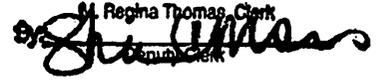


JUL - 1 2020

By  Regina Thomas, Clerk
U.S. Bankruptcy Clerk

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA**

IN RE: :
: **GENERAL ORDER 38-2020**
SIGNATURE REQUIREMENTS UNDER :
BLR 5005-7 (b)(3), (c) and (g) :
_____ :
:

The Court previously temporarily modified BLR 5005-7(c) in light of the COVID-19 pandemic in its General Order 33-2020 entered on March 17, 2020 and extended that General Order indefinitely with General Order 35-2020 entered on March 31, 2020. The COVID-19 pandemic continues, and its end is unknown. The Court, in consultation with the bar as to the availability and use of certain technology and the most efficient and safe means of obtaining signatures on papers and pleadings, does hereby clarify the signature requirement under BLR 5005-7 (b)(3), (c) and (g) and those prior General Orders modifying them to, among other things, define what constitutes a signature; clarify how electronic signatures can be delivered to a filer; and remove the requirement to obtain and limit the obligation to retain a “Wet Ink Signature,” as defined below, and file a certification of same, as follows:

Effective immediately, until further order of the Court, the Court orders as follows:

1. This Order supersedes General Orders 33-2020 and 35-2020 and remains in effect until further order of the Court;

2. **The definition of Original Signature.** For purposes of this General Order and BLR 5005-7, an “Original Signature” is one of the following: (i) the signature on a document created by the placing of an ink pen on paper (a **“Wet Ink Signature”**), (ii) a signature delivered to the filer by the signatory through an e-signing and digital management software application that provides for an audit trail, such as, but not limited to, DocuSign, PandaDoc or AdobeSign, or (iii) a signature delivered to the filer by the signatory in an image format through email. The phrases “original document signed as indicated” in BLR 5005-7(b)(3) and “original signature of the debtor signed as indicated” in BLR 5005-7(g)(2) shall mean a document with an Original Signature;
3. A filer of a document under BLR 5005-7(b)(3) and (c) shall be deemed to have complied with the signature requirements therein for a non-filer signatory of a document if the filer has in his or her possession at the time of the filing of the document an Original Signature of the non-filer signatory of the document;
4. **Amendments to Verified Papers and documents filed under BLR 5005-7(b)(3).** “Verified Paper” or “original Verified Paper,” as those terms are used in BLR 5005-7(c), shall include any amendments to a Verified Paper. An amendment to a Verified Paper or a document filed under BLR 5005-7(b)(3) shall hereafter be referred to as an **“Amended Document.”** The provisions of BLR 5005-7 (g) shall not apply if a filer has in his or her possession an Original Signature of the non-filer signatory on an Amended Document at the time of the filing of the document. With respect to Amended Documents, only the signature page with an Original Signature needs to be returned to the filer;
5. **Retention of Original Signatures.** With respect to retention of Verified Papers and amendments thereto, BLR 5005-7(c)(3)(B) shall not apply with respect to a filer who

electronically stores the image of the document filed with the Original Signature, including a document with a Wet Ink Signature that is converted to and saved in an image format (an “Electronically Stored Document”). Electronically Stored Documents (i) shall be retained by the filer for a period ending not less than one year after the closing of the case or proceeding in which the document was filed; (ii) must produce the Electronically Stored Document for inspection and copying upon request of the Bankruptcy Court or any party in interest; and (iii) if ordered by the Bankruptcy Court, must transmit the Electronically Stored Document to the Bankruptcy Clerk. Any document that is not an Electronically Stored Document must be retained in compliance with BLR 5005-7(c)(3)(B);

6. **Applicability to all Authorized CM/ECF Users in all Cases and Proceedings in all Chapters under the Code.** The provisions of this General Order are applicable to all authorized CM/ECF users in all cases and proceedings in all chapters under the Bankruptcy Code;
7. The failure to comply with the procedures found in BLR 5005-7 and as explained in this General Order may result in the Court ordering a suspension or limitation of CM/ECF privileges or the filing of cases in this Court;
8. Except to the extent provided herein, BLR 5005-7 continues to apply to all cases and proceedings filed in this Court; and
9. To the extent there is a conflict between this General Order and the CM/ECF Administrative Procedures regarding the retention of a Verified Paper, this General Order controls.

SO ORDERED this 1st day of July, 2020.


WENDY L. HAGENAU, CHIEF JUDGE
United States Bankruptcy Court
For the Court