

Judges Form Focus Groups to Consider Electronic Filing Issues

Over the last five years, the federal courts have developed a new automated bankruptcy case/docket management system that provides the capability for the electronic filing (e-filing) of documents directly with the bankruptcy court. This new automated system, called CM/ECF, will become internally operational in the District of Colorado later this fall, and the judges anticipate activating the external e-filing capability sometime during 2002.

In preparation of the transition to the new system, including the e-filing component, the judges studied a number of policy and procedural issues concerning e-filing. Because e-filing will have a significant impact on the manner in which bankruptcy practitioners and parties transact business with the court, the judges established eight separate focus groups consisting of 51 members of the bar, experts in specific subject matter areas, and staff members of the bankruptcy court. Under the leadership of individual judges, the focus groups met between May and July, 2001 and provided comments and recommendations on general e-filing policies and procedures under consideration by the court. The eight specific focus groups and the volunteers serving thereon appear on the following page.

After the work of the focus groups was completed, the judges met as a group to review and discuss each comment and recommendation. Following models established by the Administrative Office of the U. S. Courts and several other courts which have already implemented e-filing, the judges then drafted a proposed General Procedure Order which (1) establishes authority for e-filing in the bankruptcy court for the District of Colorado, and (2) promulgates administrative procedures necessary to effectively implement e-filing from an operational perspective, including several initial forms dealing with e-filer registration and debtor signature verification.

The proposed General Procedure Order and administrative procedures attached thereto and referenced therein may be accessed elsewhere on this web site.

The bankruptcy judges appreciate the efforts of the focus group volunteers in reviewing and recommending e-filing policies and procedures. Without the efforts of these volunteers, each of whom has been personally thanked by the judges, the preparation for conversion to an e-filing environment would be a much more difficult and less rewarding exercise.

E-Filing Policy Recommendations Focus Group Volunteers

1. **Signatures/paper document retention issues:** Judge A. Bruce Campbell, Jack Yee, Bonnie A. Bell, Joli Lofstedt, David Lewis, Guy Humphries, Howard Tallman, Steve Mulligan, Mark E. Welch, and Robert T. “Bo” Edwards;
2. **Electronic service issues and service of court orders:** Judge Donald E. Cordova, Shannon Fuller, Mark L. Fulford, Brian D. Zall, Hal Lewis, Joli Lofstedt, Daniel A. Hepner, Joanne Speirs, Anne Riordan-Tunnell, Robert M. Dutich, and Thomas L. Footitt.
3. **Security and privacy issues concerning certain electronic information:** Chief Judge Marcia S. Krieger, Brad Bolton, Stephen Keating, Lee Sands, Daniel J. Garfield, Kenneth J. Buechler, Jay Smiley, Rick Gonzalez, and Leo Weiss;
4. **Electronic filer issues - eligibility, registration, and training:** Judge Sidney B. Brooks, Rick Gonzalez, Jon Nicholls, Tom Seawell, Guy Humphries, Kelly Sweeney, Rich Roberts, Doug Jessup, Gari Ramirez, and Ellen Welner;
5. **Prosecuting matters at issue (use of certificates for disposition of all motions):** Chief Judge Marcia S. Krieger, Judge A. Bruce Campbell, Shannon Fuller, Brad Bolton, Kimberly H. Tyson, Tom Connolly, Linda Helmers, John F. Young, Jane Frey, Brad Dempsey, and Doug Jessup;
6. **Collecting court fees for electronic filing:** Shannon Fuller, Dianne Campbell, Dennis W. King, Tom Connolly, and Deborah Romero;
7. **Trustee issues:** Judge Elizabeth E. Brown, Shannon Fuller, Jeanne Jagow, Peter A. Cal, Jon Nicholls, Dennis W. King, Tom Connolly, David Lewis, Daniel A. Hepner, Howard Tallman, M. Steve Peters, David Palmer, Rick Gonzalez, Jack Yee, Gari Ramirez, and Bernie Onstad;
8. **Electronic filing application interface:** Judge Sidney B. Brooks, Jack Yee, Jacqueline Palmer, Randy Feuerstein, JoAnn Baldwin, Brad Dempsey, Steve Mulligan, and Bill Nelsch.