

FILED

UNITED STATES BANKRUPTCY COURT

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FOR THE DISTRICT OF SOUTH CAROLINA

U.S. BANKRUPTCY
DISTRICT OF SOUTH CAROLINA

IN RE:

GUIDELINES FOR THE FILING OF
DOCUMENTS

OPERATING ORDER 21-02¹

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 February 22, 2021.

AND IT IS SO ORDERED.

/s/ Helen E. Burris
Chief United States Bankruptcy Judge

Spartanburg, South Carolina
February 22, 2021

¹ This Operating Order supersedes Operating Order 13-03, which is abrogated.

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

The guidelines adopted by Operating Order 21-02 (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 request access to the Court's CM/ECF filings system through www.pacer.gov.

REQUESTING CM/ECF ACCESS

Each CM/ECF Participant must register for an individual PACER account at www.pacer.gov. The Participant should request filing privileges to the South Carolina Bankruptcy Court under the "manage my account" option in PACER.

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 by PACER to use the system. If a Participant believes the security of an existing password has been compromised, the Participant shall change the password through PACER.

¹ Electronic filing may be authorized by other operating orders and Local Rules. Consult with those authorities for further information.

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 reaffirmation agreements or proofs of claim and related documents.

TERMS OF USE

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

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

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 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 so proper notice (and service, where applicable) will 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.

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

NOTICE AND SERVICE⁶

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_ccf_nef@scb.uscourts.gov. Participants should not reply to CM/ECF email 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 email from the Court.

WITHDRAWAL AND TERMINATION

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 a client have been satisfied.⁷

Participants admitted *pro hac vice* (or their local counsel) shall promptly notify the Court, by email 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 was 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) notification of disbarment or suspension of a Participant who is an attorney or (2) any order of this Court so directing.

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.

⁷ See, e.g., SC LBR 2090-1 & 9011-1.