

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

In re:

TEMPORARY FILING PROCEDURES

FOURTH AMENDED GENERAL
ORDER NO. 20-03

The Court previously entered its Third Amended General Order No. 20-02, which has now been separately extended by the Court's Fourth Amended General Order General Order No. 20-02, to modify certain electronic filing procedures, and its Third Amended General Order No. 20-03 to modify certain manual filing procedures. These general orders were entered in response to the pandemic spread of COVID-19 disease, national and state declarations of public health emergencies by the President of the United States and the Governor of the State of Ohio and guidance issued by the federal Centers for Disease Control and state and local health officials.

In order to address this ongoing situation, the United States District Court for the Northern District of Ohio separately entered on May 22, 2020, its General Order No. 2020-08, which is available on its website. The District Court's Amended General Order No. 2020-08-3 entered on October 5, 2020, which is available on its website, indefinitely continues and extends closure of courthouses in the district to the public, unless an individual is attending a scheduled public proceeding or is otherwise authorized by a Presiding Judge or the Chief Judge to enter courthouse property. In light of the District Court's Amended General Order No. 2020-08-3, this Court has decided that it is in the best interests of its litigants, lawyers, staff, and the general public, based on current conditions as to the spread of COVID-19 in this district, that it is necessary and

appropriate to extend the term of its Third Amended General Order No. 20-03 at this time.

The Court therefore enters this Fourth Amended General Order No. 20-03 temporarily modifying manual filing procedures. This Fourth Amended General Order No. 20-03 is effective immediately. It supplements the Court's separate Fourth Amended General Order No. 20-02 and amends the Court's Third Amended General Order No. 20-03 to extend its termination date through December 31, 2020.

1. All divisional offices of the United States Bankruptcy Court for the Northern District of Ohio, including the intake desks, are **CLOSED TO THE GENERAL PUBLIC**. As a result, no manual document filings or over-the counter fee payments will be accepted. While Clerk's Office personnel cannot provide legal advice, staff will remain available by telephone from 9:00 a.m. to 4:00 p.m. to answer questions about filing and other court procedures. The affected Court locations are:

- a. Akron: John F. Seiberling Federal Building & U.S. Courthouse
455 U.S. Courthouse
2 South Main Street
Akron, Ohio 44308
Phone: (330) 252-6100
- b. Canton: Ralph Regula Federal Building and U.S. Courthouse
401 McKinley Ave. S.W.
Canton, OH 44702-1745
Phone (330) 458-2120
- c. Cleveland: Howard M. Metzenbaum U.S. Courthouse
201 Superior Avenue
Cleveland, OH 44114-1235
Phone: (216) 615-4300
- d. Toledo: James M. Ashley and Thomas W.L. Ashley U.S.
Courthouse
1716 Spielbusch Avenue
Toledo, OH 43604
Phone: (419) 213-5600

- e. Youngstown: Nathaniel R. Jones Federal Building & U.S. Courthouse
10 East Commerce Street
Youngstown, OH 44503-1621
Phone (330) 742-0900

2. Registered CM/ECF users must continue to use the CM/ECF electronic filing system to file documents and Pay.gov to make fee payments.

3. Persons not represented by counsel and persons permitted to file documents manually with the Court must file documents either by first class mail or by e-mail as set forth herein. Mail will be received and processed each business day. Filings received by e-mail will also be processed each business day.

- a. As presently permitted, documents may be filed by first class United States mail, postage prepaid, sent to the appropriate Court location address. Documents filed through the mail shall not be treated as filed with the Court until received by the Clerk and manually time stamped.

- b. Documents may be filed by e-mail to the following dedicated temporary e-mail address:

OHNB_Temporary_Intake@ohnb.uscourts.gov

- (i) Documents filed by e-mail must be in pdf format only.
 - (ii) Documents shall not be treated as filed with the Court until the e-mail transmitting the pdf document(s) is received by the Clerk.
- c. Filing by alternate delivery services such as Federal Express and UPS shall not be permitted.
- d. Filing by facsimile transmission shall not be permitted. Local Bankruptcy Rule 5005-1(b).

- e. Filings made by e-mail and requiring signatures may be signed (i) manually or (ii) with /s/ and 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.
- f. The Clerk will follow up with the filer with procedures for submission by first class mail, only, of Official Form 121---Statement About Your Social Security Number. This document must not be submitted and will not be accepted by e-mail.
- g. Filers submitting documents by first class mail or e-mail should also provide the Clerk a separate document with their telephone number(s) and e-mail address, if any, to help with communication from the Court in addition to routine communication by first class mail. This document will be filed as a private document available only to Court staff.
- h. Upon filing of a petition for relief under any chapter of the Bankruptcy Code, a filing fee becomes due and payable unless: (1) the petition is accompanied by a signed fee installment application, or (2) for chapter 7 cases in which the filer is unable to pay the filing fee in installments, the petition is accompanied by a signed fee waiver application. *See* Bankruptcy Rule 1006 and Official Forms 103A---Application for Individuals to Pay the Filing Fee in Installments and 103B---Application to Have the Chapter 7 Filing Fee Waived. Filing fees may be required and incurred for other filings. Fee payments must be made by certified funds, such as a cashier's check or money order. **No cash or personal checks will be accepted.** If a required filing fee does not accompany the document filing,

the Court will follow up with the filer as to the manner and deadline of payment.

- i. Persons must only file their own documents by first class mail or e-mail. 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 by a valid driver's license or state issued identification card at the request of the Court, the United States Trustee, or a case trustee.

4. The Clerk of Court shall provide immediate notice to the public of this Fourth Amended General Order No. 20-03 and the ongoing closure of this Court's intake desks.

5. To the extent this Fourth Amended General Order No. 20-03 differs from previous orders of the Court on this subject, this Order supersedes and replaces those orders.

6. This Fourth Amended General Order No. 20-03 terminates on December 31, 2020, unless extended or earlier terminated by separate Order of the Court.

IT IS SO ORDERED.

DATED: October 13, 2020

FOR THE COURT:



Mary Ann Whipple
Chief Judge