

CM/ECF TRUSTEE/US TRUSTEE AGREEMENT

[NOTE: Detach and retain this Agreement and Review of Key Filing Requirements and Local Rules before submitting signed application (page one of this form) to the court.]

By signing and submitting to the court the “Acknowledgment of Responsibility” contained in Part III of Local Form **Acknowledgment of Responsibility and Request for Live Access to CM/ECF with Trustee/US Trustee Filing Privileges**, I understand that:

1. I agree to adhere to all of the rules, orders, guidelines, requirements, instructions and local forms (including subsequent amendments) or any other directives issued by this court or the clerk of this court in conjunction with use of this court’s CM/ECF system.
2. I must obtain and maintain a PACER account login.
3. I must maintain a valid primary e-mail address and elect to receive Notices of Electronic Filing, individually or in summary, via e-mail in cases in which I am involved. I must file a notice of change of mailing address in each case in which I am involved. Registered users who have also registered with the BNC for noticing purposes must also notify the BNC of changes in service address information.
4. I must pay by credit card over the Internet for any fees incurred for transactions made in CM/ECF in accordance with the U.S. Bankruptcy Court’s Fee Schedule. Failure to timely do so will result in temporary loss of access to CM/ECF under that login and may result in dismissal of a bankruptcy petition or adversary proceeding, striking of a document and/or sanctions.
5. Pursuant to Bankruptcy Rule 9011, use of my login and password constitutes my signature on an electronically filed document for all purposes, including those under Rule 9011 and 28 U.S.C. § 1746, and shall have the same force and effect as if I had affixed my signature on a paper copy of the document being filed. I must type or print my name on any document filed by me either above or below the signature line.
6. I may authorize one or more employees or office staff members to use any of my assigned logins and passwords for the electronic filing of a document, or I may authorize a Filing Agent (separate PACER account required). I will not knowingly permit use of my login(s) and password(s) by anyone not so authorized, I will take steps to prevent such unauthorized use, and I will be fully responsible for all use whether authorized or unauthorized. If authorization to use a login and password is withdrawn (e.g., when a staff member leaves employment) or if unauthorized use of a login and password is suspected, I will immediately select and activate a new password for that login. I shall also immediately notify the court’s CM/ECF help desk via e-mail (CMECF_support@flsb.uscourts.gov) upon learning of any unauthorized use. I understand that failure to change the password and notify the court under the aforementioned circumstances may result in sanctions.
7. Electronic filing in CM/ECF constitutes: (1) consent to receive service and notice electronically via the CM/ECF generated Notice of Electronic Filing (“NEF”) or Daily Summary Report (“DSR”) and waiver of the right to receive notice by first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) and Bankruptcy Rule 7005; (2) consent to electronic service via the CM/ECF generated NEF or DSR and waiver of the right to service by personal service or first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) and Bankruptcy Rule 7005, except with regard to service of a summons and complaint. Waiver of service and notice by first class mail applies to notice of the entry of an order or

judgment. In cases wherein service of documents filed electronically is required to be made on the United States and its agencies, corporations or officers, full compliance with Bankruptcy Rules 2002(j) and 7004(b)(4), (5) and (6) is required.

8. Prior to electronically filing any document with the court that requires an original third-party signature, I must obtain the original signature of that party or parties on a paper copy of the document and must retain the original of that signed document for the length of time as required under Local Rule 5005-4(C). I attest that I will advise the signing party that the document will be submitted to the court electronically and the paper version of any electronic document filed by me will be an exact copy of the printed version with the sole exception that the paper version will contain original signatures. I must type or print the name of any signer on any document filed by me either above or below the signature line and inclusion of the typed names shall be deemed a representation by me that the document was signed in original by that party, regardless of whether /s/, /s, or s/ is reflected by the typed name.
9. Electronic filing access as a trustee is to be used only for those cases in which I am acting in the capacity of trustee or US Trustee in that specific case and that I must register separately as an attorney user for all other cases in which I intend to file documents in this court.

REVIEW OF KEY FILING REQUIREMENTS AND LOCAL RULES

I. ELECTRONIC FILING, SERVICE OF DOCUMENTS, AND SUBMISSION OF PROPOSED ORDERS

- A. Electronically Filed Petitions, Post-Petition Schedules/Statements, and Adversary Proceedings.
1. E-filers are encouraged to use vendor software to file new cases and adversary proceedings, as these programs improve data accuracy and compliance with filing requirements. Ensure that software is kept current with updates, including all required local forms.
 2. Review the “[Clerk’s Filing Instructions](#)” for general filing requirements.
 3. Local Form “[Application for Individuals to Pay the Filing Fee in Installments](#)” is required in this district *instead of* Official Form 103A because the payment terms differ.
 4. Local Form “[Debtor’s Notice of Compliance with Requirements for Amending Creditor Information](#)” is required for filing all post-petition schedules and/or statements.
- B. E-Mail Address Requirements
1. E-filer is responsible for maintaining a valid email address.
 2. To make changes to user data, log into CM/ECF and select: *Utilities > Maintain Your ECF Data > follow the prompts (click Submit in the lower left corner of the primary screen to capture changes). Multiple links to PACER are provided in the Utilities menu.*
 3. To view a case list of all electronic recipients and/or case participants, select: *Utilities > Mailings > Mailing Info for a Case.* This is also helpful for preparing Certificates of Service.
 4. Note that a user’s login data is used for ALL automated noticing by the court.
- C. Document Legibility, Acceptability, and Personal Identifiers
1. Confirm legibility and/or completeness prior to uploading any PDF document into CM/ECF.
 2. PDF documents must be size 8.5” x 11”, with a maximum size limitation of no larger than 50MB per PDF document.
 3. The filer is responsible for redacting personal identifiers (see [Local Rule 5005-1\(A\)\(2\)](#)).
 4. PDF document filenames are displayed in CM/ECF. Avoid compromising filenames.
- D. Signatures and Document Retention
1. See [Local Rules 5005-4\(D\)](#) and [9011-1](#) for guidance.
 2. Attorneys must not share an assigned login/password with other attorneys for the purpose of filing documents in CM/ECF. The signature on a filed document **must** match the login account of the e-filer. The court issues logins to individuals, not firms.
- E. Fees
1. Filing fees for CM/ECF transactions are paid online through the Pay.Gov program module. Fee-based transactions have been programmed to automatically launch the Pay.Gov module immediately after filing the document.
 2. Registered users must pay the filing fee on the date a document is efiled in CM/ECF. Failure to submit payment will result in suspension of the user’s e-filing privileges until all filing fees are promptly paid.
 3. Failure to pay a required fee may result in either rejection, denial, or dismissal of a document or pleading.

F. Notices, Orders Issued by the Court, and Service

1. The clerk's office or automated system (for self-calendared matters) will issue a Notice of Hearing to the movant. The movant is responsible for serving the required document(s), and then e-file a conforming Certificate of Service as to the extent required under [Local Rules 2002-1\(F\)](#) and [9073-1\(B\)](#).
2. See "[Guidelines for Preparing, Submitting, and Serving Orders](#)." A 4-inch of blank space **must** appear at the top of page one of every proposed order. This is where the judge's electronic signature is affixed. **The proposed order must include the title and [ECF#] of the entry(ies) being ruled upon.**
3. Any order entered electronically without the judges' original signature has the same force and effect as if the judge signed a paper copy of the order.
4. An order may also be issued as "text-only" entries on the docket. Such orders are official and binding. There is no corresponding PDF document to a "text-only" order. See [Local Rule 9021-1\(A\)](#).
5. For additional service requirements see [Local Rules 2002-1](#), [9013-3](#), and [9076-1](#).

G. Motions; Searching for the Correct CM/ECF Event Code

1. The following must be substantially in sync: a motion's title, the decretal paragraph (aka, Wherefore or Prayer), and the CM/ECF docket text.
2. To ensure the correct CM/ECF event is selected when filing a document, use the "Search" feature. **Select "Search" in the blue CM/ECF menu bar to search event titles before filing a document. Entering fewer key words such as "Stay" will yield more e-filing options than searching longer phrases such as "Relief from Stay".** Some motion events are coded to charge a fee and/or perform additional administrative functions. Usage of the incorrect event code may result in corrective action required by the e-filer. Only use the "**Miscellaneous Motion**" event as a last resort whenever a corresponding document event code cannot be found.
3. A multi-part motion is a motion with two or more relief types being requested. The title of the motion **must** reflect all requested relief types. To select multiple relief events in CM/ECF, **Hold down the Ctrl-key and select each relief type desired, then release the Ctrl-key. Select each relief type in the sequence that they appear in the motion's title. For example, a Motion for Relief from Stay and/or Adequate Protection, is filed as a two-part motion in this manner.**

II. LOCAL RULES

The following key local rules were selected in support of the above information and to identify requirements and resources located within the court's website (<https://www.flsb.uscourts.gov>).

[LR1002-1. Commencement of Case.](#)

Tip: When filing a new case, concurrently file Official Form "[Statement About Your Social Security Numbers](#)," a complete creditor matrix, and Local Form "[Chapter 13 Plan](#)" (if filing a Chapter 13 petition), to avoid incurring post-petition noticing costs.

[LR1007-2. Mailing – List or Matrix.](#)

Tip: Attach a printed list when filing each new petition or post-petition schedule(s) that adds/deletes creditor(s).

LR1009-1(D). Amendments to Schedules, Statements and Lists.

Tip: Amendments to creditors' information may be stricken due to noncompliance if the document(s) are not accompanied by Local Form "[Debtor's Notice of Compliance with Requirements for Amending Creditor Information.](#)"

LR2002-1(F). "Certificate of Service: Substantially Conforming to Local Form Required.

*Tip: File a conforming Certificate of Service within two business days of service. Mailing information may be obtained in CM/ECF by selecting: **Utilities > Mailings > Mailing Info for a Case.***

LR2090-1. Attorneys

Tip: LR2090-1(A)(2) requires attorney to read and remain familiar with local and federal authoritative references.

LR2091-1. Attorneys – Changes in Attorney of Record for Parties in Cases or Proceedings.

Tip: This rule contains specific guidance for which a motion or notice must be filed.

LR4008-1. Reaffirmation.

Tip: The duties of debtor's counsel is specifically addressed in this local rule.

LR5005-1(G). Submittal and Service of Proposed Orders.

Tip: Movant is required to upload a proposed order no later than the seventh day following a hearing or trial.

LR5081-1(B). Payments from Registered Users of CM/ECF.

Tip: Pay filing fees immediately upon completing a transaction. Non-payment will result in account suspension.

LR9013-3. Certificate of Service.

Tip: Service of a motion is guided by this and other rules, and this rule cross references LR2002-1(F) above.

LR9072-1. Orders.

Tip: For ex parte matters, immediately upload a proposed order after filing the motion. Format and content are further specified in "[Guidelines for Preparing, Submitting and Serving Orders.](#)"

LR9076-1. Electronic Service.

Tip: CM/ECF registered users are responsible for ensuring that their email address is current. Registered users who are served with the Notice of Electronic Filing (NEF) will not receive a duplicate paper or email notice served by the Bankruptcy Noticing Center.