

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA**

**RECENT EDITS AND UPDATES TO CM/ECF ADMINISTRATIVE
POLICIES AND PROCEDURES MANUAL**

Over the past year, various edits and updates have been made to the CM/ECF Administrative Policies and Procedures Manual (“the Manual”), which can be found on the Court’s website under the “PACER/Electronic Filing Instructions” link on the left side of the main page. Two versions of the Manual are available, one for attorneys and one for limited users.

Remember that the Manual has the same force and effect as a local rule. S.D.Ind. L.R. B-5005-4. (Use of the Manual as the repository for requirements concerning CM/ECF participation reduces the number of local rules updates. For a different approach to CM/ECF requirements, check out the District Court’s local rules 5-2 through 5-9.)

One area of recent concern to the Court has been the failure of users to treat their IDs and passwords with the protection they deserve. Remember that the use of your ID and password constitutes your signature on any document filed with that ID and password. However, the Court recognizes that sharing ECF access information with support staff and other attorneys in a firm may be efficient. Therefore, in the most recent change to the Manual the Court has:

- Removed the outright prohibition against sharing of IDs and passwords.
- Clarified that use of your ID and password by someone else is presumed to be authorized and the document filed is presumed to have been signed by you (see “Electronic Signature and Signature Block”); and
- Clarified that use of your ID and password by another attorney to file a document bearing that attorney’s electronic signature and not yours will be treated as a document signed **both** by that attorney **and** by you (see “Electronic Signature and Signature Block”).

The Manual has also clarified the responsibility of an attorney who leaves a firm – another area where sloppy practices have arisen. (See “Registration”.)

Finally, the Manual has been edited to accommodate electronic filing of claims and a few other types of documents outside of ECF. Those filings are usually by non-attorneys. As an example of these changes, the definition of “e-filer” has been expanded to include use of the Court’s new electronic proof of claim filing program.

Given the important constraints which the Manual places on your use of CM/ECF – and use by others with your ID and password – periodic review of that Manual is highly recommended.

November 19, 2013

/s/ Kevin P. Dempsey
Bankruptcy Clerk