

United States Bankruptcy Court, Southern District of Florida
CM/ECF Limited Filer Party Agreement

[Note: Detach and retain this agreement 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 Login ID and Password for Live Access to CM/ECF with Limited 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. By requesting limited access, I understand that I will have limited access status to perform those events listed under Local Rule 5005-4(B)(3) or other directives of the court or clerk. Auditors pursuant to 28 U.S.C. §586(f) will only have access to file audit reports. I agree that any document that I am unable to file electronically must be filed in conventionally in paper format in a timely manner. I understand that I may notify the court to terminate my status as a registered user at any time.
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 and notify the clerk’s CM/ECF help desk via e-mail (CMECF_support@flsb.uscourts.gov) of any change to my primary e-mail address. Registered users who have also registered with the Bankruptcy Noticing Center (BNC) for noticing purposes must also notify the BNC of changes in service address information.
4. I understand that my status as a limited filer will not permit me to utilize the credit card feature of CM/ECF to pay any fees or deposits that I may need to in conjunction with a case in which I have appeared electronically and that I must pay these funds in accordance with court and clerk requirements for conventional paper filers. I understand that failure to make payment as required may result in dismissal of a bankruptcy petition, striking of a document and/or sanctions.
5. I understand that 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 login and passwords for the electronic filing of a document. However, such use constitutes my signature on the electronically filed document. I will not knowingly permit use of my login(s) and password(s) by anyone not so authorized, I shall take steps to prevent such unauthorized use, and I shall 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 shall forthwith 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. Registration for 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; and (2) consent to electronic service via the 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 electronically filed documents 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, I must verify the identity and obtain the original signature of the party or parties I represent 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 and that no changes, alterations or other modifications will be made 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. I understand that I may **NOT** file electronically any document that requires the filer to be qualified to appear as an attorney before this court pursuant to Local Rule 2090-1, other than appearances permitted by attorneys pursuant to Local Rule 2090-1(B)(1), or if non attorney filer, those permitted by pro se filers.
10. If a registered user ceases to be an employee or agent of a creditor on whose behalf documents are being electronically filed with the court, or for any other reason ceases to be authorized to file electronically on behalf of the creditor, the registered user will promptly notify the clerk.
11. If a creditor is appearing pro se as a register user and subsequently obtains other representation, the creditor must notify the court to terminate the user’s registration.
12. The court may, *sua sponte*, terminate a registered user’s login and password for any reason and require future documents to be filed conventionally or in any other format specified by the court.