

March 2004

To our CM/ECF E-Filers:

You may recall that during your CM/ECF training session at the court, we advised that Electronic Filers would be receiving copies of notices and orders from the court via automatic e-mail messages as a feature of CM/ECF in lieu of paper mail. More specifically, pursuant to paragraph 5 of General Procedure Order 2001-8 as amended, the request for and receipt of a CM/ECF password from the court constitutes a request for electronic service pursuant to Fed.R.Bankr.P. 9036 of all notices, orders, decrees and judgments issued by the court, and except as otherwise provided in the ECF Procedures, a waiver of the right to receive notice and service from the court by mail.

Until recently, however, Electronic Filers have continued to receive copies of notices, orders, decrees and judgments by regular postal mail, in addition to electronic notification, as a matter of course. This is because our enforcement of this provision was delayed due to a lack of capability on our part to efficiently "deselect" Electronic Filers from receiving paper copies. This problem has been remedied and the duplicate paper mailings to Electronic Filers is being discontinued.

Beginning in January, 2004 the court discontinued mailing paper copies of notices and orders to the U.S. Trustee, chapter 7 panel trustees who have received CM/ECF logins and passwords, and the chapter 13 trustee. Within the past few weeks, we began to discontinue providing duplicate service via the mail for all other Electronic Filers as well. As a result, you may have noticed that you are receiving fewer copies of notices and orders from the court via the mail. Some of you have called the court and expressed concern that we have failed to properly mail certain notices or orders to you. Again, this is based on a policy provision adopted and made public over two years ago, although only recently enforced.

While you may still receive some duplicate notices and orders from the court via mail, depending upon the type of notice or order, please be advised that you should no longer rely only upon the notices and orders you receive from the court via the mail. As an Electronic Filer, your official means of service or notice from the court is via E-mail pursuant to General Procedure Order 2001-8.

This discontinuance does not apply to the initial notice of the commencement of the case and the section 341 meeting of creditors, nor does it apply to service of papers between parties.

We appreciate your continuing support of our CM/ECF initiative, and regret any confusion or inconvenience this may have caused. Your continuing comments and suggestions are always welcome.

Bradford L. Bolton, Clerk