PDF files to the [EDSS](#).⁶
- A. Each electronic filing shall be signed with the original handwritten signature of the filer.⁷
 - B. Documents uploaded to the EDSS will be processed by the Court within three (3) business days of submission during normal business hours. Each electronic filing shall be deemed filed or received at the time of upload by the filer to the EDSS, unless otherwise ordered by judicial determination.
 - C. Unless a different response deadline has been set by notice, applicable rules or Court order, documents concerning scheduled hearings must be uploaded to the EDSS no later than 10:00 a.m. three (3) business days in advance of the scheduled hearing. Failure to do so may result in denial of any relief requested in such document.
 - D. All parties appearing before the Court must comply with applicable rules of service. Filing a document by uploading to the EDSS does not constitute service of that document.
 - E. The Court reserves the right to refuse or return any electronic filing that does not comply with applicable procedures.
4. **Effect of Non-Compliance.** Should a *pro se* individual fail to comply with applicable rules or procedures, appropriate action may be taken, including, but not limited to, restricting or revoking electronic filing privileges, denying the relief requested and dismissing and closing any case initiated.
5. **Inability to File Electronically.** If the *pro se* individual is unable to file electronically by uploading documents to the [EDSS](#), filing may be made by delivering the paper documents to the Clerk of Court in Columbia pursuant to SC LBR 5005-4(d)(1).

⁵ Filing is not effective until the Court receives all of these documents. *Pro se* individuals shall not electronically sign the Declaration Regarding Electronic Filing or Statement About Your Social Security Numbers (Official Form B121). See SC LBR 9011-4.

⁶ Petitions for bankruptcy relief (Official Form B101) must be submitted through eSR pursuant to paragraph (d)(2). Petitions uploaded to the EDSS will not be accepted for filing to open bankruptcy case.

⁷ *Pro se* individuals shall not electronically sign documents. See SC LBR 9011-4.

Notes:

(2022) Paragraph (b) was amended to incorporate provisions of former Operating Order 21-02 and paragraph (d) was added to incorporate provisions of former Operating Order 22-02.

(2023) Paragraph (c) was amended to update procedures for CM/ECF participants to electronically file time-sensitive documents when CM/ECF is unavailable to the filer. Paragraph (d) was amended to adopt new mechanisms for electronic filing by *pro se* filers to replace the former *pro se* email address maintained by the Clerk's Office.

(2024) Paragraph (d)(4) was amended to add restriction of electronic filing privileges as a possible consequence for non-compliance.

(2025) Paragraph (d)(3) was amended to provide a processing time for documents submitted electronically by *pro se* parties and a deadline to submit documents concerning a scheduled hearing. Paragraph (d)(5) was added to clarify the ability of a *pro se* individual to deliver paper documents when the individual is unable to file electronically.

LOCAL RULE 5080-1: FEES

a. **Form of Payment.**

1. **CM/ECF Participants.**⁸ All parties electronically filing documents shall use the Internet Credit Card Module of CM/ECF for the payment of fees.
 2. **Non-CM/ECF Participants.** All other parties shall pay fees [online](#) using the [Pay.gov forms](#) payment portal or, in the alternative, by certified check or money order for the exact amount due and made payable to "Clerk, United States Bankruptcy Court" and delivered to 1100 Laurel St, Columbia, South Carolina 29201. The Clerk of Court shall not accept personal checks from current or prospective debtors. Remittances made payable to a named individual will not be accepted. If a submission pursuant to [SC LBR 5005-4\(d\)](#) requires payment of a filing fee and the fee is not delivered therewith, the fee shall be remitted to the Clerk of Court within seven (7) days.
- b. **Timing of Payments.** Unless the Court orders otherwise or the filing party moves to waive the fee, all fees required by 28 U.S.C. § 1930 or other applicable rule or law shall be paid on the same day as the documents are filed. Failure to pay may result in the striking of the pleading or other adverse action.
- c. **Fees Owed from Previous Case.** The Court may deny an application to pay the filing fee in installments pursuant to Fed. R. Bank. P. 1006(b) if the debtor has failed to pay a filing fee in a previous case and allow the debtor up to 10 days from entry of the order to pay the entire filing fee for the current case.

Notes:

(2022) Paragraph (a)(2) incorporates provisions found in former Operating Order 22-02.

(2024) Paragraph (a)(2) was amended to add online payment option for non-CM/ECF participants. Paragraph (c) was added to address possible consequences of failing to pay a filing fee in a prior case on applications to pay the fee in installments in a subsequent case.

(2025) Paragraph (a)(2) was amended to remove cash payments.

⁸ [SC LBR 5005-4](#) generally mandates electronic filing for all documents except documents filed by those without legal representation. Other exceptions and requirements are also noted in [SC LBR 5005-4](#).

LOCAL RULE 9036-1: NOTICE BY ELECTRONIC TRANSMISSION TO DEBTORS

- a. **DeBN Request Form.**⁹ Each debtor who files a voluntary petition shall file, contemporaneous with the petition, a completed [Debtor's Electronic Noticing Request \(DeBN Request\)](#) on the [form](#) provided by the Clerk of the Bankruptcy Court. Each DeBN Request must state whether the debtor:
- (1) requests creation of a new DeBN account to begin receiving court notices and orders via email pursuant to Fed R. Bankr. P. 9036;
 - (2) declines participation in the DeBN program;
 - (3) requests an update to or reactivation of an existing DeBN account; or
 - (4) requests deactivation of an existing DeBN account.
- b. **Email Address.** DeBN Requests to create a new DeBN account and DeBN Requests to update or reactivate an existing DeBN account must list a valid and active email address for the debtor. A debtor may list the same email address that was listed on a joint debtors DeBN Request, however, except as provided in paragraph (d), each debtor and each joint debtor must sign and file a separate DeBN Request regardless of whether they share the same email address.
- c. **Proof of Identity.** All DeBN Requests must be filed with sufficient evidence of the debtor's identity. The debtor provides sufficient evidence of identity when:
- (1) The debtor's attorney files the DeBN Request electronically in CM/ECF; or
 - (2) The debtor files the DeBN Request with the Clerk's Office and provides a photo identification or other document that would satisfy 11 U.S.C. § 521(h) and contains the debtor's name and address that corresponds with the petition.
- d. **Automatic Consent.** Each debtor who files a petition for bankruptcy relief electronically by utilizing eSR pursuant to SC LBR 5005(d)(2) or files a document electronically by uploading to the EDSS pursuant to SC LBR 5005(d)(3), automatically consents to receive certain notices from the Court electronically through DeBN at the email address associated with the eSR or EDSS submission subject to debtor providing identification pursuant to paragraph (c).

Notes:

(2020) Paragraph (a) was removed as unnecessary based on changes to Fed. R. Bankr. P. 9036.

(2021) Paragraph (b) was removed as unnecessary based on changes to Fed. R. Bankr. P. 9036. Former paragraph (a) was restyled, and the title of the rule was amended.

(2023) Paragraph (d) was added to provide for automatic electronic noticing for debtors who submit documents through eSR and/or EDSS.

(2025) Paragraphs (c) and (d) were amended to require proof the debtor's address corresponds with that provided in the petition in order to be enrolled in DeBN.

⁹ See [SC LBR 5005-4](#)

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LOCAL RULE 5005-4: ELECTRONIC FILING

- a. **Record of the Court.** All pending, reopened, and newly filed cases and proceedings in the Court shall be assigned to the Case Management/Electronic Case Filing system (CM/ECF). The docket of the cases and proceedings shall be available electronically. The electronic record is the official record of this Court. The Court's electronic records are available for public access (view only) at pacer.uscourts.gov. Except as provided, all documents, including proofs of claim, shall be electronically submitted by utilizing the CM/ECF system or the Court's [electronic claims interface](#).¹
- b. **CM/ECF Participants.** Attorneys and certain parties may become registered CM/ECF Participants. Information about registration is available on the [Courts website](#). CM/ECF Participants must update all information submitted with the registration through www.pacer.gov in a timely fashion, including primary and alternate email addresses. Electronic notices returned to the Court may not be re-transmitted and may result in the discontinued use of the associated email address. CM/ECF generated email is sent by scb_ecf_nef@scb.uscourts.gov. Participants should not reply to CM/ECF email from this address. Participants must ensure the domain name "@scb.uscourts.gov" is added to their email address book to avoid problems with the receipt of email from the Court. A participant's account shall be used only by the participant or an authorized agent under the direction and supervision of the participant. Participants filings documents are responsible for ensuring documents are correctly filed under the applicable CM/ECF event, bear the correct case and/or proceeding numbers, and are readable and accessible. When filing a document, participants shall ensure the document is appropriately titled, linked, and docketed to properly identify the content of the document and that the event and document are docketed in the correct case for proper notice (and service, when applicable) to be provided. Failure to do so may require the re-filing of the document and the cancellation of any hearing associated therewith, denial of any requested relief, or the document may be stricken from the record. Any participant who fails to correctly file a document, files a document using an incorrect case and/or proceeding number, files an unreadable or inaccessible document image, or files a document in an incorrect case or proceeding shall have an affirmative duty to immediately file appropriate motions for the Court to consider and remedy issues resulting therefrom. A participant's privileges, login, and password may be terminated, disabled, or revoked following notification of disbarment or suspension of a participant who is an attorney or any order of this Court so directing. A participant may deactivate a CM/ECF account through www.pacer.gov. Prior to deactivating an account, the participant shall determine that the requirements of any rule governing the participant's duty to represent the client have been satisfied.
- c. **Registered CM/ECF Participants and Represented Parties.**
 1. **CM/ECF Unavailable.**
 - A. **Normal Hours.** If CM/ECF cannot be accessed during regular business hours of the Clerk's Office, the filer shall contact the CM/ECF Help Desk at the Clerk's Office to confirm that CM/ECF is not accessible and make suitable arrangements with the Clerk of Court for the filing to occur.
 - B. **After Hours.** If CM/ECF cannot be accessed after regular business hours of the Clerk's Office, and **only** if the filing is time-sensitive and will be made untimely as the result of a technological failure of CM/ECF, the filer shall electronically file the document by uploading to the Court's [Electronic Documents Submission System](#) ("EDSS").

¹ Information about claim filing and the interface to file a claim or related document is available at <http://www.scb.uscourts.gov/electronic-filing-claims>.

2. **CM/ECF Available.** If the filer is unable to file electronically through CM/ECF a time-sensitive document notwithstanding the general availability of CM/ECF,² filing may be made by delivering the paper document to the Clerk of Court in Columbia during normal business hours or by uploading the document to [EDSS](#).
 3. **Certification of Inability to File Electronically.** Any document submitted under paragraphs (c)(1) or (2) shall be accompanied by a certification setting forth in detail the reasons for the filer's failure to submit the documents through CM/ECF, the time-sensitive nature of the filing, and a request to receive the documents in the manner submitted.
 4. **Determination of Filing.** The Clerk's Office shall immediately submit the documents received pursuant to paragraphs (c)(1)-(3) to the judge assigned to the case for consideration, with or without hearing, and to determine whether to allow the filing or an extension to file. The Court may strike the pleading, deny relief, and require electronic filing if the submission is found to be an abuse of the Court's exceptions to electronic filing through CM/ECF or the electronic claims interface.
- d. **Pro Se Individuals.** Individuals without legal representation (*pro se* individuals) may effect filings according to the following procedures. This rule applies only to individuals representing themselves, and does not include corporations, partnerships, LLCs or other similar business entities.³
1. **Paper Filings.** Documents for filing with the Court may be delivered to the Clerk of Court at 1100 Laurel Street, Columbia, South Carolina 29201. Documents are not accepted at the Court's Charleston or Greenville locations. If the submission is a petition for bankruptcy relief and accompanying documents, it must be submitted with a copy of a government-issued photo ~~identification~~identifications of the ~~pro se debtor(s) and any~~ individual filing on their behalf that ~~includes~~include name and address. Unless otherwise provided herein, documents received will be processed after receipt during normal business hours on Court business days. If the Court is unable to open to the public or operate during normal business hours, *pro se* individuals may utilize a "drop box" when available, at the Columbia location of the Clerk's Office. Access hours are 8:30 a.m. to 4:30 p.m. on business days. With each submission, the *pro se* individual shall note the current time and date on the envelope, document, or payment and call (803)765-5436 to alert the Clerk's Office that the document or payment was placed in the drop box. The Clerk's Office shall check for any items in the drop box at least once per business day. If a *pro se* individual asserts an item placed in the drop box is urgent, a prompt call to the Clerk's Office will facilitate retrieval or other guidance. Each submission shall be deemed filed or received at the time noted (if available), unless otherwise ordered by judicial determination. If no notation is available, the submission shall be deemed filed or received upon retrieval.
 2. **Electronic Bankruptcy Petitions.** *Pro se* individuals may submit a petition for bankruptcy relief electronically by utilizing the [Electronic Self-Representation System](#) ("eSR").⁴
 - A. To complete the submission of a petition through [eSR](#), the *pro se* individual shall, within three (3) days of submittal, deliver to the Clerk of Court in Columbia by uploading to the [Electronic Document Submission System](#) ("EDSS"), hand delivery, U.S. mail, or overnight carrier a:
 - i. completed and signed copy of the *pro se* individual's [Declaration Regarding Electronic Filing](#);

² If the inability to electronically file is expected to persist, due to natural disaster or other reasons beyond the control of the filer, the request for an alternative means of filing may govern multiple cases if requested and approved by the applicable judge of the United States Bankruptcy Court.

³ See [SC LBR 9011-2](#). For filings not covered by this Rule, see [9011-4](#).

⁴ Documents submitted through eSR are limited to the voluntary petition, schedules, and statements (Official Forms B101, B106A/B – 106J, B107, B108, B122A-1, B122A-1Supp, B122A-2, B122C-1, and B122C-2).

- ii. completed and signed Statement About Your Social Security Numbers ([Official Form B121](#)); and
 - iii. copy of a government-issued photo identification of the *pro se* individual that includes name and address⁵
- B. Each petition electronically submitted through [eSR](#) shall be deemed filed at the time of receipt by the Clerk's Office of all documents required under paragraphs (d)(2)(A)(i) – (iii), unless otherwise ordered by judicial determination.
- C. The Court reserves the right to refuse or return any electronic filing that does not comply with applicable procedures.

3. Other Electronic Filings. *Pro se* individuals may [electronically](#) file ~~documents, papers described in Fed R. Bankr. P. 5005(a)(1),~~ other than petitions for bankruptcy relief, ~~electronically~~ by uploading PDF files to the [EDSS](#).⁶

- A. Each electronic filing shall be signed with the original handwritten signature of the filer.⁷
- B. [Documents uploaded to the EDSS will be processed by the Court within three \(3\) business days of submission during normal business hours.](#) Each electronic filing shall be deemed filed [or received](#) at the time of upload [by the filer](#) to the EDSS, unless otherwise ordered by judicial determination. ~~The Court reserves the right to refuse or return any electronic filing that does not comply with applicable procedures.~~
- C. [Unless a different response deadline has been set by notice, applicable rules or Court order, documents concerning scheduled hearings must be uploaded to the EDSS no later than 10:00 a.m. three \(3\) business days in advance of the scheduled hearing. Failure to do so may result in denial of any relief requested in such document.](#)
- ~~-D.~~ All parties appearing before the Court must comply with applicable rules of service. Filing a document by uploading to the EDSS does not constitute service of that document.
- E. [The Court reserves the right to refuse or return any electronic filing that does not comply with applicable procedures.](#)

4. Effect of Non-Compliance. Should a *pro se* individual fail to comply with applicable [rules or](#) procedures, appropriate action may be taken ~~without further notice~~, including, but not limited to, restricting [or revoking](#) electronic filing privileges, denying the relief requested and dismissing and closing any case initiated.

5. Inability to File Electronically. [If the *pro se* individual is unable to file electronically by uploading documents to the EDSS, filing may be made by delivering the paper documents to the Clerk of Court in Columbia pursuant to SC LBR 5005-4\(d\)\(1\).](#)

⁵ Filing is not effective until the Court receives all of these documents. *Pro se* individuals shall not electronically sign the Declaration Regarding Electronic Filing or Statement About Your Social Security Numbers (Official Form B121). See SC LBR 9011-4.

⁶ Petitions for bankruptcy relief (Official Form B101) must be submitted through eSR pursuant to paragraph (d)(2). Petitions uploaded to the EDSS will not be accepted for filing to open bankruptcy case.

⁷ *Pro se* individuals shall not electronically sign documents. See SC LBR 9011-4.

Notes:

~~(2013) This new rule incorporates provisions previously found in Operating Order 08-07.~~

~~(2017) Paragraph (e)(1) was amended to recognize exceptions to mandatory electronic filing for *pro se* parties may be found in Operating Orders.~~

(2022) Paragraph (b) was amended to incorporate provisions of former Operating Order 21-02 and paragraph (d) was added to incorporate provisions of former Operating Order 22-02.

(2023) Paragraph (c) was amended to update procedures for CM/ECF participants to electronically file time-sensitive documents when CM/ECF is unavailable to the filer. Paragraph (d) was amended to adopt new mechanisms for electronic filing by *pro se* filers to replace the former *pro se* email address maintained by the Clerk's Office.

(2024) Paragraph ~~(d)~~(4) was amended to add restriction of electronic filing privileges as a possible consequence for non-compliance.

(2025) Paragraph (d)(3) was amended to provide a processing time for documents submitted electronically by *pro se* parties and a deadline to submit documents concerning a scheduled hearing. Paragraph (d)(5) was added to clarify the ability of a *pro se* individual to deliver paper documents when the individual is unable to file electronically.

LOCAL RULE 5080-1: FEES

a. Form of Payment.

1. **CM/ECF Participants.**⁸ All parties electronically filing documents shall use the Internet Credit Card Module of CM/ECF for the payment of fees.
 2. **Non-CM/ECF Participants.** All other parties shall pay fees ~~in the form of cash, check, or money order, or, in the alternative, online~~ using the [Pay.gov forms](#) payment portal; ~~or, in the alternative, by certified check or money order for the exact amount due and made payable to "Clerk, United States Bankruptcy Court" and delivered to 1100 Laurel St, Columbia, South Carolina 29201.~~ The Clerk of Court shall not accept personal checks from current or prospective debtors. ~~All payments shall be for the exact amount due and made payable to "Clerk, United States Bankruptcy Court."~~ Remittances made payable to a named individual will not be accepted. ~~Unless paid online using the Pay.gov payment portal, payments must be made to the Clerk of Court at 1100 Laurel St, Columbia, South Carolina 29201.~~ If a submission pursuant to [SC LBR 5005-4\(d\)](#) requires payment of a filing fee, and the fee is not delivered therewith, the fee shall be remitted to the Clerk of Court ~~in Columbia~~ within seven (7) days.
- b. **Timing of Payments.** Unless the Court orders otherwise or the filing party moves to waive the fee, all fees required by 28 U.S.C. § 1930 or other applicable rule or law shall be paid on the same day as the documents are filed. Failure to pay may result in the striking of the pleading or other adverse action.
- c. **Fees Owed from Previous Case.** The Court may deny an application to pay the filing fee in installments pursuant to Fed. R. Bank. P. 1006(b) if the debtor has failed to pay a filing fee in a previous case and allow the debtor up to 10 days from entry of the order to pay the entire filing fee for the current case.

Notes:

~~(2013) This new rule incorporates provisions found in former Operating Order 08-07.~~

~~(2015) Paragraph (a)(2) was amended to clarify that the court does not accept payment by debit or credit card from non-electronic filers.~~

(2022) Paragraph (a)(2) incorporates provisions found in former Operating Order 22-02.

(2024) Paragraph (a)(2) was amended to add online payment option for non-CM/ECF participants. Paragraph (c) was added to address possible consequences of failing to pay a filing fee in a prior case on applications to pay the fee in installments in a subsequent case.

(2025) Paragraph (a)(2) was amended to remove cash payments.

⁸ [SC LBR 5005-4](#) generally mandates electronic filing for all documents except documents filed by those without legal representation. Other exceptions and requirements are also noted in [SC LBR 5005-4](#).

LOCAL RULE 9036-1: NOTICE BY ELECTRONIC TRANSMISSION TO DEBTORS

- a. **DeBN Request Form.**⁹ Each debtor who files a voluntary petition shall file, contemporaneous with the petition, a completed [Debtor's Electronic Noticing Request \(DeBN Request\)](#) on the [form](#) provided by the Clerk of the Bankruptcy Court. Each DeBN Request must state whether the debtor:
- (1) requests creation of a new DeBN account to begin receiving court notices and orders via email pursuant to Fed R. Bankr. P. 9036;
 - (2) declines participation in the DeBN program;
 - (3) requests an update to or reactivation of an existing DeBN account; or
 - (4) requests deactivation of an existing DeBN account.
- b. **Email Address.** DeBN Requests to create a new DeBN account and DeBN Requests to update or reactivate an existing DeBN account must list a valid and active email address for the debtor. A debtor may list the same email address that was listed on a joint debtors DeBN Request, however, except as provided in paragraph (d), each debtor and each joint debtor must sign and file a separate DeBN Request regardless of whether they share the same email address.
- c. **Proof of Identity.** All DeBN Requests must be filed with sufficient evidence of the debtor's identity. The debtor provides sufficient evidence of identity when:
- (1) The debtor's attorney files the DeBN Request electronically in CM/ECF; or
 - ~~(2)(1) —~~ The debtor files the DeBN Request in person at with the Clerk's Office and provides a photo identification or other information document that would satisfy 11 U.S.C. § 521(h); or
 - ~~(3)(2) —~~ The debtor files) and contains the DeBN Request by mail and provides a copy of a photo identification or other information debtor's name and address that would satisfy 11 U.S.C. § 521(h); corresponds with the petition.
- d. **Automatic Consent.** Each debtor who files a petition for bankruptcy relief electronically by utilizing eSR pursuant to SC LBR 5005(d)(2) or files a document electronically by uploading to the EDSS pursuant to SC LBR 5005(d)(3), automatically consents to receive certain notices from the Court electronically through DeBN at the email address associated with the eSR or EDSS submission— subject to debtor providing identification pursuant to paragraph (c).

Notes:

~~(2013) Paragraph (a) of this new rule incorporates provisions of former Operating Order 08-07. Paragraph (b) is new.~~

~~(2014) Paragraphs (b)(1), (2), and (3) were amended to reflect the new process for registration.~~

~~(2016) Paragraph (b) was substantially rewritten to require a debtor to file a DeBN Request Form at the beginning of the case.~~

(2020) Paragraph (a) was removed as unnecessary based on changes to Fed. R. Bankr. P. 9036.

(2021) Paragraph (b) was removed as unnecessary based on changes to Fed. R. Bankr. P. 9036. Former paragraph (a) was restyled, and the title of the rule was amended.

⁹ See [SC LBR 5005-4](#)

(2023) Paragraph (d) was added to provide for automatic electronic noticing for debtors who submit documents through eSR and/or EDSS.

(2025) Paragraphs (c) and (d) were amended to require proof the debtor's address corresponds with that provided in the petition in order to be enrolled in DeBN.