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L.B.R. 1007-1APP
LISTS, SCHEDULES, STATEMENTS & OTHER DOCUMENTS

(a) Schedules, Statements and Other Documents Required: The following original documents should be submitted in the following sequence to constitute a filing of a complete Voluntary Petition Packet for Relief under Chapters 7, 11, 12 and 13 (a link to the forms can be located and obtained from www.cob.uscourts.gov):

(1) Cover Sheet – L.B. Form 1002-1.1 (for paper filed cases only)
(2) Voluntary Petition – Official Form 1
(3) Statement of Financial Affairs – Official Form 7
(4) Summary of Schedules A–J and Statistical Summary of Certain Liabilities – Official Form 6–Summary
(5) Schedules A, B, C, D, E, F, G and H – Official Forms 6A through 6H
(6) For individual filers, Schedules I and J – Official Forms 6I and 6J
(7) Declaration Concerning Debtor's Schedules – Official Form 6
(8) Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer – Official Form 19 (submitted only if debtor used the services of a bankruptcy petition preparer)
(9) For each individual debtor, copies of all payment advices, paycheck stubs, or other evidence of all salary, commissions or income received within 60 days before the bankruptcy case was filed, copied on 8 ½ by 11 paper with the debtor's full name printed on top of each page (and bankruptcy case number, if a number has been assigned); or, if applicable, complete L.B. Form 1007-6.1 ("Statement Under Penalty of Perjury Concerning Payment Advices") for each debtor.
(10) Disclosure of Compensation of Attorney for Debtor, if applicable – Director's Procedural Form B 203
(11) Creditors Matrix (see L.B.R. 1007-2 and L.B.R. 1007-2App for instructions).
(12) Verification of Creditors Matrix – L.B. Form 1007-2.1.

(b) Additional Items due from Individual Debtors:

Any Chapter:

(1) Certificate of Credit Counseling or Motion/Certification for Exemption or Exception, L.B. Form 1007-1.1.
(2) Statement of Social Security number – Official Form 21
(3) A record of any interest in an education IRA or qualified state tuition program (see 26 U.S.C. § 529)
(4) Statement of Military Service – Director's Procedural Form 202

Chapter 7 Individual Debtors:

(1) Statement of Current Monthly Income and Means Test Calculation – Official Form 22A
(2) Statement of Intention – Official Form 8

Chapter 11 Individual Debtors:

(1) Statement of Current Monthly Income – Official Form 22B

Chapter 13 Individual Debtors:

(1) Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Chapter 13) – Official Form 22C
(2) Chapter 13 Plan – L.B. Form 3015-1.1

(c) Additional Items due from Chapter 11 Debtors:

(1) List of Twenty Largest Creditors – Official Form 4
(2) Corporate Ownership Statement as required by FED. R. BANKR. P. 1007(a)(1) – L.B. Form 1007-4.1.
(3) List of Equity Interest Holders as required by FED. R. BANKR. P. 1007(a)(3) – L.B. Form 1007-4.2.
(4) Small Business Debtors – the following items pursuant to 11 U.S.C. § 1116(1)(A) or a statement under penalty of perjury that no such document exists pursuant to 11 U.S.C. § 1116(1)(B):

(i) balance sheet
(ii) statement of operations
(iii) cash-flow statement
(iv) Federal income tax return

L.B.R. 1007-2APP
INSTRUCTIONS REGARDING CREDITOR ADDRESS MAILING MATRIX

(a) Instructions: In order to ensure that the debtor's verified list of creditors, referred to as the Creditor Address Mailing Matrix, is properly formatted and loaded into the electronic case management system, the debtor must comply with the following instructions and guidelines:

(1) The completed original/amended Creditor Address Mailing Matrix must be saved as a ***TEXT*** (.txt) file type and submitted to the court on a Compact Disk (CD), a Digital Video Disk (DVD) or a 3-½ inch 1.44 MB diskette in lieu of a printed paper copy (Do NOT use 720K Dual Density diskettes or MAC formatted diskettes). ***TEXT*** files, when saved properly will have a ".txt" extension after the file name. For example, if a Creditor Address Mailing Matrix file is saved with the name of 'creditor', the full file name will be '**creditor.txt**'. **A HARD COPY (PAPER) OF THE COMPLETED MATRIX IS NOT REQUIRED**.

(2) All PCs having a WINDOWS Operating System have a package called **NOTEPAD** under Programs, Accessories, NOTEPAD. NOTEPAD is a basic word processor and will easily save a ***TEXT*** file as its basic file type. Also, word processing packages and petition preparation packages may have different descriptions for ***TEXT*** file types. For example, newer versions of MS WORD will use **TEXT ONLY** (.txt) as a file type. Similarity, newer versions of WordPerfect will have **ASCII DOS TEXT** as a file type. All of the above referenced word processing programs are acceptable, but you may find NOTEPAD the easiest to use when saving a **TEXT** file.

(3) The name and address of each creditor, including a box or street number, city, state and zip code must be listed. If an assignment of the account or debt is known, the full names and addresses of both the original creditor and assignee must be listed. If the debt is in the hands of an attorney or other agent for collection, the full names and addresses of both the creditor and attorney or other agent should be listed, if known. **Do NOT list full account numbers, <u>only the last four digits of the account number</u>. Do NOT list the amount owed to the creditor on the Creditor Address Mailing Matrix.**

(4) Creditor Address Mailing Matrix on diskette should be prepared as follows:

(A) Do NOT include page titles, headers, or page numbers
(B) One single column per page
(C) Five (5) lines per address maximum
(D) Special characters such as @#$%^&*()_+? are not permitted
(E) City, state and zip code must be on one (1) line
(F) City, state and zip code must be on the last line of the address
(G) Triple space between each creditor's address
(H) Maximum of forty (40) characters per line

(5) Do **NOT** include the names and addresses for the following people as they will be retrieved automatically by the system for noticing:

(A) Debtor and/or joint debtor
(B) Attorney for the debtor
(C) Any Chapter Trustee (Ch. 7, 12, 13)
(D) The United States Trustee

(6) The **Verification of Creditor Address Mailing Matrix**, L.B. Form 1007-2.1, must be prepared and filed along with the CD/DVD or diskette.

(7) A supplemental or amended Creditor Address Mailing Matrix must include **ONLY new creditors NOT PREVIOUSLY SUBMITTED. DO NOT include creditors submitted on a previous CD/DVD or diskette**. See L.B.R. 1009-1 for additional information on amending the Creditor Address Mailing Matrix and Schedules.

(8) If you wish to change the address of a creditor already submitted, file a completed Change of Address form and DO NOT file an amended Creditor Address Mailing Matrix.

(b) Sample: The Creditor Address Mailing Matrix should look like the format below the line. Please remember that headings, titles, and page numbers are not necessary. (Note: the samples below are not actual addresses)

SAMPLE CREDITOR ADDRESS MAILING MATRIX

Sears Credit
Re: XX XXX 4587
123 Main St.
Denver, CO 80202

Wells Fargo Bank
Re: XX XXX 9852
8000 W. Major Blvd.
Chicago, IL 12345

BankOne
Re: XX XXX 5412
MasterCard Dept.
4567 Highway 85
Fargo, ND 11333

[Source: Amended GPO 2001-7]

L.B.R. 1017-3APP
UNITED STATES TRUSTEE'S STANDING MOTION TO DISMISS DEFICIENT CASE

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO

IN RE:	)	
	)	
	)	Case No.
	)	
Debtor.	)	
	)	

UNITED STATES TRUSTEE'S STANDING MOTION TO DISMISS DEFICIENT CASE

The United States Trustee ("UST") hereby moves the Court to dismiss any case where there is a deficient filing as defined in L.B.R. 1017-3 upon the following grounds:

1. The failure to timely file lists, schedules, statements and other required documents to commence a case as required by the Court, Bankruptcy Code and Rules unreasonably delays the efficient administration of cases and is prejudicial to the trustee, creditors and other parties in interest.

2. A deficient case as defined in L.B.R. 1017-3(a)(1), is cause for dismissal pursuant to 11 U.S.C. §§ 707(a)(1) & (3), 1112(b)(4)(F) and (e), 1208(c)(1) and 1307(c)(1) & (9).

3. The deficiencies in the filings in this case constitute cause for dismissal pursuant to L.B.R.1017-3.

Wherefore, the UST respectfully requests that the Court dismiss, after notice as provided for in L.B.R. 1017-3, any case in which there is a deficient case filing as defined in L.B.R. 1017-3, and for such other and further relief as the Court deems appropriate.

Respectfully submitted,

CHARLES F. McVAY
UNITED STATES TRUSTEE

/s/*Gregory M. Garvin*
By: Gregory M. Garvin, #38460
Assistant United States Trustee
999 18th Street, Suite 1551
Denver, CO 80202
(303) 312-7242
(303) 312-7259 fax
gregory.garvin@usdoj.gov

L.B.R. 2016-2APP

GUIDELINES FOR MONTHLY INTERIM COMPENSATION PROCEDURES IN CHAPTER 11 CASES

(a) Guidelines: The party seeking interim compensation procedures pursuant to L.B.R. 2016-2 must comply with the order authorizing such compensation and the procedures established therein concerning monthly statements, interim fee applications, and the final fee application. These guidelines are subject to change on a case-by-case basis.

(1) The court may authorize the debtor to pay professionals less than all requested interim fees and expenses subject to interim and final approval pursuant to 11 U.S.C. § 331.

(2) The interim fee application and proposed order must contain at least a 25% "hold-back" on fees. All of the fees requested may be allowed on an interim basis, however payment will only be allowed in a maximum amount of 75% of the allowed fees and 100% of the allowed costs.

(3) To the extent any fees or expenses are not finally approved by the court, they must be offset against the 25% hold-back or be disgorged from the professional as appropriate.

(4) Once a month, and within fourteen (14) days from the end of the month for which compensation is sought, professionals must submit a detailed monthly statement including a billing statement to the debtor or party responsible for payment in a form generally acceptable for fee applications.

(5) Professionals must also submit each monthly statement to debtor's counsel, the United States Trustee, any appointed chapter 11 trustee, and to counsel for any unsecured creditors' committee (or if there is no counsel of record, to all members of the committee), and as requested by parties-in-interest, collectively the "noticed parties."

(6) The noticed parties will have fourteen (14) days to raise any objections to the requested fees in the monthly statement, specifically stating the nature of the objection and the amount of the objectionable fees.

(7) If the parties are unable to resolve any disputes they may file a motion seeking resolution by the court.

(8) Once the fourteen (14) day notice period has passed and/or all objections have been resolved, the debtor may pay its professionals the monthly compensation without further order of the court if the debtor has sufficient cash reserves to pay its administrative creditors. All monthly fees paid without a court order are subject to the interim and final fee applications filed with the court, and therefore subject to disgorgement.

(9) Parties subject to a monthly interim compensation procedure order must:

(A) comply with 11 U.S.C. § 330, L.B.R. 2016-1 and L.B. Form 2016-1.1 for interim and final compensation approval,
(B) file formal interim fee applications at least once every 120 days and not more than every 180 days, and
(C) seek final approval of all interim compensation fee applications by filing a final fee application.

(10) Failure to object to a monthly statement does not constitute waiver of the right to object to a formal interim or final fee application.

LBR 2016-3APP
CHAPTER 13 FEE PROCEDURES GPO

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO

IN THE MATTER OF
PROCEDURES FOR FEE APPLICATIONS
IN CHAPTER 13 CASES

GENERAL PROCEDURE ORDER NUMBER 2009-___

The court determines that it is appropriate to set forth a presumptively reasonable fee ("PRF") and a list of basic services ("Basic Services") in connection with L.B.R. 2016-3 and the system for awarding attorneys fees and costs in chapter 13 cases. In furtherance thereof,

IT IS HEREBY ORDERED that:

A. The following PRF and list of Basic Services are applicable in all chapter 13 cases filed on or after _____, 2009. This General Procedure Order shall supercede L.B.R. 216, Second Amended General Order 2001-1, and General Procedure Order Number 2007-2. Cases filed prior to _____, 2009 remain subject to General Procedure Order Number 2007-2.

B. The presumptively reasonable fee amount is $3,000.00.

C. The following services are Basic Services common to most Chapter 13 cases. Some cases will not require all of these services, but such services are considered essential to competent and effective representation of most debtors in Chapter 13. By utilizing the Short Form Fee Application, L.B.R. 2016-3, L.B. Form 2016-3.1, and the presumptively reasonable fee amount, the attorney for the debtor agrees to perform these Basic Services as part of the chapter 13 case:

1. Meet with the debtor to review and analyze the debtor's financial situation.
2. Counsel the debtor on whether the filing of a bankruptcy case is appropriate and necessary and, if so**,** whether to file a Chapter 7 or Chapter 13 case.
3. Advise the debtor of the statutory obligations once a bankruptcy is filed, both pre- and post-confirmation.
4. Evaluate the timing of the filing.
5. Evaluate conflict of interest issues.

6. Explain to the debtor the nature and amount of fees and expenses to be charged for the Basic Services. Provide the debtor with a copy of this list of Basic Services.
7. If required to e-file, e-file all documents on debtors behalf.
8. Analyze eligibility for discharge.
9. Prepare and file required documents, including, but not limited to, the schedules and statement of financial affairs, statement of current monthly income, and other information required to be filed by 11 U.S.C. § 521(a).
10. Assist the debtor in formulating a budget and chapter 13 plan.
11. Respond to creditor inquires.
12. Timely supply requested information to the chapter 13 trustee.
13. Advise the debtor with regard to the automatic stay.
14. Take appropriate action with respect to the automatic stay.
15. Appear at and represent the debtor at the 11 U.S.C. § 341 meeting of creditors.
16. Review claims filed by the final hearing on confirmation and account for them in the plan.
17. Represent the debtor in negotiations with the chapter 13 trustee.
18. Prepare and file any necessary amendments to schedules, statements and proposed plans.
19. Where debtor owns real estate or has lawsuits, obtain a lien search and if applicable, prepare and file motions for avoidance of liens.
20. Represent the debtor at any examination under FED. R. BANKR. P. 2004.
21. File or object to proofs of claim, as necessary.
22. If appropriate, prepare and file responses to motions and appear at any hearings.
23. Represent debtors in plan confirmation process and attend hearing if necessary on objections to confirmation.
24. Prepare all proposed orders and give all notices as required.
25. Comply with L.B.R. 1017 and 3015, 11 U.S.C. §§ 521 and 1308.

Dated: _____, 2009

BY THE COURT:

Howard R. Tallman, Chief Bankruptcy Judge

Sidney B. Brooks, Bankruptcy Judge

A. Bruce Campbell, Bankruptcy Judge

Elizabeth E. Brown, Bankruptcy Judge

Michael E. Romero, Bankruptcy Judge

LOCAL BANKRUPTCY RULE 4001-3APP
CASH COLLATERAL AND POST-PETITION FINANCING

(a) Provisions that will <u>not</u> normally be approved without a demonstration of need or cause:

(1) Cross-collateralization clauses, i.e., clauses that secure prepetition debt by postpetition assets in which the secured party would not otherwise have a security interest by virtue of its prepetition security agreement. See 11 U.S.C. § 552.

(2) Provisions or findings of fact that bind the estate or all parties in interest with respect to the validity, perfection or amount of the secured party's lien or debt.

(3) Provisions or findings of fact that bind the estate or all parties in interest with respect to the relative priorities of the secured party's lien and liens held by persons who are not party to the stipulation (This would include, for example, an order approving a stipulation providing that the secured party's lien is a "first priority" lien.).

(4) Waivers of 11 U.S.C. § 506(c), unless the waiver is effective only during the period in which the debtor is authorized to use cash collateral or borrow funds (Otherwise a future trustee might be faced with a duty to care for and preserve collateral in the trustee's possession and no financial means for discharging that duty.).

(5) Provisions that operate, as a practical matter, to divest the debtor-in-possession of any discretion in the formulation of a plan, administration of the estate or limit access to the court to seek any relief under other applicable provisions of law.

(6) Releases of liability for the creditor's alleged prepetition torts or breaches of contract.

(7) Waivers of avoidance actions arising under the Bankruptcy Code.

(8) Automatic relief from the automatic stay upon default, conversion to Chapter 7, or appointment of a trustee.

(9) Waivers of the procedural requirements for foreclosure mandated under applicable non-bankruptcy law.

(10) Adequate protection provisions that create liens on claims for relief arising under the Bankruptcy Code (see 11 U.S.C. §§ 506(c), 544, 545, 547, 548, and 549).

(11) Waivers, effective on default or expiration, of the debtor's right to move for a

court order pursuant to 11 U.S.C. § 363(c)(2)(B) authorizing the use of cash collateral in the absence of the secured party's consent.

(12) Findings of fact on matters extraneous to the approval process. (For example, in connection with an application to borrow on a secured basis, a finding that the debtor cannot obtain unsecured credit would be acceptable, whereas a “finding” that the lender acted in good faith in declaring the prepetition loan in default would not be acceptable.)

(b) Provisions that may be approved:

(1) Withdrawal of consent to use cash collateral or termination of further financing, upon occurrence of a default or conversion to Chapter 7.

(2) Securing any postpetition diminution in the value of the secured party's collateral with a lien on postpetition collateral of the same type as the secured party had prepetition, if such lien is subordinated to the compensation and expense reimbursement (excluding professional fees) allowed to any trustee thereafter appointed in the case or subject to a negotiated carve-out of professionals’ fees.

(3) Securing new advances or value diminution with a lien on other assets of the estate, but only if the lien is subordinated to all the expenses of administration (including professional fees) of a superseding Chapter 7 case.

(4) Reservations of rights under 11 U.S.C. § 507(b), unless the stipulation calls for modification of the Code's priorities in the event of a conversion to Chapter 7. See 11 U.S.C. § 726(b).

(5) Reasonable reporting requirements.

(6) Reasonable budgets and use restrictions.

(7) Expiration date for the stipulation.

LOCAL BANKRUPTCY RULE 5005-4APP
ECF ADMINISTRATIVE PROCEDURES

Several Local Bankruptcy Rules deal specifically with the requirements and implications of electronic filing. Please see L.B.R. 5005-4 on Electronic Filing; L.B.R. 9004-1 Papers–Requirements of Form; L.B.R. 9011–4 Signatures and 9036-1 Notice by Electronic Transmission. Your knowledge of the provisions of those rules is vital for the successful use of ECF and compliance with the ECF Administrative Procedures.

These ECF Administrative Procedures highlight many of the provisions, implications and pertinent information related to electronic filing.

(a) **Eligibility and Registration for the Electronic Filing System**

(1) Eligibility. Attorneys admitted to practice in the District of Colorado, and others as the court deems appropriate, who file, on average, one or more documents per week must register as Electronic Filers in the court's ECF system. Attorneys who file, on average, less than one document per week may register as Electronic Filers in the court's ECF system.

(2) Registration.

(A) Each Electronic Filer registering for CM/EC must enroll themselves and/or their designated staff person in and complete a CM/ECF Electronic Filer Training Program conducted by the Clerk. The Clerk will use his discretion in a fair and nondiscriminatory manner to ensure that all registrants are treated fairly. Attorneys to whom these ECF Procedures mandatorily apply will be given preference in training class scheduling and may enroll two persons for any scheduled class. Attorneys to whom these ECF Procedures are discretionary, may enroll only one person for any scheduled class, and classes may be rescheduled to accommodate those attorneys to whom mandatory ECF Procedures apply.

(B) In lieu of attending a training class conducted by the Clerk, each Electronic File must obtain and complete a self-directed training program available from the Clerk. Self-enrollment for the Training Program will be via online at https://ecf.cob.uscourts.gov/ecf_training.htm.

(C) Registration requires the Electronic Filer applicant's name, address, telephone number, Internet e-mail address, and a declaration that the Electronic Filer, if an attorney, is admitted to practice in the District of Colorado. Upon completion of the online registration, the Clerk will transmit a registration confirmation form back to the Electronic Filer applicant. All registration form must be submitted to the Clerk, U. S. Bankruptcy Court, District of Colorado, 721 19th Street, Denver, Colorado, 80202-2508, Attention: ECF System Registration, or COBML_Training@cob.uscourts.gov.

(3) Password. Each Electronic Filer is entitled to one CM/ECF password for electronic retrieval, filing and noticing of documents in accordance with CM/ECF. Upon request and at the Clerk's discretion, an Electronic Filer may receive multiple CM/ECF passwords based on caseload. Registration for a password is governed by paragraph I.C.

(A) The password required to submit documents to the ECF system serves as the Electronic Filer's original signature on all electronic documents filed with the court.

(B) Electronic Filers agree to protect the security of their passwords and immediately notify the Clerk if they learn that their password has been compromised. Electronic Filers may also find it desirable to change their assigned passwords periodically and may do so by contacting the Systems Department of the Clerk's Office.

(C) The individual named in the CM/ECF registration Form remains the official recipient of the Electronic Filer's password. No Electronic Filer or other person may knowingly permit or cause to permit an Electronic Filer's password to be used by anyone other than an authorized agent of the Electronic Filer. All documents submitted via an Electronic Filer's password is considered "signed" by the Electronic Filer to whom the password is issued.

(D) Pursuant to 5005-4, the court reserves the right to temporarily deactivate an Electronic Filer's password, or to revoke it and the authority to file electronically.

(b) **Electronic Filing and Service of Documents**

(1) Filing.

(A) Electronic filing: except as expressly provided herein or as directed by a Judge in a particular case or matter, all petitions, statements of affairs, schedules, motions, pleadings, memoranda of law, certificates of contested and non-contested matters, or other documents required to be filed with the court in connection with a case must be electronically filed in accordance with these ECF Procedures.

(B) Waiver of paper format: pursuant to Fed.R.Bankr.P. 5005(a)(2), a document filed by electronic means in accordance with these ECF Administrative Procedures, constitutes a written paper for the purpose of applying the Federal Rules of Bankruptcy Procedure, the Federal Rules of Civil Procedure made applicable by the Federal Rules of Bankruptcy Procedure, and § 107 of Title 11, United States Code, except as otherwise provided by these procedures. Electronic filers who file documents electronically pursuant to these procedures are excused from filing said documents in paper form.

(C) Copies: except as otherwise stated in these ECF Administrative Procedures, all petitions, schedules, statements, lists, and amendments thereto, and all motions, applications, notices, objections, requests for hearing and other documents filed or converted to electronic case files pursuant to these procedures are to be filed in electronic format only. The requirement to file copies in paper format does not apply, except when specifically requested by a Judge or Judge's chambers.

(D) Exhibits: because lengthy and voluminous exhibits create accessibility problems in CM/ECF, Electronic Filers filing documents that reference exhibits not prepared in electronically produced text must scan and electronically file those exhibits divided as separate attachments in PDF format each of which must not exceed one hundred (100) pages in length, scanned at two hundred (200) or less d.p.i.

(E) Proofs of claim: proofs of claim may be electronically filed by attorneys or other parties who are authorized to file electronically pursuant to these ECF Procedures. The Clerk will scan all proofs of claim and exhibits attached thereto filed in paper format into CM/ECF. Exhibits in excess of approximately one hundred (100) pages in length, scanned at two hundred (200) or less d.p.i., will be divided and scanned as multiple attachments to the claim

(F) Title of docket entries: electronic filers are responsible for selecting the appropriate event and title for the electronically filed document using one of the options provided in the system, e.g., motion, application, etc.

(G) Fees payable to the Clerk: When a document requiring a fee is electronically filed, the electronic filer must effect payment of the fee via credit card at the conclusion of the transaction. Failure to pay the fee, if any, at the conclusion of the day on which the transaction occurs, may result in an order striking filing of the document. Repeated failure to pay the filing fee for electronically filed documents may result in the temporary suspension or revocation of the electronic filer's ECF password. In the event the credit card charge cannot be processed, the Electronic Filer will be contacted and must satisfy the required payment within 24 hours. This paragraph does not apply to federal agencies and chapter 7 trustees for whom different filing fee payment arrangements may apply.

(H) Exclusions to electronic filing of documents and the requirements and provisions of these ECF Administrative Procedures for documents that will continue to be filed in conventional paper format:

(i) Involuntary petitions filed pursuant to 11 U.S.C. 303;

(ii) Petitions filed pursuant to chapter 9;

(iii) Petitions ancillary to foreign proceedings filed pursuant to 11 U.S.C. § 1501 et seq.; and

(iv) Miscellaneous cases wherein the court does not already have jurisdiction such as a motion to quash a subpoena issued by a court or judicial officer in another jurisdiction.

(2) Consequences of Electronic Filing.

(A) The official record is the electronic recording of the document as stored by the court, and the filing party is bound by the document as filed. A document filed electronically is deemed filed at the date and time stated on the Notice of Electronic Filing from the court.

(B) Filing a document electronically does not alter the filing deadline for that document. Filing must be completed before midnight MST or MDT, as applicable, in order to be considered timely filed that day. Notwithstanding the foregoing, an Electronic Filer whose filing is made untimely as the result of a technical failure may seek appropriate relief from the court.

(C) It is the responsibility of the Electronic Filer to file and link electronic documents correctly in accordance with the requirements of CM/ECF and these ECF Procedures. In the event an Electronic Filer files an electronic document containing errors, omissions, defects or other deficiencies, the Clerk will, upon discovery, make an entry on the docket noting the error or omission and send the Electronic Filer notice of entry of the error or omission via the Automatic Notice of Electronic Filing pursuant to paragraph II.C.2. of these Procedures. The electronic filer must correct the error or omission described in said Automatic Notice of Electronic Filing by the close of the next court day following transmittal of the Automatic Notice of Electronic Filing. The failure to timely correct the error or omission, unless the court orders otherwise, will result in the erroneous document not being acted upon by the court. Certain other matters may be corrected by the Clerk's staff pursuant to local rule or General Procedure Order.

(3) Service.

(A) General Rule: except as otherwise provided in paragraph II.C.3., all documents required to be served must be served in paper (i.e., "hard copy") form in the manner mandated by the applicable law and rules.

(B) Automatic Notice of Electronic Filing: the CM/ECF system automatically generates a Notice of Electronic Filing at the time a document is filed with the system. The Notice indicates the time of filing, the name of the party and Electronic Filer filing the document, the type of document, and the text of the docket entry. It also contains an electronic link (hyperlink) to the filed document, allowing anyone receiving the Notice by e-mail to retrieve the document automatically. The CM/ECF system automatically sends this Notice to all Electronic Filers participating in the case. Electronic Filers are obligated to ensure that their e-mail boxes designated to receive the Notice have sufficient capacity to receive all notifications.

(C) Consent to electronic service from the court: the request for and receipt of an electronic filing 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 Administrative Procedures, a waiver of the right to receive notice and service from the court by mail. Electronic filers will receive electronic notification of notices, orders, decrees and judgments in cases where they enter their appearance.

(D) Service from Other Parties: registration does not constitute waiver of the right to personal service or service by first class mail from other parties in the case. Registration does not constitute consent to electronic service/notice from other parties in the case.

(E) Case specific consent to electronic service/notice from other parties:

An electronic filer may file a specific waiver of the right to personal service or first class mail and consent to electronic service/notice from other parties in each case pursuant to FED. R. BANK. P. 9036. Whenever service is required to be made on a person who has filed a case specific waiver/consent, service and notice must be accomplished by electronic mail to the e-mail address on file with the court. Any notice sent via e-mail from a party other than the court must contain "Notice of Pleadings" in the subject or "re" line. The certificate of service must contain the email addresses and name(s) of the person(s) to whom electronic service was affected.

(F) Orders: All signed orders, decrees, judgments, and proceedings of the court will be electronically filed by the court or court personnel in accordance with these ECF Procedures, which will constitute entry on the docket kept by the Clerk under FED. R. BANKR. PRO. 5003 and 9021. Immediately upon the electronic entry of an order or judgment, a Notice of Electronic Filing will be transmitted to all Electronic Filers who have entered appearances in the case. Electronic transmission of the Notice of Electronic Filing constitutes the notice required by FED. R. BANKR. PRO. 9022. The Clerk will provide notice in paper form to any person who is entitled to receive notice, but is not a registered Electronic Filer. In addition to the Notice of Electronic Filing, the Clerk, may, at his/her discretion, also provide notice in paper form to Electronic

(c) **Access to the Docket**

(1) Internet Access. Any person or organization may obtain access to the "read only" area of CM/ECF at the court's Internet site at www.cob.uscourts.gov by obtaining a PACER password and paying any fees established for such access. Those who have PACER access, but who are not Electronic Filers, may retrieve docket sheets and documents, but they may not file documents. Information posted on the CM/ECF system must not be downloaded for uses inconsistent with the privacy concerns of any person.

(2) Access at the Court. Electronic access to all documents filed for public access is available, without obtaining a password, in the Clerk's office during regular business hours, Monday through Friday. Conventional and certified copies of electronically filed documents may be purchased at the Clerk's office during regular business hours Monday through Friday. The fee for copying and certifying will be in accordance with the Schedule of Miscellaneous Fees promulgated by the Judicial Conference of the United States pursuant to 28 USC § 1930(b).

(3) Access Charges. Electronic access fees are payable in accordance with the fees and procedures established by the Judicial Conference of the United States pursuant to 28 USC § 1930(b).

UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLORADO
ELECTRONIC CASE FILING (ECF) SYSTEM
ELECTRONIC FILER REGISTRATION FORM

To register for an account on the Court's ECF System, please provide the information requested below:

Name: _____

Firm Name: _____

Firm Address: _____

Voice Phone Number: _____

FAX Number: _____

Bar ID# and State: _____

Primary E-Mail Address (for e-mail notification) _____

Send Duplicate E-Mail To: _____

Send Electronic Notice (check one): _____ Each Filing _____ End of Day Summary _____

Send Electronic Notice in the following format (check one):

_____ HTML for Netscape, ISP mail service, i.e, AOL, Hotmail, Yahoo, etc.

____ Text for cc:mail, Groupwise, Outlook, Outlook Express, Other (please list)

CM/ECF Contact Name and Telephone Number
_____

_____

By submitting this registration form, applicant agrees to the statements on the next page.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLORADO
ELECTRONIC CASE FILING (ECF) SYSTEM
ELECTRONIC FILER REGISTRATION FORM

By submitting this registration form, applicant agrees to the following:

1. Federal Rule of Bankruptcy Procedure 9011 requires that every pleading, motion, and other paper (except lists, schedules, statements or amendments thereto) filed with the court be signed by at least one attorney of record or, if the party is not represented by an attorney, by the party. The unique password issued to an Electronic Filer identifies that person to the court each time he or she logs on to the ECF system. The use of an Electronic Filer's password constitutes the signature of the Electronic Filer for the purposes of Fed.R.Bankr.P. 9011 on any document or pleading filed electronically using that Electronic Filer's password. Therefore, an Electronic Filer must protect and secure the password issued by the court. If you have any reason to suspect your password has been compromised, it is your duty to notify the court immediately. The court will thereafter immediately delete that password from the ECF system and issue a new password.

2. By this registration, applicant agrees to adhere to the ECF Administrative Procedures attached thereto and referenced therein, and to the Local Bankruptcy Rules regarding electronic filing. Applicant further understands and agrees that upon entering an appearance as an Electronic Filer in a case or proceeding, such appearance does not constitute consent to receive notice and service by electronic means from other attorneys unless he or she files a specific consent for service by electronic means within such case or proceeding. Applicant further understands that upon notification of an error, omission, or other deficiency in a document filed electronically, the Electronic Filer shall correct said deficiency no later than the next court day, failing which said deficient document shall be deemed stricken.

3. Applicant agrees that prior to receiving a login and password to electronically file documents, he or she must enroll in and satisfactorily complete a CM/ECF Electronic Filer Training Program conducted by the Clerk.

4. Applicant understands that originals of all electronically filed pleadings, affidavits, and other documents that contain original signatures or require verification under Fed.R.Bankr.P. 1008, or an unsworn declaration as provided in 28 U.S.C. § 1746, must be maintained by the attorney of record or the party originating the document for two years following expiration of all time periods for appeals after entry of a final order terminating the case or proceeding.

5. Except for federal agencies and chapter 7 trustees for whom other filing fee payment procedures may apply, applicant understands that in order to electronically file documents for which a fee is required, he or she must pay those fees with a credit card via the secured Internet either upon conclusion of the transaction or by the close of business on the date of the filing. The applicant further understands that failure to meet this payment requirement represents a defective filing and may result in the loss of electronic filing privileges.

6. Applicant understands that the court may revoke an Electronic Filer's password and, therefore, his or her authority and ability to electronically file documents for failure to comply with any provisions of this agreement, failure to adequately protect his or her Electronic Filer password, failure to comply with the ECF Administrative Procedures and to the Local Bankruptcy Rules containing electronic filing provisions, failure to pay any fees required for documents electronically filed, or other misuse of the electronic case filing system.

Date _____ _____
Signature of Applicant

Please return to: Bradford L. Bolton, Clerk
U. S. Bankruptcy Court
District of Colorado
721 19th St.
Denver, CO 80202

UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLORADO
ELECTRONIC CASE FILING (ECF) SYSTEM

ELECTRONIC FILER PASSWORD FORM

Electronic Filer Login **(COURT USE ONLY):**

Electronic Filer Password (provided by filer): _____

Signature of Electronic Filer: _____

Date: _____

NOTE: Upon the electronic filer's completion of a court administered CM/ECF training course and assigned homework, a CM/ECF login will be assigned on this form and mailed to the electronic filer.