

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

**PUBLIC NOTICE**

**STANDING ORDER NO. 15-5, ADOPTING TEXT TO NEW LOCAL BANKRUPTCY RULE  
9036-1 PENDING PROMULGATION OF FINAL RULE, AND CLERK'S NEW CASE  
MANAGEMENT/ELECTRONIC CASE FILES POLICY 2.1**

**EFFECTIVE AUGUST 3, 2015**

1. New Local Bankruptcy Rule 9036-1 is part of a Local Bankruptcy Rules Revision Package, which is being taken up by the Eastern District of Virginia Standing Committee on Local Bankruptcy Rules (Standing Committee). Given the lead time involved for the Court to receive feedback from the Standing Committee, and, thereafter, the need to provide for a period of public comment, the entry of Standing Order No. 15-5, in the interim, allows for the service of Court-generated notices and orders upon debtors who have elected to participate in the electronic bankruptcy program approved by the Court to such purpose, specifically, Debtor Electronic Bankruptcy Noticing, or DeBN. Standing Order No. 15-5, attached hereto, provides additional information, in this respect, and takes effect August 3, 2015.
2. 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 Electronic Case Files users, the bar, and public in addition to Court users. Standing Order No. 15-5 authorizes the promulgation of Clerk's new CM/ECF Policy 2.1, Court Notice to Debtors by Electronic Transmission and, as attached to this Notice, takes effect August 3, 2015.

William C. Redden  
Clerk of Court

Date: July 14, 2015

Attachment

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA

In re

)  
Adoption of Text to New Local )  
Bankruptcy Rule 9036-1 Pending ) Standing Order No. 15-5  
Promulgation of Final Rule )  
Amendment and Adoption of )  
Clerk's New CM/ECF Policy )  
Statement 2.1 )

ORDER ADOPTING TEXT TO NEW LOCAL BANKRUPTCY RULE 9036-1 PENDING  
PROMULGATION OF FINAL RULE, AND  
CLERK'S NEW CASE MANAGEMENT/ELECTRONIC CASE FILES POLICY STATEMENT 2.1

The Eastern District of Virginia Standing Committee on Local Bankruptcy Rules will be considering several changes to the Local Rules of the Court, including a new Local Bankruptcy Rule 9036-1, Court Notice to Debtors by Electronic Transmission. The new rule would allow, as permitted under procedures promulgated and revised as specified by the Clerk of Court under Local Bankruptcy Rule 5005-2, new Clerk's Case Management/Electronic Case Files System (CM/ECF) Policy Statement 2.1, the service of Court-generated notices and orders upon debtors who have elected to participate in the electronic bankruptcy program approved by the Court to such purpose, specifically, Debtor Electronic Bankruptcy Noticing, or DeBN.

To facilitate making Debtor Electronic Bankruptcy Noticing (DeBN) available to participating debtors,

NOW, THEREFORE, IT IS ORDERED that:

Effective August 3, 2015, in addition to the Clerk's new CM/ECF Policy Statement 2.1, which is adopted as appended to this Order, and, pending promulgation of the final text to new Local Bankruptcy Rule 9036-1, that rule shall be read in conformity with this Order, as set forth herein, and as appended to this Order.

Dated: July 14, 2015

FOR THE COURT:

/s/ Stephen C. St. John  
STEPHEN C. ST. JOHN  
Chief Judge, United States Bankruptcy Court

**UNITED STATES BANKRUPTCY COURT**

**for the**

**EASTERN DISTRICT OF VIRGINIA**

**INTERIM ADOPTION OF NEW LOCAL BANKRUPTCY RULE 9036-  
1 PENDING PROMULGATION OF FINAL RULE**



Effective August 3, 2015

## **RULE 9036-1 – COURT NOTICE TO DEBTORS BY ELECTRONIC TRANSMISSION**

Debtors are eligible to participate in Debtor Electronic Bankruptcy Noticing (DeBN) in accordance with procedures promulgated and revised as specified by the Clerk under LBR 5005-2. As permitted, debtors can receive notices and orders from the Court via email.

### **Comments**

9036-1 This rule is new and includes a provision allowing, as permitted under procedures promulgated and revised as specified by the Clerk under LBR 5005-2, the service of Court-generated notices and orders upon debtors who have elected to participate in any electronic bankruptcy noticing program approved by the Court for such purpose. [New rule effective \_\_\_ / \_\_\_ /15.]

**UNITED STATES BANKRUPTCY COURT**

**for the**

**EASTERN DISTRICT OF VIRGINIA**

**CASE MANAGEMENT/ELECTRONIC CASE FILES (CM/ECF)  
POLICY STATEMENT 2.1—DEBTOR ELECTRONIC  
BANKRUPTCY NOTICING**



Effective August 3, 2015

## **CM/ECF POLICY 2.1 – DEBTOR ELECTRONIC BANKRUPTCY NOTICING**

**(A) Eligibility to Receive Electronic Bankruptcy Noticing:** Debtors are eligible to participate in Debtor Electronic Bankruptcy Noticing (DeBN).

**(B) Completion and Submission of Debtor's Electronic Bankruptcy Noticing Request:** An eligible debtor will complete and file with the Court a Debtor's Electronic Bankruptcy Noticing Request (DeBN Request) on a form provided by the Clerk for this purpose. Each DeBN Request must indicate whether the debtor is:

- (1) creating a new DeBN account to begin receiving court-generated notices and orders via email pursuant Federal Rule of Bankruptcy Procedure 9036,**
- (2) updating or reactivating an existing DeBN account, or**
- (3) deactivating an existing DeBN account.**

**(C) Processing a Filed DeBN Request Form:** The Clerk will act upon a DeBN Request form once it has been properly completed, signed, and filed.

**(D) Service on Debtors who Request DeBN:** A debtor who requests service through DeBN, via email delivery, of court-generated notices and orders, pursuant to Federal Rule of Bankruptcy Procedure 9036, only consents to service of such notices and orders from the Court through the Bankruptcy Noticing Center. All other parties, including creditors, attorneys, and trustees, must serve documents upon debtors according to applicable court rules (by U.S. mail, overnight mail, or personal delivery).

**(E) DeBN Page on Court's Internet Web Site:** The Clerk will cause the creation of a DeBN page on the Court's Internet web site. As needed, that page will be updated. Debtors shall adhere to all applicable requirements, as set forth on the DeBN page and otherwise accessible from that page.