

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

FILED

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IN RE:

GUIDELINES FOR THE FILING OF
DOCUMENTS

US BANKRUPTCY
DISTRICT OF SOUTH CAROLINA
OPERATING ORDER 13-03¹

Upon agreement of the Judges of this Court, the Guidelines for the Filing of Documents with the United States Bankruptcy Court for the District of South Carolina, attached hereto as Exhibit A and made a part hereof, are hereby adopted and made effective September 1, 2013.

AND IT IS SO ORDERED.



David R. Duncan, Chief Judge

Columbia, South Carolina
August 28, 2013

GUIDELINES FOR ELECTRONIC DOCUMENT FILING WITH THE BANKRUPTCY COURT IN SOUTH CAROLINA¹

The guidelines adopted by Operating Order 13-03 (Guidelines), together with the CM/ECF Participants' Guides for Filing (Participants' Guides) and this Court's Local Rules, govern the filing of and access to documents through the CM/ECF system² for the United States Bankruptcy Court for the District of South Carolina.

ELIGIBILITY

Attorneys admitted to practice before and in good standing with the United States District Court and *pro hac vice* admittees³, limited registrants⁴, bankruptcy trustees, and others as authorized by this Court (collectively "Participants") are eligible to receive a login (user name) and password to use the CM/ECF system.

REGISTRATION

A registration form must be completed (including a written signature of the proposed Participant) to obtain a login and password. The registration form is available on this Court's website (www.scb.uscourts.gov) and shall be submitted as directed on the form. If the registration form is submitted by electronic mail, a scanned image of the proposed Participant's signature is acceptable.

TRAINING

Training must be completed before a CM/ECF login and password will be issued. The Clerk's Office will notify the Participant only at the primary electronic mail address on the

¹ These guidelines do not apply to use of the electronic claim interface discussed in SC LBR 3001-1 and 5005-4(b). For such filings see www.scb.uscourts.gov/epoc.html

² See SC LBR 5005-4.

³ See SC LBR 2090-1.

⁴ A limited registrant has limited access to filing options in CM/ECF, such as filers that are utilizing CM/ECF for the sole purpose of filing proofs of claim or reaffirmation agreements.

Participant's registration form of the assigned CM/ECF login and password once the Court verifies eligibility and completion of all required training.

ACCESS

This Court's CM/ECF records are found at <https://ecf.scb.uscourts.gov>. After successful registration, Participants are assigned a login and password combination to use the system. The Court reserves the right to change assigned CM/ECF logins and passwords periodically.

Participants are encouraged to change the password that is initially issued by the Clerk's Office and to make password changes periodically thereafter. If a Participant believes the security of an existing password has been compromised, the Participant shall notify the Clerk's Office immediately by telephone at the Help Desk telephone number listed on the Court's website or by electronic mail at cmecf_helpdesk@scb.uscourts.gov.

TERMS OF USE

By registering for CM/ECF use, a Participant consents to and accepts these Guidelines, the Participants' Guides and the Court's Local Rules and agrees to comply therewith.

A Participant's login and password shall be used only by the Participant or an authorized agent under the direction and supervision of the Participant.

Participants that are attorneys admitted *pro hac vice* must limit use of the login and password to the case in which they are admitted.

Participants who make or receive electronic filings shall purchase, install, update, and use software for the prevention and removal of malware threats on all devices from which they access CM/ECF. Participants shall scan any electronic storage media submitted to the Court for malware threats.

Participants filing documents are responsible for ensuring that documents are correctly filed under the applicable CM/ECF event, bear the correct case and/or proceeding numbers, and are readable and accessible. Documents are to be filed following the instructions contained in the Participants' Guides and in compliance with this Court's Local Rules.⁵ Participants shall, when filing a document, ensure that the document is titled, linked, and docketed to properly identify the content of the document and ensure that the event and document are docketed in the correct case so that proper notice (and service where applicable) will be given and made. Failure to do so may require the re-filing of the document and the cancellation of any hearing associated with the document or may result in the document being 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 in order for the Court to consider and remedy issues resulting from the error.

NOTICE AND SERVICE⁶

Participants must update all information submitted with the registration, including the primary and alternate electronic mail addresses, in a timely fashion. Electronic notices returned to the Court may not be re-transmitted and may result in the discontinued use of the associated electronic mail address. Participants must notify the Court of problems with participant's Internet Service Provider that are not resolved within 24 hours. CM/ECF generated electronic mail is sent by scb_ecf_nef@scb.uscourts.gov. Participants should not reply to CM/ECF

⁵ Including but not limited to: SC LBR 5005-4, 5080-1, 9011-4 and 9037-1.

⁶ Participants, not the court, are responsible for service under Fed. R. Bankr. P. 7004. Participants are bound by and should consult SC LBR 9036-1.

electronic mail from this address. Participants must ensure that the domain name “@scb.uscourts.gov” is added to their email address book to avoid problems with the receipt of electronic mail from the Court.

WITHDRAWAL AND TERMINATION

A Participant may withdraw from participation in CM/ECF by written request to the Clerk of Court. Submission of a request constitutes the Participant’s certification that the requirements of any rule governing the Participant’s duty to represent a client have been satisfied.⁷

Participants admitted *pro hac vice* (or their local counsel) shall promptly notify the Court, by electronic mail to the Court’s CM/ECF help desk, of the closing of the case or counsel’s termination of participation in the case to which the Participant has been granted *pro hac vice* admission, whichever occurs earlier. The privileges, login, and password of the *pro hac vice* Participant are then terminated.

A Participant’s privileges, login, and password may be terminated, disabled or revoked following: (1) Inactivity for a period of 1 year; (2) Notification of disbarment or suspension of a Participant who is an attorney; (3) Any order of this Court so directing.

Following any withdrawal, disabling, termination or revocation, Participant must submit a new registration form, complete training and otherwise be eligible when seeking reinstatement as a CM/ECF Participant.

⁷ See, e.g., SC LBR 2090-1, 9011-1