

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO

In re:

TEMPORARY MODIFICATION OF  
REQUIREMENT TO OBTAIN ORIGINAL  
SIGNATURES FROM PERSONS FOR  
ELECTRONIC FILINGS

EIGHTH AMENDED GENERAL  
ORDER NO. 20-02

In response to the public health crisis due to the COVID-19 pandemic and related orders and directives of federal, state and local government entities, the Court entered General Order 20-02 and subsequent amendments that temporarily modified certain requirements of its manual establishing Administrative Procedures for Filing, Signing, Maintaining, Verifying and Serving Pleadings and Papers in the ECF System (“Administrative Procedures Manual”). The Administrative Procedures Manual implements Rule 5005 of the Federal Rules of Bankruptcy Procedure and Rule 5005-4 of the Local Bankruptcy Rules to facilitate electronic filing of documents with the Court.

**The COVID-19 public health crisis having sufficiently diminished to permit resumption of routine Court filing procedures, this Eighth Amended General Order No. 20-02 extends the temporary modifications of the Administrative Procedures Manual through August 2, 2021.** The purpose of this extension is to give CM/ECF Registered Users notice and time to modify their operations and resume compliance with all of the filing, signing and verification requirements of the Court’s Administrative Procedures Manual.

1. Section II. B.2. of the Court’s Administrative Procedures Manual requires in part:
  2. **Signature of Debtor.**
    - a. Any document requiring the debtor’s signature shall first be signed by the debtor, followed by the electronic submission of a copy of the document with the debtor’s signature indicated as s/ name.
    - b. Except as otherwise provided, whenever the initial document requiring the debtor’s signature is electronically filed in a case, it must be followed

by the filing with the Clerk of the signature declaration form (Declaration re: Electronic Filing of Documents and Statement of Social Security Number)...[t]his requirement applies only to the initial documents filed in the case requiring the debtor's signature, which is ordinarily the petition. It does not apply to other documents filed with or after the initial document, such as the statement of financial affairs. The Signature Declaration Form shall be filed the same day as the petition or the case will be scheduled for a show cause hearing.

**The foregoing Section II.B.2.a. and b. of the Administrative Procedures Manual governing debtor signatures on filed documents is temporarily modified through August 2, 2021, as set forth below.**

2. **Through August 2, 2021**, the requirement of Section II.B.2.a. of the Administrative Procedures Manual that counsel obtain a debtor's original physical signature on any document requiring the debtor's signature **before** the document may be electronically filed with the Court may be satisfied in any of the following ways:

a. before filing, counsel secures the debtor's original, physical signature and maintains a copy in the case file, as presently required; or

b. before filing, counsel secures the debtor's digital signature via any commercially available digital signature software and maintains a copy of the digitally signed document in the case file; or

c. before filing, counsel obtains express written permission (including via text message or electronic mail) from the debtor to affix the debtor's /s/ signature to the document(s) and maintains a copy thereof in the case file; or

d. before filing, counsel obtains an image of the specified signature page(s) showing debtor's original physical signature thereon via e-mail, text message or facsimile transmission and maintains a copy of the image and its transmission media in the case file.

3. **Through August 2, 2021**, if counsel electronically files a document on the basis of having met the debtor signature requirement of Section II.B.2.a. of the Administrative Procedures

Manual under any of the methods in 2.b., 2.c. or 2.d. above, such filing constitutes counsel's representation and certification that:

- a. before filing and signature, counsel transmitted the entire and completed document(s) to the debtor for review and signature;
- b. before filing, counsel communicated with the debtor regarding the substance and purpose of the document(s);
- c. before filing, counsel received express authorization from the debtor to file the actual entire and completed document(s) that debtor signed;
- d. counsel in good faith believes that the signature method adopted establishes the identity of the debtor; and
- e. counsel is prepared to describe the steps taken to secure a debtor's signature in compliance with this order, and to provide supporting documentation to prove compliance if requested by the Court, the United States Trustee, any case trustee or a party in the case.

4. **Through August 2, 2021**, Counsel must still comply with Section II.B.2.b. of the Administrative Procedures Manual by filing Debtor's Declaration re: Electronic Filing of Documents and Statement of Social Security Number ("Signature Declaration") with the Court. The requirement that it must be filed on the same day as the petition is filed is temporarily modified to permit filing with the Court on or before 21 days after the date the petition is filed. The Signature Declaration must include the debtor's original physical signature. The substance of the Signature Declaration is deemed to be modified to accommodate its original physical signature and filing after the date of filing of the petition as permitted by this Order.

5. Except as temporarily modified by this Order through **August 2, 2021**, or further order of the court, the Administrative Procedures Manual remains in full effect.

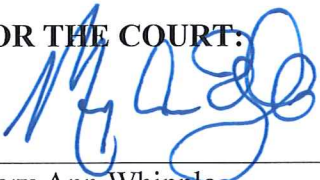
6. This Order terminates the Court's Seventh Amended General Order No. 20-02 and all prior amendments of General Order No. 20-02. It is effective immediately.

7. The Clerk of Court shall provide immediate notice to the public of this Eighth Amended General Order No. 20-02.

**IT IS SO ORDERED.**

**DATED: June 14, 2021**

**FOR THE COURT:**



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Mary Ann Whipple  
Chief Judge