

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

In re:

Authorization for the Clerk of )  
Court to Enter into Pilot Program ) Standing Order No. 02-1  
Agreements with Governmental and )  
Institutional Filers )

ORDER AUTHORIZING THE CLERK OF COURT TO ENTER INTO  
AGREEMENTS WITH GOVERNMENTAL AND INSTITUTIONAL FILERS FOR  
THE PURPOSE OF PARTICIPATING IN A PILOT PROGRAM TO EFFECT  
FILINGS BY ELECTRONIC MEANS VIA THE INTERNET

1. Authorization to Enter into Pilot Program Agreements
  - a. To facilitate and encourage the use of the Electronic Case Filing component of the Case Management/Electronic Case Filing (CM/ECF) system by governmental and institutional filers, the Clerk of Court hereby is authorized to enter into agreements, consistent with this order and in the form approved by the Clerk of Court, with governmental and institutional filers for the purpose of securing the participation of such filers in a pilot program that would permit the filers to effect filings in the CM/ECF system by electronic means via the Internet.
  - b. The requirements set forth in Standing Order No. 01-6 govern the Court's adoption of CM/ECF filing procedures. The *Administrative Procedures for Filing, Signing, Retaining and Verification of Pleadings and Papers in the Case Management/Electronic Case Filing (CM/ECF) System (Administrative Procedures)* Exhibit to Standing Order No. 01-6, shall be made applicable to such filers with the exception of subparagraph I.C.5., respecting the "withdraw[al] from participation in the Internet ECF filing component of CM/ECF, for cause, on order of the Court." Nor shall the references to "registration form(s)", as set

forth in subparagraphs I.C.1. and 2. of the *Administrative Procedures* Exhibit to Standing Order No. 01-6 apply to such filers.

- c. Agreements entered into between the Clerk of Court and governmental or institutional filers shall determine the terms, conditions and periods of time in which filings made by electronic means via the Internet shall be permitted.
- d. To facilitate the pilot program and in the discretion of the Clerk of Court, the terms, conditions and/or period(s) of time specified in agreements may be amended by the Clerk upon the written request of governmental or institutional filers. Also, by written request to governmental or institutional filers, the Clerk of Court may seek to amend the terms, conditions and/or period(s) of time specified in the agreements.

## 2. Duty of the Clerk of Court to Make Quarterly Reports

On or about the fifteenth (15<sup>th</sup>) day of the month following the conclusion of each calendar quarter, the Clerk of Court shall report to the Chief Bankruptcy Judge, for the preceding calendar quarter, concerning pilot program activity.

## 3. Termination of Pilot Program Agreements

- a. The Clerk of Court shall report to the Chief Bankruptcy Judge if any governmental or institutional filers are not abiding by the terms and conditions of the agreements into which they have entered, Standing Order No. 01-6 and/or the *Administrative Procedures* Exhibit to Standing Order No. 01-6.
- b. On its own motion and discretion, the Court, at any time, may determine whether a pilot program agreement shall remain in full force and effect. By order, the

- Court may direct the Clerk of Court to terminate any such pilot program agreement. The Clerk of Court shall provide written notice of the entry of the order to the person entering into the pilot agreement, for the governmental or institutional filer, or such other individual as the filer properly may designate.
- c. If the initial or amended period(s) of time permitted in pilot agreements to effect filings by electronic means via the Internet is in excess of thirty (30) days, upon thirty (30) days written notice to the Clerk of Court, governmental or institutional filers may effect early termination of such filers' participation in the pilot program. In the Clerk of Court's discretion, the Clerk may agree to terminate filers' participation in the pilot program with less than thirty (30) days written notice being provided.
- d. Pilot program agreements shall terminate on the date and time set forth therein or be deemed to terminate on the date in which the governmental or institutional filers agree to become registered participants or limited registrants as those terms are used in the *Administrative Procedures* Exhibit to Standing Order No. 01-6.

NOW, THEREFORE, IT IS ORDERED THAT:

This order shall take effect on March 28, 2002.

Dated: March 28, 2002

/s/ Douglas O. Tice, Jr.  
DOUGLAS O. TICE, JR.  
CHIEF JUDGE

/s/ David H. Adams  
DAVID H. ADAMS  
JUDGE

/s/ Stephen S. Mitchell  
STEPHEN S. MITCHELL  
JUDGE

/s/ Stephen C. St. John  
STEPHEN C. ST. JOHN  
JUDGE

/s/ Robert G. Mayer  
ROBERT G. MAYER  
JUDGE