

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OKLAHOMA

CM/ECF ADMINISTRATIVE GUIDE  
OF POLICIES & PROCEDURES

Effective December 1, ~~2009~~2012

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## I. INTRODUCTION

It is the policy of the United States Bankruptcy Court for the Northern District of Oklahoma to require attorneys to file documents with the Court electronically using the Case Management Electronic Case Filing System (“CM/ECF” or the “ECF System”) unless excused from that requirement with respect to a specific document by the Court. See [Local Rule 5005-1. Electronic filing using the ECF System shall be governed by the CM/ECF Administrative Guide of Policies and Procedures \(the “ECF Administrative Guide”\) and Local Rules of this Court.](#)

## II. GENERAL POLICIES

- A. When a document has been filed electronically, or filed in paper format and imaged by the Court, the official record is the electronic recording of the document as stored by the Court, and the filing party is bound by the document as filed. A document filed electronically is deemed filed on the date and time stated on the Notice of Electronic Filing (NEF).
- B. CM/ECF registrants may file documents 24 hours a day, seven days a week. Filing must be completed before midnight Central ~~Standard Time (CST)~~ in order to be considered timely filed that day. If the Local Rules prescribe ~~that a document be filed by a time certain~~ or the assigned judge has ordered the document to be filed by a time certain, it must be filed [in the ECF System](#) by that time [in order to be considered timely filed](#).
- C. Electronic transmission of a document to the ECF System consistent with this ~~CM/ECF Administrative Guide of Policies and Procedures (the “ECF Administrative Guide”)~~, together with the ~~transmission~~ generation of a Notice of Electronic Filing (NEF) ~~from by~~ the ~~Court~~ [ECF System](#), constitutes filing of the document for all purposes of the Federal Rules of Bankruptcy Procedure and the Local Rules. Emailing a document to the Clerk’s office shall not constitute “filing” of the document.
- D. If the provisions of this ECF Administrative Guide conflict with the Court’s Local Rules, the ECF Administrative Guide shall prevail.

## III. ELIGIBILITY

- A. **Attorneys.** Attorneys admitted to the bar of this Court, including those admitted pro hac vice and those authorized to represent the United States, must register as CM/ECF Users. The Court will issue passwords only to attorneys in good standing. Even if an attorney is already registered as a CM/ECF User in another district, this Court requires a unique local account, and an attorney must register for an account specific to this Court in accordance with this ECF Administrative Guide.
- B. **Pro Se Parties.** Generally, parties proceeding pro se will not be authorized to file electronically. Pro se filers shall submit to the Clerk fully signed paper originals of all petitions, lists, schedules, statements, amendments, pleadings, affidavits, and other documents. The Clerk will scan these documents, enter them into the ECF System and

~~retain the paper originals. A debtor's Statement of Social Security Number (Official Bankruptcy Form 21) will not be scanned and entered into the ECF System; the electronic image will be the official record.~~

C. **Creditors and Other Limited Users.** An individual authorized to prepare and file reaffirmation agreements and/or proofs of claim or interest (see [Local Rule 3002-1](#)) may register as a CM/ECF User for limited purposes. The Court may issue Limited Use Passwords to such individuals. Other parties interested in a Limited Use Password may contact the Clerk.

D. **Filing Agents.** An individual designated by a Registered Attorney of the Court's ECF System to file documents on the Registered Attorney's behalf may register as a CM/ECF Filing Agent. The Court may issue Filing Agent Passwords to such individuals. A Filing Agent may be designated to file for multiple Registered Attorneys.

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#### IV. REGISTRATION

A. Each attorney seeking to file documents electronically shall complete and sign an Attorney Registration Form (Form A) which is available ~~as a fillable form~~ on the Court's website at <http://www.oknb.uscourts.gov>.

B. An individual described in Section III(C) seeking to electronically file reaffirmation agreements and/or proofs of claim or interest shall complete and sign an Application for Limited Use/Claim Password (Form B) which is available ~~as a fillable form~~ on the Court's website at <http://www.oknb.uscourts.gov>.

C. An individual described in Section III(D) seeking to electronically file on behalf of Registered Attorneys shall complete and sign a Filing Agent Registration Form (Form C) which is available on the Court's website at <http://www.oknb.uscourts.gov>.

~~E.D.~~ All signed original registration forms and applications shall be mailed or delivered to the United States Bankruptcy Court for the Northern District of Oklahoma, Attn: CM/ECF Help Desk, 224 South Boulder Avenue, Room 105, Tulsa, Oklahoma 74103.

1. A registrant may request assignment of the User Login utilized in another federal district, but a random password will be assigned. Users may change the password at any time.
2. If any of the information provided on the registration form or application changes (e.g. mailing address, email address, telephone number, etc.), the registrant shall immediately update such information using the account maintenance link located in the CM/ECF Utilities menu.

3. The Court reserves the right to disable any account that is not accessed for a period of six months. Accounts may be reactivated by contacting the CM/ECF Help Desk.

4. Registration forms may be imaged by the Court and maintained in electronic format. Once imaged by the Court, the official record is the electronic recording of the document as stored by the Court and any paper document may be disposed of properly.

~~D~~.E. In order to complete the registration process and obtain a CM/ECF Login and Password, a registrant may need to attend a training class to become certified on the ECF System. Registrants may sign up for the required training class on the Court's website ([www.oknb.uscourts.gov](http://www.oknb.uscourts.gov)). Attorneys who have attended training in another bankruptcy court and are registered in another district may register with this Court without further training, but may be required to file test documents in the ECF System to ensure compatibility of equipment and proficiency in using the ECF System.

~~E~~.F. Registration as a CM/ECF User constitutes a request and consent under Bankruptcy Rule 9036 that all notices and documents to which the user is entitled to receive be served electronically through the ECF System. Transmission of a Notice of Electronic Filing (NEF) through the ECF System to the registered email address of a CM/ECF User will constitute service.

~~F~~.G. Once registered, a CM/ECF User may withdraw from participating in the ECF System by submitting a written notice of withdrawal to the CM/ECF Help Desk at [cmecf@oknb.uscourts.gov](mailto:cmecf@oknb.uscourts.gov). Upon receipt, the Clerk will immediately cancel the CM/ECF User's account. Withdrawal from the ECF System will effectively terminate an attorney's ability to practice in this Court.

H. User Accounts and/or filing privileges may be revoked at the discretion of the Court. Reasons for revoking an account or filing privilege may include, but are not limited to: not paying fees in a timely manner, not following Local Rules or Procedures, allowing a User Login and Password to be used by another attorney or party to file documents for someone other than the Registered User, and not keeping contact information current in the ECF System (e.g. mailing address, email address, telephone number, etc.).

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## V. PASSWORDS

- A. A CM/ECF User will receive notification of the User Login and Password by email. Each CM/ECF User shall be entitled to one ECF System Password.
- B. After receiving the User Login and Password from the Clerk, the CM/ECF User shall immediately change his or her Password using the CM/ECF Utilities menu.

- C. The use of the User Login and Password in the ECF System will serve as the CM/ECF User's official signature for purposes of the Federal Rules of Bankruptcy Procedure and any applicable statute or regulation of the United States.
- D. CM/ECF Users shall not permit their User Logins and Passwords to be utilized by anyone other than persons specifically authorized to file documents in the CM/ECF User's name. The CM/ECF User is responsible and accountable for all documents filed with that CM/ECF User's Login and Password.

E. A Registered Attorney who authorizes a Filing Agent to file on behalf of the attorney is responsible and accountable for all documents filed as if filed by the Registered Attorney. Attorneys are required to notify the Court immediately when a Filing Agent is no longer authorized to file documents on behalf of the attorney.

E.F. CM/ECF Users agree to protect the security of their Passwords. If a Password is believed to be compromised, the CM/ECF User shall immediately notify the CM/ECF Help Desk at (918) 699-4072 or by email at [cmecf@oknb.uscourts.gov](mailto:cmecf@oknb.uscourts.gov), and shall change the Password using the CM/ECF Utilities menu.

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## VI. FILING

- A. CM/ECF Users shall file all documents electronically in accordance with [Local Rule 5005-1](#).
- B. All documents filed electronically shall comply with [Local Rule 9004-1](#) and shall be in "Portable Document Format" (PDF). The Court recommends that documents be formatted in PDF/A (PDF for Archiving) to reduce the size of the document and ensure its continued compatibility. Documents should be scanned at a setting of 300 dots per inch (dpi) as recommended by the National Archives and Records Administration (NARA).

## VII. GENERAL RULES OF SERVICE

- A. Transmission of the Notice of Electronic Filing (NEF) that is automatically generated by the ECF System constitutes service of the filed document on CM/ECF Users. Parties and/or attorneys who are not CM/ECF Users and parties entitled to service under Bankruptcy Rules 7004 and 9014(b) must be served with a copy of the filed document along with a copy of the first page of the NEF, using a method permitted by the applicable Federal Rule of Bankruptcy Procedure.
- B. The Notice of Electronic Filing (NEF) serves as the Certificate of Service to all CM/ECF Users listed as email recipients. A separate Certificate of Service shall be filed indicating how service to non-CM/ECF Users was accomplished (mail, hand delivery, etc.). The Certificate of Service may be incorporated into the filed document or filed as a separate document. If the Certificate of Service is filed as a separate document, the filing party

shall relate it to the original document in the ECF System. See also [Local Rules 5005-1\(E\)](#) and [9004-1\(F\)](#).

## VIII. TITLES OF DOCUMENTS

- A. When creating a document to be filed, the CM/ECF User should choose, to the extent possible, a title that matches one of the CM/ECF event titles prescribed by the Court. The CM/ECF event categories and titles can be found by using the [FindSearch](#) feature in the ECF System. If no event in the ECF System seems appropriate for the document to be filed, please call the CM/ECF Help Desk at 918-699-4072.
- B. CM/ECF Users shall not file a document that involves multiple CM/ECF events that should be filed as separate documents (e.g., Answer and Schedules, Certificate of Credit Counseling and Financial Management Course Certification, etc.). CM/ECF Users may file a document with multiple parts (e.g., Motion for Relief from Stay and Motion to Abandon).

## IX. HYPERLINKS

- A. Hyperlinks are allowed in documents filed with the Court only for the purpose of providing a convenient mechanism for accessing material cited in the document.
- B. Because the availability and location of information on the Internet is highly volatile, a hyperlink may fail to produce the intended information, and therefore the information may not be available to or considered by the Court.
- C. Information produced by a hyperlink is extraneous to any filed document and is not part of the Court's record.
- D. In order to preserve the integrity of the Court's record, CM/ECF Users that insert hyperlinks in filed documents shall also include a traditional citation for the authority.

## X. REDACTION

- A. **Privacy.** [Local Rule 5005-1\(F\)](#) requires CM/ECF Users to omit or, where inclusion is necessary, partially redact personal data identifiers from all electronically filed documents, unless otherwise ordered. See also Bankruptcy Rule 9037.
- B. **Responsibility to Redact.** The responsibility for redacting personal data identifiers rests solely with counsel and the parties. The Clerk will not review documents for compliance with this rule, seal documents containing personal data identifiers without a Court order, or redact such information from documents.
- C. **Redacting a Document Once Filed.** If a document containing personal data identifiers is filed, the party may file a motion to seal the original document and file a correctly

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redacted version of the document. The Clerk is not able to alter documents in the ECF System.

~~C~~D. **Redaction of Transcripts.** It is the responsibility of parties in interest to ensure personal data identifiers are redacted from written transcripts filed in the ECF System. See [Local Rule 5003-1\(D\)](#).

D. **Tax Documents.** A CM/ECF User filing tax returns that are required to be filed pursuant to a request under 11 U.S.C. § 521(f) shall redact all personal data identifiers before filing the tax return. To file a tax return as a secure event (i.e., a document that cannot be viewed by the general public) as required by [Local Rule 4002-1\(C\)](#), the CM/ECF User shall choose “Miscellaneous/Other” on the Bankruptcy Events screen and choose “Tax Documents” as the document to be filed. The ECF System will automatically limit access to “Tax Documents” to the [Clerkfiler](#) and the Court.

## XI. SIGNATURES

### A. Filing Attorney Signature

1. 1. The User Login and Password required to submit documents to the ECF System serve (whether that of the attorney or authorized Filing Agent) serves as the CM/ECF User’s signature on all electronic documents filed with the Court for purposes of the Federal Rules of Bankruptcy Procedure, the Local Rules of this Court, and any other purpose for which a signature is required in connection with proceedings before the Court. See also [Local Rule 9011-4](#).

2. 2. Electronically filed documents must include a signature block. The name of the CM/ECF User under whose Login and Password the document is submitted must be preceded by an “s/” and typed in the space where the signature would otherwise appear. See also [Local Rule 9004-1](#).

3. 3. Electronically filed documents containing multiple signature lines, such as petitions, should appropriately indicate all signatures from parties and attorneys. Any signature line not appropriately completed with an “s/” and a typed name in the space where the signature would otherwise appear will be interpreted as not being signed. Conversely, any signature line completed with an “s/” and typed name in the space where the signature would otherwise appear will be interpreted as being signed.

4. Attorneys may not file documents using a User Login and Password of another attorney or individual. However, authorized Filing Agents may use their Login and Password to electronically file documents on behalf of Registered Attorneys for whom they are authorized to file.

5. 4. Except as set forth in sub-paragraph (A)(56) below, attorneysRegistered Attorneys may not use their User Login and Password to file documents that are

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signed pursuant to Bankruptcy Rule 9011(a) only by ~~an attorney (one or more non-filing attorneys) other than the attorney filing the document.~~

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~~6. 5.~~ Notwithstanding sub-paragraph (A)(~~45~~), the attorneys representing the United States Trustee may file a Trustee's Final Report and Proposed Distribution, Trustee's Closing Report and Application for Final Decree, and other related reports, motions, applications and supporting documentation, even though such documents are signed pursuant to Bankruptcy Rule 9011(a) by the trustee assigned to the case.

#### B. Non-Filing Attorney Signature

1. CM/ECF Users filing documents that require the signature of a non-filing attorney (e.g., joint motion, stipulation, etc.) shall indicate the signature of the non-filing attorney with an "s/" and the name typed in the space where a signature would otherwise appear, or shall file a scanned image of the document containing the non-filing attorney's signature. The filing attorney's signature must also be indicated on the document.
2. The CM/ECF User that files such a document shall maintain a paper version of the signed document in accordance with [Local Rule 9011-1](#).

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#### C. Non-User Signature

1. CM/ECF Users filing documents that require the signature of a person that is not counsel of record (e.g., verified pleadings, contracts, affidavits, etc.) shall indicate the person's signature with an "s/ name" or file a scanned image of the document containing the person's signature.
2. The CM/ECF User that files such a document shall maintain a paper version of the signed document in accordance with [Local Rule 9011-1](#).

### XII. EXHIBITS, ATTACHMENTS & APPENDICES

- A. CM/ECF Users must submit in electronic form all documents referenced as exhibits, attachments, or appendices to a filed document unless the Court permits conventional filing. Exhibits, attachments, and appendices should be filed as attachments to the main document whenever possible, rather than as separate docket events, and shall be clearly labeled with the appropriate exhibit number. All such attachments must be in the form of a PDF document. See Section VI.
- B. Exhibits, attachments, and appendices may be filed as individual attachments (e.g., Exhibit 1, Exhibit 2, etc.), or combined in one attachment (e.g., ~~Exhibit~~Exhibits 1-5, Attachments 1-8, etc.), as long as the ~~two (2)~~ten (10) megabyte file size limitation per attachment is observed. See Section XVI.

- C. CM/ECF Users shall submit as exhibits, attachments, and appendices only those excerpts of such documents that are directly germane to the matter under consideration by the Court. Excerpted material must be clearly and prominently identified as such.

### XIII. PROPOSED ORDERS

Proposed orders shall be in Microsoft Word or WordPerfect format (proposed orders in PDF format will not be accepted) and shall be emailed to the assigned judge's "orders" email address:

**Judge Michael:** michael.orders@oknb.uscourts.gov

**Judge Rasure:** rasure.orders@oknb.uscourts.gov

See also [Local Rule 9072-1](#).

### XIV. COURT ORDERS

- A. The Court may enter a Text-Only Order on the docket, without an attached document. Text-Only Orders are official and binding orders of the Court. See Local Rule 9021-1.
- B. Any order or other court-issued document filed electronically without the original signature of a judge or Clerk has the same force and effect as if the judge or Clerk had signed a paper copy of the order or other document and entered such order on the docket.
- C. ~~The Court may enter a Text-Only Order on the docket, without an attached document. Text-Only Orders are official and binding orders of the Court. See Local Rule 9021-1.~~

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### XV. PUBLIC ACCESS

- A. Electronic ~~access~~ viewing by the public ~~to~~of the electronic docket and documents filed in the ECF System is available at no charge at the Clerk's Office during regular business hours.
- B. Remote electronic access to the ECF System through the Court's website, [www.oknb.uscourts.gov](http://www.oknb.uscourts.gov), is limited to subscribers to the Public Access to Court Electronic Records (PACER) system. ~~The ECF System is available 24 hours a day, seven days a week.~~ In accordance with the Policy of the Judicial Conference of the United States, a user fee shall be charged for accessing case-specific information, such as filed documents and docket sheets. No fee is required to review calendars, certain written opinions, and similar general information. Further information regarding access to PACER is available at [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov).
- C. Paper copies and certified copies of filed documents may be purchased at the Clerk's Office. The fee for copying and certification will be charged in accordance with 28 U.S.C. § 1930(b).

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## XVI. FILE SIZE LIMITATIONS

The ECF System automatically rejects documents that exceed ~~two (2) ten (10)~~ megabytes in size ~~(typically equivalent to about 20 scanned pages)~~. Documents that exceed ~~two (2) ten (10)~~ megabytes when converted to electronic form may be filed in parts by incorporating an attachment to the main document. The attachment may be identified by page numbers or another appropriate identifier (e.g., Pages 21 – 41, Exhibit A). Multiple attachments are permitted.

## XVII. FEES

- A. All filing fees must be paid on the calendar day on which the transaction requiring a fee occurs. See also [Local Rule 5080-1](#). Failure to pay filing fees on the same day may prompt the Court to take specific action such as withholding the Notice of Meeting of Creditors, withholding other action, or striking the pleading for which the fee was not paid.
- B. Filing fees for documents filed electronically shall be paid through the ECF System by credit card, approved debit card, or other means approved by the Court's electronic payment system (Pay.gov). Fees may not be paid using an account of a debtor.
- C. CM/ECF Users may be allowed to pay certain fees ~~by check in the Clerk's Office~~ upon prior arrangement with the Clerk. Such approved transactions do not negate the requirement that the filing fee be paid on the calendar day on which the transaction occurred.
  - a. Submission of unclaimed funds, installment payments made after the order granting the application to pay filing fees in installments, and payments due after the filing of a Clerk's Statement of Costs are examples of payments that can be made in the Clerk's Office without prior approval.
  - b. Payment of any filing fee by a pro se debtor shall be by cash, cashier's check, or money order payable to "Clerk, United States Bankruptcy Court."

## XVIII. FILING ERRORS

- A. Once a document is electronically filed, the ECF System will not permit the CM/ECF User to alter the document or the docket entry.
- B. CM/ECF Users should make every effort to ensure that they do not file a document other than the one intended to be filed, that the document is filed in the correct case, and that the document does not contain information that should have been redacted or filed under seal.
- C. CM/ECF Users shall immediately notify the CM/ECF Help Desk of any filing errors by telephone at (918) 699-4072 or by email at [cmecf@oknb.uscourts.gov](mailto:cmecf@oknb.uscourts.gov). The CM/ECF User should provide the Clerk's Office with the case number, docket number, and a

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description of the erroneous entry along with the CM/ECF User's contact information. CM/ECF Users are advised not to pay filing fees for documents filed in error before speaking with someone at the CM/ECF Help Desk.

#### **XIX. REFUND OF ELECTRONICALLY PAID FEES**

- A. The Judicial Conference generally prohibits refunds of fees due upon filing, even if a case or document was filed in error, or the Court dismissed the case or proceeding. See [Local Rule 1006-2\(C\)](#).
- B. The authority to refund certain payments has been delegated by the Court to the Clerk. The Clerk may refund duplicate filing fees collected for the same filing as a result of a Pay.gov error. In limited circumstances, if a CM/ECF User makes an erroneous filing for which a fee is requested but was not actually due, and the payment has not yet been processed, the Clerk may correct the entry administratively and void the fee without a motion or Court order.
- C. Requests for refunds related to situations other than those listed above should be made by motion using the Refund of Filing Fees event in CM/ECF.
- D. A refund will be issued in the same form it was received (e.g., to the credit card that was originally charged).

~~E. If a CM/ECF User (or CM/ECF Users from the same firm) make mistakes repeatedly when submitting fees electronically, the Court may consider remedial action, such as issuing an order to show cause why further requests for refunds should be considered.~~

#### **XX. TECHNICAL FAILURES**

- A. **Court's ECF System.** A technical failure exists when the ECF System is unable to accept filings continuously or intermittently over the course of any period of time greater than two (2) hours within a calendar day. The Clerk will post any scheduled ECF System outages or downtimes on the Court's website. Should a filing be untimely as the result of a technical failure of the ECF System, the CM/ECF User may seek appropriate relief from the assigned judge.
- B. **CM/ECF User's System.** A CM/ECF User's phone line, Internet Service Provider (ISP), or hardware or software problems will not constitute technical failures under these procedures or excuse an untimely filing. Upon a showing of good cause, the assigned judge may grant appropriate relief for an untimely filing. ~~CM/ECF Users may, during regular business hours, bring electronic files to the public terminals located in the Clerk's Office and file them in the ECF System or for filing paper documents over the counter.~~

#### **XXI. SUPPORT**

For technical problems, contact the CM/ECF Help Desk at (918) 699-4072- or by email at

| [cmecf@oknb.uscourts.gov](mailto:cmecf@oknb.uscourts.gov).

| **XXII. MODIFICATIONS AND AMENDMENTS OF ECF SYSTEM PROCEDURES**

The assigned judge may modify these procedures in specific cases without prior notice, if deemed appropriate. The Court may also amend these policies and procedures at any time without prior notice. Modifications and amendments to ECF Administrative Guide will be posted on the Court's website at [www.oknb.uscourts.gov](http://www.oknb.uscourts.gov).