

**Rule 1007-2** *Mailing List or Matrix.*

- (a) *Mailing Matrix Required.* Unless filed electronically through the ECF system, the debtor must file with the petition a master list of creditors and other parties in interest ("mailing matrix") in the form prescribed by the clerk. Failure to file the matrix may constitute cause for dismissal of the case.
- (b) *Form of Paper Mailing Matrix.*
  - (1) The mailing matrix must be filed with the petition in paper form as prescribed by the clerk.
  - (2) Mailing matrices must be prepared so that each address is contained within five (5) lines, with each line not exceeding forty (40) characters (including spaces).
- (c) *Cases Filed in CM/ECF ~~Electronically Filed Cases.~~ CM/ECF Electronic* filers must comply with the instructions found on the court's website ([www.pamb.uscourts.gov](http://www.pamb.uscourts.gov)) when entering the matrix docket event and uploading creditors into the ECF system in lieu of filing a paper matrix.
- (d) *Accuracy of Mailing Matrix.* The debtor is responsible for the accuracy and completeness of the mailing matrix. If debtor's counsel or a pro se debtor is notified by the Bankruptcy Noticing Center (BNC) that a document was not served on a party because of an incomplete address, counsel or the pro se debtor must notify the clerk in writing of the correct address and must re-mail the notice to the affected party.

**Rule 5005-1** *Filing and Transmittal of Papers.*

(a) *Electronic Filing and Signing.*

(1) *By a Represented Entity.* An entity represented by an attorney must file documents by ~~electronic means using the Court's Electronic Case Filing system ("ECF" or "CM/ECF")~~ in accordance with the CM/ECF Administrative Procedures available on the court's website ([www.pamb.uscourts.gov](http://www.pamb.uscourts.gov)). However, non-electronic filing may be allowed for good cause, or as otherwise provided for by these rules;

(2) *By ~~an Unrepresented A Self-Represented~~ Individual.*

(A) Using the Electronic Document Submission System ("EDSS").

A self-represented individual may file documents (other than proofs of claim) electronically using the EDSS. Persons filing with EDSS must comply with the EDSS Administrative Procedures available on the court's website ([www.pamb.uscourts.gov](http://www.pamb.uscourts.gov)). Proofs of claim may be filed electronically using the Electronic Proof of Claim System ("ePOC") in accordance with Local Rule 5005-1(b).

(B) Using the Court's Electronic Case Filing ("CM/ECF") system.

An individual not represented by an attorney:

(~~ii~~) may file electronically using CM/ECF only if allowed by court order or through compliance with the conditions authorizing same as set forth in the CM/ECF Administrative Procedures adopted by this District; and

(~~ii~~) may be required to file electronically only by court order or as otherwise provided for in the CM/ECF Administrative Procedures adopted by this District.

(3) *Signing.*

Documents that are electronically filed and require original signatures or require verification under [F.R.B.P. 1008](#) or contain an unsworn declaration under [28 U.S.C. § 1746](#), must be maintained in paper form by the filing user for 7 years ~~as set forth in the Administrative Procedures adopted by this District.~~

(4) *Same as a Written Paper.* A paper filed electronically is a written paper for purposes of these rules, the Federal Rules of Bankruptcy Procedure, and [Section 107](#) of the Code.

- (b) *Filing Proofs of Claim.* Notwithstanding the requirements of L.B.R. 5005-1(a), ~~pursuant to [Miscellaneous Order 5:14-mp-00003](#)~~, claims may be filed, amended, or withdrawn through the court's Electronic Proof of Claim ("ePOC") system without the need to register or login as a user in the court's [CM/ECF](#) system ~~(CM/ECF)~~. Any claim filed, amended, or withdrawn electronically through the ePOC system will constitute the filer's approved signature and have the same force and effect as if the authorized individual signed a paper copy of the proof of claim form, amendment, or withdrawal.
- (c) *Temporary Paper Filing.* An attorney who is not a registered CM/ECF filer may file initial papers in person, by facsimile, or by ~~email~~ [using the Court's Electronic Document Submission System](#) after seeking permission from the court as set forth in [Miscellaneous Order 5:05-mp-50007](#). Before any additional papers are filed, the attorney must apply for and obtain a CM/ECF login and password. ~~Registration may be completed through the court's website: [www.pamb.uscourts.gov](http://www.pamb.uscourts.gov) using "Electronic Filing Registration" under the Court Info tab.~~
- (d) *CM/ECF Filing Systems Failure.* ~~An entity or individual registered CM/ECF filer~~ may file papers in person, by facsimile, or [through the Court's Electronic Document Submission System by email](#) for up to seventy-two (72) hours when electronic filing is not possible due to a failure in the ~~CM/ECF~~ filer's systems, including, without limitation, hardware, software, or internet connection. ~~For CM/ECF filers, a~~ Any filing made by means other than CM/ECF must be accompanied by an affidavit stating why the document ~~could was not be~~ filed ~~electronically~~ [through CM/ECF](#).

**COMMENTS:** L.B.R. 5005-1 was amended effective December 1, 2018, to conform to new F.R.B.P. 5005. Reasonable exceptions are recognized and paper filing is still allowed for good cause. Compelling ~~self-represented pro se~~ litigants to file ~~in CM/ECF electronically~~ is unrealistic and may impede their access to the court. Therefore, filings by ~~self-represented an individuals not represented by an attorney~~ are treated separately. Rather than mandate electronic filing, ~~self-represented pro se~~ litigants can only be required to file electronically by court order, or as otherwise provided for in the [Administrative Procedures](#) adopted by this District. ~~Effective June 1, 2019, LBR 5005-1(a)(2)(A) implements the court's Electronic Document Submission System ("EDSS") that allows self-represented individuals to electronically file papers with the court 24 hours per day. The EDSS renders Rule 5005-4's after-hours filing procedures obsolete and, therefore, that rule has been deleted. The EDSS also provides an alternative means of filing for CM/ECF filers in the event of technical failures and the rules have been changed accordingly.~~

**Rule 5005-3 Filings During Technical Failures.**

*In the event of a technical failure, as defined in L.B.R. 9001-1, an electronic filer may use any of the following filing methods:*

- (a) ~~file the documents using the Court's Electronic Document Submission System ("EDSS") available on the Court's website~~  
~~file the documents as a PDF attachment to an email sent to the following address:~~  
~~[PAMB\\_ECF\\_Failure@pamb.uscourts.gov](mailto:PAMB_ECF_Failure@pamb.uscourts.gov);~~
- (b) file the documents in person by bringing the documents to the clerk's office in paper ~~or in , accompanied by~~ an electronic storage format (i.e., flash drive, ~~CD-ROM~~) that contains the document in PDF format without any password requirement;
- (c) file the documents via facsimile to: 570-829-0249 (Wilkes-Barre) or 717-901-2822 (Harrisburg); or
- (d) seek appropriate relief from the court or proceed pursuant to any generally applicable order that may have been entered addressing the technical failure.

Electronic filers are cautioned that the court's ability to grant relief may be limited by [F.R.B.P. 9006\(b\)](#).

**COMMENTS:** L.B.R. 5005-3 was adopted effective June 1, 2016, to provide for filing alternatives in the event of a technical failure as now defined in L.B.R. 9001-1.

**Rule 5005-4** ~~Filing Papers After Hours.~~

- ~~(a) *After Hours Filings.* Except as otherwise authorized by the court, non-ECF filers may file petitions and other papers by facsimile only pursuant to the provisions of this rule.~~
- ~~(b) *Time and Manner of Filing.* Papers may be filed by facsimile to the Harrisburg or Wilkes-Barre facsimile numbers indicated on the court's website ([www.pamb.uscourts.gov](http://www.pamb.uscourts.gov)) when the clerk's office is not open. After 4:00 p.m. EST, and before Midnight (12:00 a.m.) EST, transmit by facsimile only the first page and the signature page of the document.~~
- ~~(c) *Filing of Original Document.* The entire original paper document, together with any required filing fee, must be filed in person and time stamped by the clerk no later than 4:00 p.m. EST on the next business day after the facsimile filing when the clerk's office is open.~~
- ~~(d) *Clerk's Procedures Concerning Facsimile Documents.* If the original document is not timely filed after the facsimile transmittal, the clerk will note that fact and the facsimile will have no force or effect. The clerk's office will not acknowledge the filing of a document or assign a case number or adversary number to a document unless the original is timely filed pursuant to the provisions of this rule. Upon timely receipt of the original document and any required fee, the clerk will stamp the following notation on the document: "This document is deemed filed on \_\_\_\_\_ (date) pursuant to L.B.R. 5005-4 Filing Papers After Hours." Documents filed in accordance with this rule will be deemed filed on the date and at the time printed on the document by the facsimile machine in the clerk's office which received the facsimile.~~

**Rule 9001-1** *Definitions.*

*Unless inconsistent within the context of a particular rule, the following terms are defined for the purposes of the Local Bankruptcy Rules and Local Bankruptcy Forms as follows:*

- (a) “*Amended plan*” means a plan modified under the provisions of [11 U.S.C. §§ 942, 1127, 1223, 1229, 1323, and 1329](#). The terms “modified” and “amended” are used interchangeably.
- (b) “*Chapter*” means one of the chapters of Title 11 of the Bankruptcy Code.
- (c) “*Clerk*” means the office of the Clerk of the United States Bankruptcy Court for the Middle District of Pennsylvania.
- ~~(e)(d)~~ “*CM/ECF filer*” means a filing user registered with the clerk to file, serve, and receive documents through the electronic case filing system (CM/ECF) established by the United States Bankruptcy Court for the Middle District of Pennsylvania.
- ~~(d)(e)~~ “*Contract amount*” means the amount of principal and interest payable each month under the terms of a note secured by a mortgage without the inclusion of late fees or other default fees or charges.
- ~~(e)(f)~~ “*Counsel of record*” means any attorney who has entered an appearance on the docket of a bankruptcy case or who has filed a paper on behalf of a party. An attorney remains counsel of record until an order authorizing withdrawal has been entered or another attorney has entered an appearance on behalf of the party.
- ~~(f)(g)~~ “*Electronic filer*” means an individual or entity submitting documents to the clerk for filing using any of the court’s available electronic filing systems, including CM/ECF, the Electronic Document Submission System (“EDSS”), or the Electronic Proof of Claim Systems (“ePOC”). ~~means a filing user registered with the clerk to file, serve, and receive documents through the electronic filing system established by the United States Bankruptcy Court for the Middle District of Pennsylvania.~~
- ~~(g)(h)~~ “*F.R.B.P.*” means [The Federal Rules of Bankruptcy Procedure](#).
- ~~(h)(i)~~ “*Hearing required notice*” is a notice that may provide an objection/response deadline and sets the matter for hearing. The hearing will take place at the date, time, and location indicated in the notice regardless of whether or not objections/responses are filed.
- ~~(i)~~ “*Paper filer*” means an individual or entity that is not an electronic filer and files, serves, and receives paper documents in compliance with all rules and court orders.

- (j) “*Party in interest*” means a person or entity who may be affected by a bankruptcy proceeding. In these rules, a party in interest also includes a creditor.
- (k) “*Passive notice*” is a notice stating that if no response is filed, the court may enter the requested relief without further notice or hearing.
- (l) “*Retainer agreement*” means an agreement between a client and an attorney in which the client deposits funds with the attorney for services to be performed whether entered before the filing of a bankruptcy petition or during the pendency of the case.
- (m) “*Schedules and statements*” include all documents required to be filed by a debtor under [11 U.S.C. § 521](#).
- (n) “*Semi passive notice*” is a notice setting an objection/response deadline and a proposed hearing date if objections/responses are filed. If no objections/responses are filed, the court may enter an order without conducting a hearing. If objections/responses are filed, the matter will proceed to hearing at the date, time, and location indicated in the notice. If a default order has not been signed and entered on the docket, the parties or their counsel are required to appear in court.
- (o) “*Technical failure*” means any day on which the [applicable court electronic filing system \(court’s CM/ECF, EDSS, or ePOC\) site](#) is unable to accept filings continuously over a period of more than two (2) hours after 7:00 a.m.

**COMMENTS:** L.B.R. 9001-1 was amended effective September 1, 2014, to add definitions for the terms “*Hearing required notice*” and “*semi passive notice*”.

**Rule 9002-1** *Self-Scheduled Matters.*

- (a) *Filing a Self-Scheduled Matter.* When a motion or other document is filed using self-scheduling, the CM/ECF ~~electronic~~-filer must use the Courtroom Hearing Scheduler (“CHS”).
- (b) *Self-Scheduled Matters.* A list of the matters that may be self-scheduled, as well as the filing procedures, are posted on the court’s website under the Self-Scheduling Hearings button. ([www.pamb.uscourts.gov](http://www.pamb.uscourts.gov)).
- (c) *Matters Which Cannot Be Self-Scheduled.* No matters other than those listed under the Self-Scheduling Hearings button can be self-scheduled.

**COMMENTS:** L.B.R. 9002-1 was amended effective September 1, 2014, to refer CM/ECF ~~electronic~~ filers to the court’s website to determine what matters can and cannot be self-scheduled.

**Rule 9010-1** *Attorneys - Notice of Appearance.*

- (a) *General Appearance.* An attorney who files with the clerk any application, motion, stipulation, or other document, other than as set forth in subdivision (b), is deemed to have entered an appearance for the party on whose behalf the document is filed.
- (b) *Limited Appearance.* An attorney filing a proof of claim or interest is deemed to have entered an appearance only for the purpose of any objection that may be filed to that claim.
- (c) *Change of Address.* When attorneys, or parties representing themselves, change their e-mail or physical addresses, they are required to provide notification as follows:
  - (1) CM/ECF Electronic-filers must immediately update their addresses in the ECF system. If an address changes in a specific case, CM/ECF electronic filers must docket a change of address in each case in which the change should appear to enable the clerk to update the information.
  - (2) All other Paper-filers must notify the clerk in writing of their new address so that the clerk may enter it in the ECF system. If an attorney has entered an appearance in more than one case, he also must file with the clerk a listing of all such cases so the new address may be entered by the clerk on the docket of each case.
- (d) *Withdrawal of Appearance.* The debtor's attorney or an attorney in a pending adversary or contested matter may not withdraw his or her appearance except upon motion, after hearing and by order of the court, unless another attorney eligible to appear before the court enters his or her appearance simultaneously with the request for withdrawal of appearance. If the firm has not entered an appearance in a case, it must enter an appearance in the cases it is retaining. An attorney may not submit a change of address as a substitute for filing a motion to withdraw.
- (e) *Notice to Parties.* Unless service is made electronically through the ECF system, an attorney who files a request to note change of address must mail a copy of same to any attorney who has entered an appearance in an adversary proceeding or contested matter that is pending at the time the request is filed.