

Rule 5005-4 **Electronic Filing.** The Court has designated all cases to be assigned to the Case Management/Electronic Case Filing System ("CM/ECF").

- (a) CM/ECF - General. Unless otherwise expressly provided in these Local Rules or in exceptional circumstances preventing a registered CM/ECF user from filing electronically, all petitions, complaints, motions, briefs and other pleadings and documents required to be filed with the Court must be electronically filed by a registered CM/ECF user. Attorneys who intend to practice in this Court (including those regularly admitted or admitted pro hac vice to the bar of the Court and attorneys authorized to represent the United States without being admitted to the bar) should register as CM/ECF users. United States Trustees, private trustees and others as the Court deems appropriate should also register as CM/ECF users. Registration forms, requirements and procedural information for CM/ECF are available on the Court's website.

- (b) Electronic Signature. The electronic signature of the person on the document electronically filed shall constitute the original signature of that person for purposes of Fed. R. Bankr. P. 9011 and Del. Bankr. L.R. 9011-4.

- (c) Receipt of CM/ECF Notices and Service.
 - (i) By registering and becoming a CM/ECF user, one is consenting to receipt of electronic notices issued by the Court in accordance with Local Rule 9036-1.

 - (ii) By registering and becoming a registered CM/ECF user, one, however, is not consenting to service under these Rules, Fed. R. Bankr. P. 7005, the Fed. R. Civ. P. or any other rule pertaining to service. To consent in a particular case or adversary proceeding to service of documents by electronic means (email), a party needs to affirmatively opt-in to email service when completing the CM/ECF docketing screen for the party's Notice of Appearance. A party can do this by clicking the Yes button on the docketing screen for the Notice of Appearance to consent to electronic service, which button is preset to No. A party that consents to receipt of documents via electronic means is consenting to email service under these Rules, Fed. R. Bankr. P. 7005, the Fed. R. Civ. P. or any other

rule pertaining to service. A party that does not opt-in to email service will receive documents in hard copy form, except as provided in subparagraph (i) above. For avoidance of doubt, receipt of electronic notices issued by the Court in accordance with Local Rule 9036-1 does not constitute service of documents by electronic means under this rule.

(iii) Notwithstanding anything to the contrary in subparagraph (ii) above, even where a party has elected to receive service of documents via email, conventional service of documents in hard copy shall be required in the following circumstances:

- (A) Service of a complaint and summons in an adversary proceeding under Fed. R. Bankr. P. 7004, service of a motion commencing a contested matter under Fed. R. Bankr. P. 9014, or a subpoena issued under Fed. R. Bankr. P. 9016;
- (B) Notice of the meeting of creditors required under Fed. R. Bankr. P. 2002(a)(1);
- (C) Where delivery or service upon an agency of the United States - including the United States Attorney and the United States Trustee - or chambers is required by a federal or local rule or order of this Court; and
- (D) Where the debtor or debtor's attorney is required to serve on the United States Trustee and the trustee assigned to the case - the petition, schedules, statement of financial affairs, other required documents and amendments to any of the aforementioned filings.

(d) Conversion to PDF for Electronic Filing. All petitions, complaints, motions, briefs and other pleadings and documents to be filed electronically with the Court shall be converted to PDF, electronically, as opposed to scanning a document, where practicable.