

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

PUBLIC NOTICE

**AMENDMENTS TO CASE MANAGEMENT/ELECTRONIC CASE FILES
(CM/ECF) POLICY STATEMENT**

The Court entered Standing Order No. 08-4 on March 14, 2008, effective March 17, 2008, which, in part, adopted Local Bankruptcy Rule 5005-2. Pursuant to this Local Bankruptcy Rule, the Clerk of Court is permitted to promulgate and revise the Court's Electronic Case Files (CM/ECF) Policy. Promulgation of the CM/ECF Policy permits the Clerk to make necessary changes and is formatted in such a manner as to facilitate its reference by external ECF users, the bar and public in addition to Court users.

Amendments have been made to the following numbered CM/ECF Policies:

1. **CM/ECF POLICY 2 – ELIGIBILITY; REGISTRATION; WITHDRAWAL; AND PASSWORDS**

CM/ECF Policy 2(A)(2)(c) has been revised by deleting the reference to LBR 5007-1F and substituting in its place Standing Order No. 09-3. In light of the amendment to LBR 5077-1(E), the last sentence in subparagraph 2(A)(2)(c) has been deleted.

2. **CM/ECF POLICY 3 – ELECTRONIC FILING; GENERALLY**

CM/ECF Policy 3(E) has been revised by increasing the permissible maximum size of an electronically filed document from 3 megabytes to 10 megabytes. In addition, new requirements are set forth regarding scanning resolution and pixel (bit) depth for a scanned document or a portion thereof. Additional requirements relating to splitting documents into their component parts to meet the new maximum permissible document size are set forth in paragraph 3(E) as well.

3. **CM/ECF POLICY 4 – ENTRY OF COURT-ISSUED DOCUMENTS**

CM/ECF Policy 4(B) has been revised to conform to the BOPS Attorney Users' Guide requirement that an order be prepared in Word, WordPerfect or Rich Text Format (.rtf) as an e-mail attachment for submission to the Court.

4. **CM/ECF POLICY 11 – PUBLIC ACCESS**

In light of the promulgation of Federal Rule of Bankruptcy Procedure 9037, Privacy Protection for Filings Made with the Court, the reference to LBR 5005-1(G) no longer is required.

The above referenced amendments, which take effect Tuesday, September 8, 2009, are appended to this Public Notice.

William C. Redden
Clerk of Court

Date: September 4, 2009

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

CASE MANAGEMENT/ELECTRONIC CASE FILES (CM/ECF)
POLICY STATEMENT

**CM/ECF POLICY 2 – ELIGIBILITY; REGISTRATION; WITHDRAWAL; AND
PASSWORDS**

(A) *Eligibility:*

(1) *Registration with Full Privileges; Pro Hac Vice Admission*

(a) *Generally:*

(b) *Pro Hac Vice Admission:*

(2) *Registration and Limited Privileges*

(a) *Generally:*

(b) *Governmental Unit or Institutional Entity:*

(c) *Contract Court Reporter or other Individual Designated to Produce the Transcript:* A contract court reporter shall register to become a User with limited privileges solely for the purpose of filing transcripts of court proceedings electronically with the Clerk as provided for in ~~LLBR 5007-1F~~ LLStanding Order No. 09-3. Any other individual designated to produce the transcript also shall register to become a User with limited privileges solely for the purpose of filing transcripts of court proceedings electronically with the Clerk. ~~References in LLBR 5007-1(E) and LLBR 5007-1(F) to reporter and court reporter, respectively, shall be deemed to reference any such other individual designated to produce the transcript.~~

CM/ECF POLICY 3 – ELECTRONIC FILING; GENERALLY

(A) *Effect of Electronic Filing:*

(B) *Electronically Filed Document Constituting Official Record: . . .*

(C) *Document Filing deadline:*

(D) *Fees Payable to the Clerk:*

(E) ~~Large Documents~~ *Document Size and Scanner Settings:* Electronically filed documents should not be more than ~~three (3)~~ (10) megabytes in size. Transmission time for filing documents is time sensitive. For security reasons, filings that take more than ~~five (5)~~ minutes to transmit will cause the ECF System to time out. ~~The following scanner settings should be applied to a scanned document, or a portion thereof: (1) 8½ by 11 inches, (2) black and white,~~

~~and (3) resolution shall not exceeding 300 DPI. A scanned document, or a portion thereof, shall not exceed 8½ by 11 inches. Scanned images of textual records must meet the following requirements for scanning resolution and pixel (bit) depth.~~

(1) **Bitonal (1-bit) scanned at 300 ppi:** This is appropriate for documents that consist exclusively of clean printed type possessing high inherent contrast (*e.g.*, laser printed or typeset on a white background).

(2) **Gray scale (8-bit) scanned at 300 ppi:** This is appropriate for textual documents of poor legibility because of low inherent contrast, staining or fading (*e.g.*, carbon copies, thermofax, or documents with handwritten annotations or other markings), or that contain halftone illustrations or photographs.

(3) **Color (24-bit RGB [Red, Green, Blue]) scanned at 300 ppi:** Color mode (if technically available) is appropriate for text containing color information important to interpretation or content.

If making these adjustments does not reduce the filing size to ~~three (3)~~ 10 megabytes, the document(s) must be split into its component parts (*e.g.*, main document and exhibits) or into sections. The document(s) should be split into the smallest number of component parts or sections possible, consistent with the ~~three~~10-megabyte limit. If this method does not provide an adequate solution, the filer ~~should~~ shall make suitable arrangements with the Clerk to file the document(s).

CM/ECF POLICY 4 – ENTRY OF COURT-ISSUED DOCUMENTS

(B) **Submission via E-Mail Attachment:** A User shall submit an order(s) in Word, WordPerfect or Rich Text Format (.rtf) as a ~~PDF~~ an e-mail attachment in accordance with the order processing procedure set forth in the Bankruptcy Orders Processing Solution (BOPS) materials, located on the <<CM/ECF Users' Guides>> page and accessible through the Court's <<CM/ECF web site>>. The order proponent shall file a list of parties, with mailing addresses indicated, who are to receive notice of entry of the order and shall comply with all other requirements of endorsement or proof of service set forth in <<LBR 9022-1>>. The list of parties shall be furnished in the appropriate format provided in the order processing procedure set forth in the BOPS materials, located on the <<CM/ECF Users' Guides>> page and accessible through the Court's <<CM/ECF web site.>>

CM/ECF POLICY 11 – PUBLIC ACCESS

(A) **Internet Access:** Any entity may access the ECF System by obtaining a login and password issued by the Public Access to Court Electronic Records (PACER) Center. Registration may be made on-line at <http://pacer.psc.uscourts.gov> or by calling the PACER Service center at (800) 676-6856 or (210) 301-6440. Such access is limited to viewing, saving, and printing docket sheets and documents. ~~<<LBR 5005-1(G)>> implements the privacy policy of the Judicial Conference of the United States regarding public access to electronic case files.~~