

UNITED STATES BANKRUPTCY COURT
DISTRICT OF HAWAII

In re:

ATTORNEY REQUIREMENT TO
OBTAIN ORIGINAL SIGNATURES.

GENERAL ORDER
DATED March 20, 2020

INTERIM ORDER AMENDING LBR 5005-4

In response to the COVID-19 public health emergency and directives by federal and state officials and agencies to self-quarantine or isolate and to maintain social distancing, including face-to-face meetings between attorneys and their clients, the court finds it necessary to relax on an interim basis the requirements of LBR 5005-4 regarding the obtaining of signatures prior to the electronic filing of a petition and other documents. Effective immediately, the following provisions of LBR 5005-4 are amended as follows.

LBR 5005-4. Electronic Filing

* * *

(f) Signatures

* * *

(2) Debtor. At the time a bankruptcy petition and accompanying schedules and statements, including amendments thereof, are filed electronically, the ECF User must be in possession of the completed documents signed by the debtor. The documents may be signed with an electronic signature as defined in 15 U.S.C. § 7006(5), that includes a date stamp. If the ECF User is not in possession of the signed documents at the time of filing, the ECF User must have obtained in advance the debtor's written authorization for the ECF User to sign the documents on the debtor's behalf and must obtain possession of the signed documents within 14 days. The ECF User's filing of documents bearing the signature of another individual is the ECF User's representation that the filing is in compliance with these rules and applicable law. The declarations or certifications required of a debtor in these documents must also be made by submitting a paper copy of a declaration substantially conforming to the local form (**Declaration re: Electronic Filing**) with the original signature of each individual or joint debtor, or the original signature of an

authorized individual on behalf of a debtor that is an artificial entity. The Declaration re: Electronic Filing must be filed within 7 days after the date of electronic filing of the subject document.

(3) Retention of Originally Signed Documents. The originally signed bankruptcy petition and accompanying papers required to be verified under Bankruptcy Rule 1008 and any declaration made by any party under penalty of perjury in accordance with 28 U.S.C. § 1746 must be retained by the ECF User until one year after the date that the case or proceeding is closed. The court, on its own motion or on the request of a party in interest, may require the production of any document signed by the debtor or declarant in ink or signed electronically.

* * *

This order will remain in effect until further notice or until superseded by final adoption of an amended rule.

SO ORDERED.



/s/ Robert J. Faris

United States Bankruptcy Judge

Dated: 03/20/2020