ELECTRONIC CASE FILING

(a) **Official records of the court.**

The docketing and case management system for the Bankruptcy Court for the District of Idaho shall be the Case Management and Electronic Case Filing Program (ECF). The official record of the court shall be all documents filed electronically, all documents converted to an electronically filed format, and all documents filed and not capable of conversion to electronic format or otherwise ordered by the court to be maintained.

(b) **Establishment of electronic case filing procedures.**

The clerk of the court is authorized to establish and promulgate Electronic Case Filing Procedures ("ECF Procedures"), including the procedure for registration of attorneys and other authorized users, and for issuance and control of passwords to permit electronic filing and notice of pleadings and other papers. The clerk may modify the ECF Procedures from time to time, after conferring with the Chief Judge. The ECF Procedures shall be made available to the public on the court's website (www.id.uscourts.gov) and copies shall be available at all divisional court offices.

(c) **Scope of electronic filing.**

Unless expressly prohibited, the filing of all documents required or permitted to be filed with the court in connection with a bankruptcy case or adversary proceeding shall be accomplished electronically. Any and all references to "filing" or "service" in these Local Bankruptcy Rules shall be interpreted to include filing or service by electronic means consistent with the ECF Procedures and any applicable General Order. Local Bankruptcy Rule provisions which are or may be in conflict with ECF Procedures shall be superseded by such Procedures and/or applicable General Order until such time as appropriate rule amendments are promulgated.

(1) Documents filed conventionally with the court will be converted into an electronic format by the court and in such cases, such documents will be treated for all purposes as if they had been electronically filed, except that conversion of a conventionally filed document to electronic format by the court will not affect the original filing date and time of that document.

(2) On a case by case basis, the presiding judge may direct that paper copies of any documents filed electronically be sent directly to the judge's chambers.

(d) **Court retention of records - copies.**

Where a document filed conventionally is converted to an electronic format by the court, the document originally filed shall be maintained as a copy only. Such copies of documents will be retained by the court only so long as required to ensure that the information has been transferred to the court's data base, for other court purposes or as required by other applicable laws or rules. It shall be the responsibility of any party who has filed a document conventionally who desires to have the document returned by the clerk, to specifically request and arrange for its return. Absent such a request, the clerk is authorized to dispose of the document after electronic conversion.

(e) **Retention of conventionally signed documents.**

The original of all conventionally signed documents that are electronically filed shall be retained by the filing party for a period of not less than the maximum allowed time to complete any appellate process, or the time the case of which the document is a part, is closed, whichever is later. The document shall be produced upon an order of the court.

(f) **Eligibility.**

Only a Registered Participant or an authorized employee of the Registered Participant may file documents electronically. To become a Registered Participant, or to act as an authorized employee of the Registered Participant, a person must satisfy the registration requirements established by the court and participate in training as required by the court unless the clerk is satisfied that training is not necessary.

(g) **Consequences of electronic filings.**

The electronic transmission of a document to the court constitutes filing of the document for all purposes. Such transmission shall be consistent with ECF Procedures. The filing date and time of a document filed electronically shall be the date and time the document is electronically received by the court, which for the purposes of this Rule shall be Mountain Time.

(h) **Entry of court issued documents.**

The court shall enter all orders, decrees, judgments and proceedings of the court in accordance with the ECF Procedures, which shall constitute entry of the order, decree, judgment, or proceeding on the docket kept by the clerk of court.

(i) **Large documents, exhibits and attachments.**

The parties are directed to refer to the ECF Procedures, which may be amended from time to time.

(j) **Signatures.**

The electronic filing of any document by a Registered Participant shall constitute the signature of that person for all purposes provided in the Federal Rules of Bankruptcy Procedure. For instructions regarding electronic signatures, refer to the ECF Procedures.

(k) **Notice and service of documents.**

Participation by a Registered Participant in the court's ECF system by registration and receipt of a login and password from the clerk of court shall constitute consent by that Registered Participant to the electronic service of pleadings and other papers under applicable Federal Rules of Bankruptcy Procedure.

(l) **Technical failures.**

Any Registered Participant or other person whose filing is made untimely or who is otherwise prejudiced as a result of a technical failure at or by the court, may seek appropriate relief from the court. The court shall determine whether a technical failure has occurred or whether relief should be afforded on a case by case basis.

RELATED AUTHORITY

Fed. R. Bankr. P. 5003, 5005
General Order 247

Advisory Committee Notes:

Effective January 1, 2006, members of the bar and other Registered Participants are required to file all documents in the District and Bankruptcy Court through ECF unless otherwise ordered by the court. Detailed procedures are found in the clerk's ECF Procedures and in the Court's General Order(s), which are available on the court's website or at any clerk's office. All references in the Local Bankruptcy Rules to "filing" or "service" (except service or process) are deemed to include electronic filing and/or service, even though more detailed amendments of the Local Bankruptcy Rules may later be made.