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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re:  
SIGNATURES ON ELECTRONIC  
FILINGS.

**THIRD AMENDED GENERAL ORDER  
39**

**ORDER TEMPORARILY SUSPENDING REQUIREMENT TO OBTAIN ORIGINAL  
SIGNATURES FOR ELECTRONIC FILINGS**

**WHEREAS**, due to the COVID-19 pandemic, the United States Bankruptcy Court for the Northern District of California (the “Court”) is closed to the public and is accepting documents for filing only via drop box, mail, electronic document upload, and the Court’s Electronic Case Filing System (“ECF”). The Court’s Electronic Case Filing Procedures (“ECF Procedures”) govern the use of ECF;

**WHEREAS**, a significant percentage of the documents and pleadings filed in the Court are filed electronically by attorneys using ECF;

**WHEREAS**, Federal Rule of Bankruptcy Procedure 1008 requires all petitions, lists, schedules, statements and amendments thereto to be verified or to contain an unsworn declaration as provided in 28 U.S.C. § 1746;

**WHEREAS**, section 7 of the ECF Procedures provides in pertinent part that “[t]he electronic filing of a Verified Pleading constitutes a representation by the Registered Participant who files it that at the same time of filing he or she possesses the fully executed original, signed pleading or document”; and

1           **WHEREAS**, the pandemic may prevent attorneys from timely obtaining original signatures,  
2 thereby interfering with their ability to provide or obtain appropriate bankruptcy relief or measures;

3           **IT IS HEREBY ORDERED** that until further notice,

4           The Court hereby suspends, **subject to the conditions stated below**, the ECF Procedures’  
5 requirement that a Registered Participant (as defined in the ECF Procedures) possess the signatory’s  
6 original, physical signature before electronically filing a pleading or document. This suspension is  
7 **expressly conditioned** on the Registered Participant, before filing the document or pleading in  
8 question, either:

- 9                       (a) obtaining a digital signature via any commercially available digital signature  
10                      software that (i) provides signature authentication and (ii) maintains an audit log or  
11                      trail that can be provided upon request, and thereafter maintaining a copy of the  
12                      digitally signed document or pleading in his or her case file; or  
13                      (b) obtaining express written permission from the signatory to file the document or  
14                      pleading in question. Any written permission obtained pursuant to this sub-paragraph  
15                      shall contain a statement under penalty of perjury that the signatory has read the  
16                      document or pleading to be filed, and that the document or pleading is true and  
17                      correct. The Registered Participant shall maintain a copy of any written permission  
18                      obtained under this sub-paragraph in his or her case file.

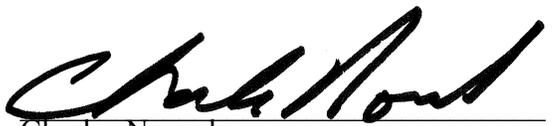
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20           The filing of a document or pleading in accordance with this order constitutes a certification  
21 that the Registered Participant has complied with the foregoing conditions. In addition, the  
22 electronic signature or the written permission obtained pursuant to this order shall have the same  
23 force and effect as if the Registered Participant possessed the paper original of such document or  
24 pleading.

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This order does not waive, suspend, limit or alter any other requirement of the ECF Procedures, or any Bankruptcy Local Rule, Bankruptcy Code section, or Federal Rule of Bankruptcy Procedure.

Dated: March 29, 2021

  
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Charles Novack  
Chief Bankruptcy Judge

\* \* \*END OF ORDER\* \* \*