

KYEB VIRTUAL FILING PROCEDURES

effective 3.30.2020

In response to the current public health emergency and COVID-19 pandemic declarations, the Clerk's office of the United States Bankruptcy Court for the Eastern District of Kentucky has developed the following virtual filing procedures.

- Although Clerk's Office personnel cannot provide legal advice, staff remain available by telephone to answer questions concerning filing and other court procedures. Call 859-233-2608 ext 7177 for assistance between the hours of 9 a.m. and 3 p.m.
- Registered CM/ECF users shall continue to use the CM/ECF filing system to file documents and Pay.gov to pay any fees as they become due.
- Non-registered CM/ECF users who need to file a proof of claim are encouraged to utilize the court's electronic Proof of Claim (ePOC) portal available at <https://www.kyeb.uscourts.gov/electronic-proof-claim-epoc-and-related-documents> . Registration is not required to file a proof of claim using ePOC. In lieu of using ePOC, paper proofs of claim can be mailed to the court.
- Persons not represented by counsel must file paper documents either by first class mail or by email as set forth below. Mail and email filings will be processed each business day.
 - a. First class mail should be addressed to U.S. Bankruptcy Court, P O Box 1111, Lexington KY 40588. Filings shipped by alternate delivery services such as Federal Express or UPS may experience delayed delivery.
 - b. All documents submitted by email by individuals not otherwise represented by counsel must be submitted for filing in Portable Document Format (PDF) (e.g., filename.pdf) to KYEBVirtualFilings@kyeb.uscourts.gov. Documents not submitted in PDF format will not be accepted for filing.
 - c. Documents requiring signatures may be signed (1) manually or (2) with /s/ followed by the filer's typed or printed name. Either signature method shall serve for all purposes as the filer's original physical signature on a document, including for those documents that must be signed under penalties of perjury.
 - d. The court must receive the originals for any documents, including new case filings, submitted via the email address KYEBVirtualFilings@kyeb.uscourts.gov within 14 days from the date the email was sent. Failure to timely produce the original documents may result in the court striking the documents from the record or could result in dismissal of a case.

- e. New bankruptcy petitions (documents required to initiate a bankruptcy case) or other pleadings submitted via KYEBVirtualFilings@kyeb.uscourts.gov shall include necessary contact information (e.g., telephone number) for the filer such that would facilitate communication from the court should we need to contact the filer.
- f. All fees are due upon filing unless the petition is accompanied by either (1) a signed installment fee application, or (2) an application to waive the filing fee. Fees must be made by certified funds, such as a cashier's check or money order. No cash or personal checks will be accepted. During these temporary procedures, the court will allow required filing fees for documents received via email to be remitted within 7 days from the date the email was sent. Said fees shall be mailed to the court at the address provided above. Failure to timely produce the required filing fees may result in the court striking the documents from the record or could result in dismissal of a case.
- g. Persons must only file their own documents. They are not permitted to sign and/or file documents for others unless accompanied by a valid executed power of attorney form. Filers must be prepared at any time to provide evidence of their identification such as a valid driver's license or state issued identification card at the request of the Court, the United States Trustee or a case trustee.
- h. Debtors may make a written request for delivery of notices and orders that have been filed by the court via email, instead of U.S. mail through a program called Debtor Electronic Bankruptcy Noticing (DeBN). Debtors requesting participation in the DeBN program must complete and file a Debtor Electronic Bankruptcy Noticing (DeBN) form with the court. Said form is available at <https://www.kyeb.uscourts.gov/debtor-electronic-bankruptcy-noticing-debn>