

**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 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 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:

(i) 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.*

(A) An Electronic Signature made by a person is an original signature for purposes of this Rule. 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 or Electronic form by the filer for 7-2 years.

(B) The following definitions shall apply to this Rule:

“Electronic.” Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

“Electronic Signature.” An electronic symbol or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.

- (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), 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. 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 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.
- (d) *CM/ECF Filing Systems Failure.* An entity or individual may file papers in person, by facsimile, or through the Court’s Electronic Document Submission System for up to seventy-two (72) hours when electronic filing is not possible due to a failure in the filer’s systems, including, without limitation, hardware, software, or internet connection. For CM/ECF filers, any filing made by means other than CM/ECF must be accompanied by an affidavit stating why the document could not be filed 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 litigants to file in CM/ECF is unrealistic and may impede their access to the court. Therefore, filings by self-represented individuals are treated separately. Rather than mandate electronic filing, self-represented 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, non CM/ECF filers will be able to electronically file papers with the Court using the Court’s Electronic Document Submission System, thereby having the same access to filing with the Clerk’s office as do CM/ECF filers. The definitions set forth in subparagraph (a)(3)(B) were

adopted from the *Electronic Signature in Global and National Commerce Act, 15 U.S.C. § 7001, et. seq.*, and the *Pennsylvania Uniform Electronic Transaction Act, 73 P.S. § 2260.101 et. seq.*