

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON

**ADMINISTRATIVE PROCEDURES AND TECHNICAL REQUIREMENTS
FOR ELECTRONIC FILING
(The “Electronic Filing Procedures”)
(Effective _____, 2023)**

These Administrative Procedures and Technical Requirements for Electronic Filing (“Electronic Filing Procedures”), together with the Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules of the Western District of Washington Bankruptcy Court (“LBRs”) and General Orders of the Court, govern the use of the Case Management/Electronic Case Filing system (“ECF”) in the Bankruptcy Court for the Western District of Washington (“Court”).

I. ECF Participation.

A. Registration.

1. Participation in the Court’s ECF system requires a PACER (Public Access to Court Electronic Records) account and login. Electronic filing privileges with this Court are requested through PACER. If the Court grants the requested permission, the filer will receive an email confirming activation of the filing privileges. A person with electronic filing privileges is referred to as a “Registered ECF Filer.”
 - a. Full access ECF account privileges may be requested by attorneys and trustees who are admitted to practice in the U.S. District Court, Western District of Washington pursuant to [Local Rules, W.D. Wash., LCR 83.1](#).
 - b. Limited access ECF account privileges may be requested by out of state attorneys, paralegals, institutional creditors, mediators in The Honorable Thomas T. Glover Mediation Program, and Court-approved transcription service providers. Limited access accounts allow filing proofs of claims, transfers of claims, withdrawal of claims, reaffirmation agreements, and other privileges as may be added at the discretion of the Clerk of the Court.

2. Each Registered ECF Filer is responsible for maintaining current primary and alternate e-mail addresses and account information. The primary email address is maintained through the Registered ECF Filer's PACER account. The secondary email address is maintained through the Registered ECF Filer's ECF account. Court notification is not required.
3. The address, telephone number, and email address of a party or the party's attorney, as noted on the first document filed by that party or attorney or as changed in accordance with paragraph 2 above, shall be conclusively presumed to be the last known address, telephone number and email address of said party or attorney.

B. Security.

1. Registered ECF Filers must protect and secure their PACER password. PACER recommends changing the password regularly to prevent unauthorized use of an account.
2. Sharing PACER account credentials with a third-party service provider or designating that provider as a secondary recipient of a Notice of Electronic Filing (NEF) or Notice of Docket Activity (NEF/NDA) will give that third-party provider access to restricted or sealed case information and documents, typically in violation of court order. ECF Participants must use caution in computer security practices to ensure that restricted or sealed documents are not disclosed. See [WSBA Advisory Opinion 201601](#) (Ethical Practices of the Virtual Law Office).

C. Revocation of ECF Filing Privileges. The Clerk of Court may terminate a Registered ECF Filer's electronic filing privileges with the Court under the following circumstances:

1. Upon the Registered ECF Filer's written request to withdraw from participation.
2. Upon entry of an order by the U.S. District Court of the Western District of Washington suspending or terminating the Registered ECF Filer's ability to practice; or
3. Upon order of the Court's Chief Judge.

II. **Payment of Filing Fees.**

- A. Filing Fees Paid Electronically. Registered ECF Filer's shall pay all filing fees at the time of filing using a credit card through Pay.gov or bank account debit (ACH).
- B. Installments. If the Registered ECF Filer is filing a petition on behalf of a debtor who is unable to pay the filing fee except in installments, an Application to Pay Filing Fee in Installments must be filed with the petition and be accompanied by payment as established by court rules.
- C. Filing Lock Out. An Registered ECF Filer with fees that are delinquent for a period exceeding one business day may be locked out from further electronic filing until the fees are paid.

III. **Electronic Filing and Service.**

A. Filing.

- 1. The LBRs govern the formatting requirements for documents filed electronically with the Court, procedures for redaction of private personal identifiers, and the filing of documents under seal. The LBRs also establish limited exceptions for documents to be filed conventionally on paper.
- 2. A document filed electronically in the ECF system becomes part of the permanent case record and, unless filed under seal or otherwise restricted by the Court, can be viewed by the public.

B. Summons. Summons in adversary proceedings are issued electronically to the Registered ECF Filer who initiates the case. Service of the summons in accordance with Fed. R. Bankr. P. 7004 or [LBR 7004-1](#) is required.

C. Service.

- 1. Conventional service of documents in hard copy shall be required in accordance with Fed. R. Civ. P. 4, Fed. R. Civ. P. 45, Fed. R. Bankr. P. 7004, Fed. R. Bankr. P. 9014(b), Fed. R. Bankr. P. 9016, as ordered by the Court, or where otherwise specifically required by the Federal Rules of Civil Procedure or the Federal Rules of Bankruptcy Procedure. Proof of service pursuant to this subparagraph is required to be filed.

2. No certificate of service is required for documents served by filing with the Court's ECF system.

D. Title of Docket Entries and Pleadings. All documents are electronically filed using categories and events in ECF. Each document filed in response to a previously filed document shall: (i) be linked to the prior document, and (ii) track the title of the prior document (e.g., a response to a Motion for Avoidance of Lien shall be titled "Response to Motion for Avoidance of Lien.")

IV. **Technical Failures.**

A. ECF Technical Failure. A Registered ECF Filer whose filing is untimely as the result of a technical failure of ECF may seek relief from the Court. The Court shall consider ECF to be subject to a technical failure if the system is unable to accept filings, either continuously or intermittently, for more than one hour on any given day. Known system outages will be posted on the Court's web site.

B. Failure of Filer's System. Problems arising from the Registered ECF Filer's systems or technology shall not constitute a technical failure under these procedures, nor excuse an untimely filing. A Registered ECF Filer who is unable to file a document electronically because of a problem on the Registered ECF Filer's end must file the document conventionally.