

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA**

**PUBLIC NOTICE AND ANNOUNCEMENTS**

**ENTRY OF STANDING ORDER 22-4**

**ORDER ESTABLISHING TEMPORARY PROTOCOL FOR FILINGS IN BANKRUPTCY  
CASES DURING THE BANKRUPTCY NEXT GENERATION CASE  
MANAGEMENT/ELECTRONIC CASE FILES SYSTEM DATA MIGRATION PERIOD**

**PUBLIC NOTICE**

Notice hereby is given that the Court has entered the attached Standing Order 22-4 “due to the impending migration of its Bankruptcy Current Generation (CurrentGen) Case Management/Electronic Case Files (CM/ECF) System’s data to the new Bankruptcy NextGen Case Management/Electronic Case Files (CM/ECF) System.”

Commencing at 6:00 P.M., EDT, on March 17, 2022, through and including March 22, 2022, the Court’s CurrentGen CM/ECF System will be shut down. Access to the Court’s data likely will be restored sometime on March 22, 2022. The Court’s internet website provides the most-up-to-date information as to the Clerk’s Office’s operational status in each of its divisions (<https://www.vaeb.uscourts.gov>). In addition, upon restoration of data access, the undersigned will cause the transmittal of an email message to that effect, via govDelivery.

Given the magnitude and complexity of this change in Bankruptcy CM/ECF systems, Standing Order 22-4 provides that any deadlines that fall within the above data migration period will be extended to the next business day, March 23, 2022.

Standing Order 22-4 further provides that no hearings will be conducted during the data migration period except in consequence of an emergency nature, as described in the Order.

Standing Order 22-4 makes further provision for the filing of petitions or other filings by various means, which should be read carefully and followed, as needed. Of particular consequence, the Order states,

that the Court requests filers avoid non-emergency filings during the period beginning on March 17, 2022 and ending on March 22, 2022, which filings could be filed without adverse effect once such period concludes.

This request is especially important as the Clerk’s Office will need to enter any such filings manually into the appropriate Bankruptcy NextGen CM/ECF System case and proceeding dockets.

**ANNOUNCEMENTS**

**1. Mandatory CM/ECF Login Procedures--Reminder:**

Timely following the instructions accessible on the Court’s internet website’s [NextGen CM/ECF web page](#) as to the new mandatory CM/ECF login procedures is essential to enable eligible external users to continue e-filing in ECF with the Court when the new system is implemented, as described in greater detail in the above Public Notice. This migration will provide eligible external users with the benefit of

the new Central Sign-on functionality and the ability to maintain one account across all NextGen courts (appellate, district and bankruptcy). You only will need to sign in once, using your one login name and password, to access any NextGen court in which you have e-filing permission. As a user, you must have an individual PACER Account, which will be your entry login point for both PACER and CM/ECF. Courts continue to be responsible for admitting attorneys and assigning e-filing permissions, and each court will continue to identify each user's appropriate access level.

## **2. Clarifications to the Court's Internet Website's NextGen CM/ECF Web Page as to Attorney Account Information:**

Attorneys are reminded that the Court's attorney admission process, as set forth in Local Bankruptcy Rule 2090-1, and additionally explained at <https://www.vaeb.uscourts.gov/attorneys-0>, continues to apply.

See the [NextGen Information web page](#) for instructions pertaining to: (a) creating or upgrading current PACER accounts in preparation for the Court's impending migration to Bankruptcy NextGen CM/ECF; (b) linking upgraded PACER accounts to the Court's NextGen CM/ECF accounts following the upgrade to the new system; and (c) the creation of PACER accounts for attorneys who do not have both a PACER account and a Court CM/ECF account prior to the Court's implementation of the new system. For further instructional guidance, also see the attached Notice: "Link Your PACER and CM/ECF Account" document.

William C. Redden  
Clerk of Court

Date: March 1, 2022

Attachments

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA

In re:

TEMPORARY PROTOCOL FOR	)	
FILINGS DURING THE COURT'S	)	
DATA MIGRATION FROM THE	)	
BANKRUPTCY CURRENT	)	Standing Order 22-4
GENERATION CASE MANAGEMENT/	)	
ELECTRONIC CASE FILES SYSTEM TO	)	
THE BANKRUPTCY NEXT GENERATION	)	
CASE MANAGEMENT/ELECTRONIC	)	
CASE FILES SYSTEM	)	

ORDER ESTABLISHING TEMPORARY PROTOCOL FOR FILINGS IN BANKRUPTCY CASES DURING  
THE DATA MIGRATION PERIOD

This Order is being issued due to the impending migration of its Bankruptcy Current Generation (CurrentGen) Case Management/Electronic Case Files (CM/ECF) System's data to the new Bankruptcy Next Generation (NextGen) Case Management/Electronic Case Files (CM/ECF) System.

It appears to the Court that lack of access to its electronically-maintained CM/ECF System data limits the ability of parties to seek relief or otherwise be heard in a case under Title 11 of the United States Code. Therefore, the Court finds that good cause exists to establish a temporary filing protocol in response to the unavailability of the referenced data that is made available to parties. During this temporary filing protocol period, filers are requested to avoid non-emergency filings. Persons who either are represented or who are unrepresented by legal counsel, however, and who wish to file a voluntary bankruptcy petition may do so.

Accordingly, it is hereby ORDERED, that effective on March 17, 2022, at 6:00 P.M., EDT, through and including March 22, 2022, the Court will shut down access to the CurrentGen CM/ECF System. Access will likely be restored to the Court's data, accessible through the NextGen CM/ECF System, at some point on March 22, 2022.<sup>1</sup> Access to the CurrentGen CM/ECF System will not be restored.

It further is ORDERED that any deadline which falls during the period beginning on March 17, 2022 and ending on March 22, 2022 is hereby EXTENDED THROUGH AND INCLUDING MARCH 23, 2022. Notwithstanding the foregoing, nothing herein shall prejudice the rights of any party to seek an extension of time or to request other relief.

It further is ORDERED that no hearings will be conducted during the period beginning on March 18, 2022 and ending on March 22, 2022, except for matters on which a hearing is determined, by the presiding Judge in the Judge's discretion, to be of an emergency nature.

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<sup>1</sup> The Court's website has the most up-to-date information regarding the operational status of the Clerk's Office in each Division (<https://www.vaeb.uscourts.gov/>).

It further is ORDERED that the Court requests filers avoid non-emergency filings during the period beginning on March 17, 2022 and ending on March 22, 2022, which filings could be filed without adverse effect once such period concludes.

It further is ORDERED that filers may present a petition or other filing to the Court in person at the Clerk's Office so long as the Clerk's Office is open to the public<sup>2</sup> or by one of the following means:

1. United States Mail or Package Delivery Filings, Over the Intake Counter Filings, and Lock Box Filings.

- a. United States Mail or Package Delivery Filings: During regular business hours, all such filings shall be date-and-time stamped.
- b. During regular business hours, Over-the-Intake-Counter filings shall be date-and-time- stamped. If a customer requests a receipt for a cash payment, a receipt will be mailed to the customer once the Court's register application, WinReg, is operational and the funds are receipted.
- c. The lock box stations at the Alexandria, Newport News, Norfolk, and Richmond Divisions only are available when the courthouse buildings are open to the public. The Court will deem the document filed as of the stamped date and time. If a document is submitted to the lock box without the required stamp, the document will be deemed filed when it is date-and-time stamped by the Clerk of Court. If the filing is a voluntary petition, the Clerk of the Court will mail a receipt to the filer once WinReg is operational and the funds are receipted.

2. By electronic filing.

Electronic filing is available to external users and to persons unrepresented by legal counsel who wish to file a voluntary bankruptcy petition or other documents in a bankruptcy case.

a. To file electronically, the filer must comply with the following steps:

- (i) Attach the document(s) to an email as a PDF (.pdf) file.

(1) The Court will not read or consider any text in the body of the email. The only documents that will be filed with the Court are the attached PDF documents.

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<sup>2</sup> Persons who are proceeding without legal counsel are encouraged to review the information available on the Court's website (<https://www.vaeb.uscourts.gov/filing-without-attorney-pro-se>) under the tab General Information > Filing Basics> Filing without an attorney (Pro Se).

- (2) The Court will accept the filer's external electronic signature in the form /s/ followed by the typewritten full name of the filer (e.g., /s/ Jane Doe).
- (ii) In the Subject Line of the email, type the bankruptcy case number and the debtor's last name (e.g., 22-54321, Doe). However, if the document is a voluntary bankruptcy petition, instead type "New Petition" at the Subject Line of the email.
- (iii) Send the email and attachment to the email address listed below for the Division in which the bankruptcy case or Adversary Proceeding is pending or in which a New Petition is being filed:
- (1) Alexandria: [ALEX\\_Filing@vaeb.uscourts.gov](mailto:ALEX_Filing@vaeb.uscourts.gov)
  - (2) Norfolk/Newport News: [NORNN\\_Filing@vaeb.uscourts.gov](mailto:NORNN_Filing@vaeb.uscourts.gov)
  - (3) Richmond: [RIC\\_Filing@vaeb.uscourts.gov](mailto:RIC_Filing@vaeb.uscourts.gov)
- (iv) The filer will retain a copy of the sent email for the filer's records. The Clerk's Office also will retain a copy of the filer's email.
- b. The Court will deem the document filed as of the date and time listed on the email's timestamp. The Clerk of the Court shall print the document, stamp it as "Filed," and write the time of the deemed filing underneath the "Filed" Stamp.
- c. For the avoidance of doubt, the Clerk of the Court summarily will disregard any document submitted by email outside of the data migration shutdown period.

It is further ORDERED that any Judge of this Court may modify this Order by separate order entered in a specific bankruptcy case if the Judge determines that modification is justified based upon the facts and circumstances of the case. Due to the magnitude and complexity of this data migration effort, this Order may be modified should future developments so warrant.

**FOR THE COURT:**



FRANK J. SANTORO  
Chief Bankruptcy Judge

Dated: 3-1-, 2022

**NOTICE:** The Bankruptcy Court's case management and electronic filing system (CM/ECF) will be down on Thursday, March, 17, 2022, at 6:00pm to install the next generation of CM/ECF (NextGen CM/ECF). **You will not be able to file electronically until after Monday, March 21, 2022.** After services are restored we will be on the new CM/ECF system, NextGen. Please go to <https://www.vaeb.uscourts.gov/content/nextgen-information> for information.

How can I file with the Court after March 21, 2022? Follow these instructions.

## Link Your PACER and CM/ECF Account

After March 21, 2022, and once the court implements NextGen, your individual upgraded PACER account must be linked to your CM/ECF filing account to create one Central Sign-On account. This will only have to be done once. To see the steps for upgrading your PACER account go to <https://pacer.uscourts.gov/help/pacer/upgrading-your-pacer-account>. Below are the steps to link your PACER and CM/ECF accounts.

### Link Your PACER and CM/ECF Account

Go to the court's CM/ECF site (e.g., <https://ecf.vaeb.uscourts.gov>). Click the Document Filing System link.



1. On the CM/ECF home page, click your court's **Document Filing System** link to access the system.

3. Click **Login**

2. Enter upgraded PACER username and password

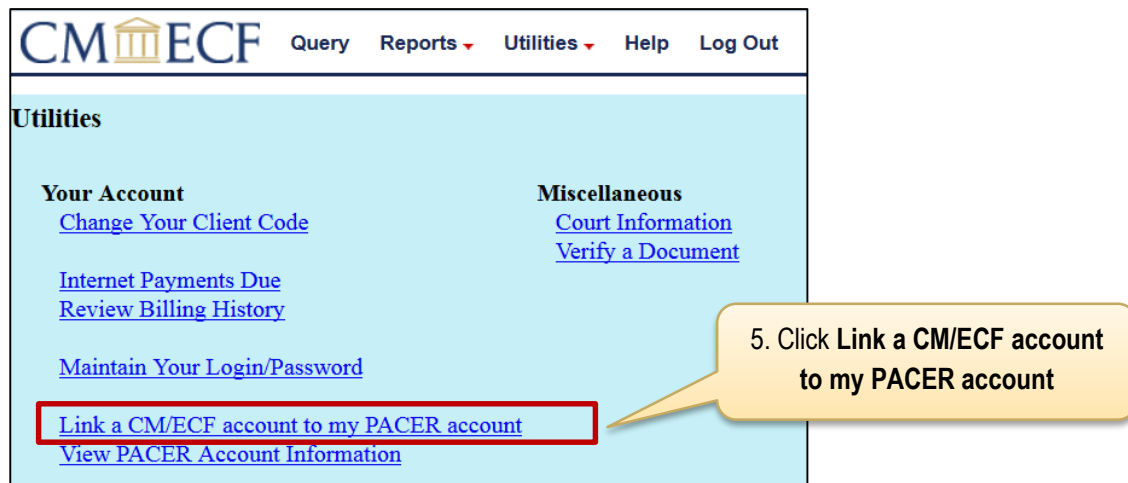
2. Enter your upgraded **PACER** username and password.
3. Click **Login**.

After logging in, you will still only have access to **PACER Search** since you have not linked your PACER account to your CM/ECF account. Notice the limited menu bar below.

Remember, this is a one-time process.



4. From the menu bar, click **Utilities**.



5. Click **Link a CM/ECF account to my PACER account**.



**CM/ECF** Query Reports Utilities Help Log Out

### Link a CM/ECF account to my PACER account

This utility links your PACER account with your e-filer account in this court.

If you use CM/ECF for PACER only, no action is necessary.

If you had a CM/ECF e-filing account in this court before the court converted to NextGen account to your old CM/ECF e-filing account. Press Submit to link the accounts (or go ba

CM/ECF login:  
barbaras

CM/ECF password:  
.....

Submit Clear

[Forgot login/password](#)  
[More about Upgraded PACER account](#)

If you don't remember your CM/ECF password, call the court for assistance.

6. Enter your CM/ECF login and password.
7. Click **Submit**.

### Link a CM/ECF account to my PACER account

Do you want to link these accounts?

CM/ECF	Barb A. Smithey
PACER	Barbara Smithey

After you submit this screen, your old e-filing credentials for the CM/ECF

Submit Clear

Verify you have the correct CM/ECF and PACER names. If not, do not proceed. Call the court for assistance.

8. Confirm the two accounts to be linked are correct and click **Submit**.

A confirmation message will appear similar to this:

The CM/ECF account for Barb A. Smithey is now linked to your CSO account.

After you submit this screen, your old e-filing credentials for the CM/ECF account will be permanently linked to your upgraded PACER account. Use your upgraded PACER account (CSO account) to e-file in this court. Your old CM/ECF login and password can no longer be used.

To proceed with e-filing at this time, refresh your browser and the **Bankruptcy** and **Adversary** menus display. If the menus don't refresh, log out and then back in again.