

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

IN RE:)
ORIGINAL SIGNATURE REQUIREMENT) **STANDING ORDER 21-03**
UNDER LOCAL RULE 5005-4(7)(a))

On March 18, 2020, this Court entered an order in response to the COVID-19 pandemic that: (1) conditionally suspended all requirements (including those under Local Rule 5005-4(7)) that a filer secure a signor’s original signature on certain documents prior to filing said documents with the Court, and (2) allowed parties in contested matters to offer direct evidence by declaration(s). The Court has since issued a separate standing order adopting procedures regarding the admission of direct evidence in contested matters. With respect to the suspension of Local Rule 5005-4(7), the Court finds that the provisions of its March 18, 2020 Standing Order should be amended and fully superseded by the terms of this order in light of the changing nature of the pandemic and advances in the fight against COVID-19.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. For all documents that require an original signature under Local Rule 5005-4(7)(a)(1) or otherwise, in lieu of the requirement that a “Filing User,” as defined in Local Rule 5005-4(1)(a), secure the signor’s original signature prior to electronically filing said documents, prior to filing, the Filing User may:

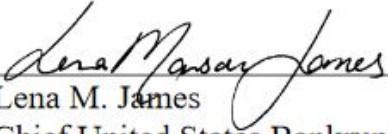
- a. verify with the signor that the signor has received the entire document(s) to be signed;
- b. communicate with the signor regarding the substance and purpose of the signed document(s); and
- c. obtain the signor’s digital signature via any commercially available digital signature software that provides signature authentication.

2. If a Filing User proceeds under the provisions of paragraph 1 of this order, the Filing User shall maintain a copy of the digitally signed document(s) in the case file.

3. The filing of the document(s) with an electronic signature shall constitute a certification by the Filing User under Bankruptcy Rule 9011, the applicable North Carolina Rules of Professional Conduct, and this order that the Filing User either has obtained the signor’s original signature or has complied with paragraph 1 of this order. On written request (including electronic transmission) by any party in interest, the Filing User shall promptly provide evidence to the requesting party of compliance with the terms of this order.

4. Nothing herein shall be construed to suspend or affect Local Rule 5005-4(7)(b).

Dated this the 22nd day of September 2021.


Lena M. James
Chief United States Bankruptcy Judge

FOR THE COURT