

**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF FLORIDA**  
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**In re:**

**Administrative Order 2020-13**

**1) Clarifying Status of Administrative Order 2020-06;  
2) Setting Forth Requirements for Use of Digital  
Signature Software and 3) Readopting Provisions  
Establishing Procedures for Admission of Direct  
Evidence Through Declarations or Affidavits**

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Administrative Order 2020-06 “I) Suspension of Local Rule 5005-4(C) AND II) Establishment of Procedures For Admission of Direct Evidence Through Declarations or Affidavits,” was entered on March 19, 2020, in response to the outbreak of the Coronavirus Disease (“COVID-19”).

Due to the adoption of Amended Local Rules, effective December 1, 2020, the Court has determined it is necessary to replace Administrative Order 2020-06 with this Order. Accordingly, it is

**ORDERED** as follows:

1. Effective December 1, 2020, this Administrative Order supersedes and replaces Administrative Order 2020-06.
2. In addition to the provisions for signatures and document retention under Local Rule 9011-1, the use of commercial digital signature software that provides signature authentication is permitted **on the condition that**, prior to filing, the registered user has verified with the signer that the signer has received the entire document(s) to be signed, communicated with the signer regarding the substance and purpose of the signed document(s), and obtained the signer’s digital signature via any commercially available digital signature software that provides signature authentication, and will maintain a copy of the digitally signed document(s) in the case file.
3. For all contested matters and pursuant to the authority granted to the Court under Fed. R. Evid. 611, direct evidence may be offered by declaration(s) complying with 28 U.S.C. § 1746 to the extent that the declaration(s) contain admissible evidence from a competent witness with personal knowledge. Objections to the admissibility of the evidence in the declaration and the competency of the witness shall be preserved. Such declarations shall be signed in compliance Local Rule 9011-1 and, if applicable, with this Order. Any such declaration must be filed with the Court at least three (3) business days prior to the scheduled hearing, and the time under Fed. R. Bankr. P. 9006(d) is hereby reduced pursuant to Fed. R. Bankr. P. 9006(c)(1) to be consistent herewith. To the extent that any

party in interest wishes to cross-examine the declarant, the Court will determine appropriate procedures on a case-by-case basis.

**ORDERED** in the Southern District of Florida, this 1<sup>st</sup> day of December 2020.



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Laurel M. Isicoff, Chief Judge  
United States Bankruptcy Court

c: All SD Bankruptcy Judges  
Clerk of Court