United States Bankruptcy Court
Southern District of Mississippi

Administrative Procedures for Electronic Case Filing

Revised
August 11, 2016

Table of Contents

Chapter 1: Administrative Procedures for Case Filing 4

Section 1. Introduction and Scope of Electronic Filing 4
A. Authorization for Electronic Filing 4
B. Participants in Electronic Filing 4
C. Training and Technical Assistance 4
D. Definitions and Instructions 4
E. Selection and Designation of Cases for ECF 5
Section 2. Registration – Electronic Case Filing (ECF) System 6
A. Eligibility 6
B. Registration 6
1. Attorneys 6
2. Limited ECF Users 6
C. Passwords 7
Section 3. Filing of Documents – ECF System 7
A. Filing 7
B. Signatures 8
C. Filing Deadlines 8
D. Errors in Filing 9
Section 4. Electronic Service of Documents 9
A. Service of Filed Documents on Parties 9
B. Certificate of Service 9
Section 5. Proposed Orders 10
A. Submission of Proposed Orders 10
B. Requirements 11
C. Service of Orders 12
Section 6. Paper Filings 12
A. Paper Filings 12
B. Service of Paper Filings 12
Section 7. Public Access to the System 13
A. Public Remote Access Through PACER 13
B. Public Access at the Court 13
C. Certified Copies 13
Section 8. ECF Systems Technical Failures 13

A. The Court's System 13
B. The Registered ECF User's System 14
Section 9. Privacy – Redaction of Certain Personal Identifiers 14

Chapter 2: ECF Payment of Filing Fees (Pay.gov) 15

Section 1. Overview 15
Section 2. Pay.gov System/Security Requirements 15
Section 3. Online Payment Process 16
Section 4. Filing a Document Requiring a Fee 19
Section 5. After the Document is Filed 21
Section 6. Online Payment Process Steps 23
A. Bank Account (ACH) Process 24
B. Debit/Credit Card Process 27
Section 7. Online Filing Fee Reports 30
Section 8. Failure to Timely Pay Filing Fees 32
Section 9. Troubleshooting 33

Chapter 3: Transcripts and Audio Recordings of Court Proceedings 37

Section 1. General Policy 37
Section 2. Reproduction of Audio Recording of Court Proceedings 37
Section 3. Transcript of Electronically Recorded Court Proceeding 37

Chapter 1: Administrative Procedures for Case Filing

Section 1. Introduction and Scope of Electronic Filing

The United States Bankruptcy Court for the Southern District of Mississippi (hereafter referred to as "the Court") uses the Case Management/Electronic Case Filing (ECF) System to administer filing of court pleadings and documents. Registered users may file documents or view and search court records twenty-four hours a day through the ECF system. Non-registered parties may view, but not file, documents using the Public Access to Court Electronic Records (PACER) system.

A. Authorization for Electronic Filing

The *Uniform Local Rules of the United States Bankruptcy Courts for the Northern and Southern Districts of Mississippi* (hereafter *Local Rules*) requires electronic filing. The following procedures shall govern electronic filing in the **Southern District** unless, due to extraordinary circumstances, a Judge or the Clerk of Court determines that these policies and procedures should be modified in the interest of justice.

B. Participants in Electronic Filing

The ECF system allows "registered" users to file documents with the Court from any location with a connection to the Internet. While any party, including those proceeding *pro se*, may view court documents through a PACER account, only registered users can file documents through the ECF system.

C. Training and Technical Assistance

These procedures are not a technical guide for use of ECF. Technical guidance on equipment, training, and access to computer-based tutorials, can be accessed through the Court's website or by contacting the Court.

D. Definitions and Instructions

Bankruptcy Noticing Center (BNC): a national processor for bankruptcy court notices (mail and email).

Conventional/paper Filing: presentation of an original copy of a document, by a filing party, to the Clerk's office.

Document*:* pleadings, motions, exhibits, declarations, affidavits, memoranda, papers, orders, notices, and any other filing by or to the court, whether the document is in electronic or paper format.

***e-Orders**:* program integrated with CM/ECF to upload proposed orders directly into the ECF system.

***ECF**:* the Court's Electronic Case Filing system.

***ECF User**:* an individual who is registered with this Court to file documents through the ECF system.

***Electronic Filing**:* uploading a document or other information into the Court's online case docket using the ECF system. Sending a document or pleading to the Court via email or facsimile does not constitute electronic filing except as provided in Section 8A of the *Administrative Procedures for Electronic Case Filing*.

Email Address of Record: the email address of each registered user that is a party or attorney in the case.

Limited ECF User: a creditor or an agent for a creditor (including an attorney) authorized by the Court for limited filing access to the ECF system.

Notice of Electronic Filing (NEF): a receipt provided by the ECF system upon completion of an online filing. The Notice of Electronic Filing, when emailed to the address of record in a case, provides proof of service.

PACER User: an individual or entity entitled only to read/print the documents filed in the ECF system through the PACER system.

***Public Access to Court Electronic Records (PACER)**:* an online public system that provides access to case information from federal appellate, district, and bankruptcy courts.

***Portable Document Format (PDF)**:* a file format that provides an electronic image of text or text and graphics and provides the appearance of a printed document.

Restricted/limited Access: only the Court has access to restricted or limited access case files.

E. Selection and Designation of Cases for ECF

See Miss. Bankr. L.R. 5005-1(a)(2).

Section 2. Registration – Electronic Case Filing (ECF) System

A. Eligibility

Attorneys admitted to practice in this Court, including attorneys admitted under the provisions of the local rules of this District must register as ECF Users. Other parties--i.e., creditors and creditors' representatives--must register as Limited ECF Users.

B. Registration

1. Attorneys

a. Attorneys must register with the Clerk's office to file documents through the ECF system. Each attorney in a firm must register individually. Visit the Court's website (www.mssb.uscourts.gov) for additional registration information.

b. Miss. Bankr. L.R. 5005-1(a)(2)(A). Registration by an attorney as an ECF User constitutes consent to receive electronic service or notice of documents filed in the ECF system, except with regard to service of a summons and complaint under Fed. R. Bankr. P. 7004 for adversary proceedings.

2. Limited ECF Users

A creditor (or an agent for a creditor, including an attorney-agent not admitted to practice before the Court) may become a Limited ECF User to file documents with the Court through the ECF system. The Clerk will determine the scope of documents that may be filed by a Limited ECF User.

Limited ECF Users must register with the Clerk's office to file documents through the ECF system. Each limited user in an agency or entity must register individually. Visit the Court's website (www.mssb.uscourts.gov) for additional registration information.

a. A creditor that routinely files proofs of claim and related documents (assignments/transfers of claims, withdrawal of claims, creditor's requests for notice, reaffirmation agreements, changes of address, and/or notices of mortgage payment change) must register as a Limited ECF User.

b. A Limited ECF User must be an employee or an authorized agent of the creditor.

c. By registering as a Limited ECF User, the Limited ECF User agrees to:

- pay any required filing fees at the time documents are filed through the ECF system;
- immediately notify the court via email or in writing if the Limited ECF User ceases to be authorized to file documents on behalf of the entity;
- comply with applicable statutes, federal rules, local rules, and administrative procedures.

Important: All registered Users are responsible for maintaining and updating registration information (i.e. email information, mailing address) in the ECF system including traditional mailing addresses and email addresses. The Clerk is not authorized to make changes to User registration information.

C. Passwords

The Clerk will assign each registered ECF User and Limited ECF User a login and password to access the ECF system. The Clerk will issue the login and password through the email address provided by the User during registration.

A registered User's Login and Password serves as the registered User's unique signature for purposes of Fed. R. Bankr. P. 9011 and for other purposes. The registered User is not authorized to transfer a login and password to a new user. A new user must register separately and receive a unique login and password prior to accessing and using the ECF system.

A registered User must protect and secure the password issued by the Clerk. If there is any reason to suspect the password has been compromised, the registered User shall immediately change the password and notify the Clerk's office.

No registered User shall knowingly permit his or her login and password to be utilized by anyone other than an authorized employee of his or her office. The registered User is responsible for all documents (and associated fees) filed with his or her login and password.

In the interest of judicial security the Clerk of Court reserves the right to lock a registered User account and/or revoke an assigned login and password.

Section 3. Filing of Documents – ECF System

A. Filing

1. Pursuant to Miss. Bankr. L.R. 5005-1, documents in bankruptcy cases and adversary proceedings shall be filed with the Court through the ECF system.

2. The proper filing of a document through the ECF system will constitute filing of the document for purposes of the Federal Rules of Bankruptcy Procedure and the Local Rules and will constitute entry of that document into the case docket maintained by the Clerk pursuant to Fed. R. Bankr. P. 5003.

3. After a proper ECF filing, a receipt acknowledging that a document has been filed will appear immediately on the ECF User's screen. Parties may also confirm the filing of documents by reviewing the Court's online case docket through PACER.

4. The Court may, upon the motion of a party or upon its own motion, strike any inappropriately filed document.

5. Multiple Documents (Pages) Filed Together:

   All attachments to a single pleading that are filed with the pleading may be filed together under a single ECF document number (i.e. a motion and a supporting affidavit).

   Limitation on Size of a Single ECF Filing:

   A single filing (i.e. pleading and attachments) is limited to 35 megabytes. For any ECF filing that will exceed 35 megabytes, the ECF User must separate the files into multiple PDF files of less than 35 megabytes each. The range of attachment numbers must be listed in the description of the attachment (i.e., "Exhibit 1 – Pages 1-43" or "Exhibit 1 – 43-83"). The ECF User must file an Exhibit List as the first attachment.

6. All documents (PDF) filed in the ECF system must conform to 8 ½ x 11 standard paper size.

7. ECF Users must pay filing fees, through Pay.gov, by midnight of the day the documents are filed. See Chapter 2: ECF Payment of Filing Fees (Pay.gov).

B. Signatures

See Miss. Bankr. L.R. 9011-1(a)(2). The registered ECF User's name under whose login and password the document is submitted must be displayed as an image of a signature or by an "/s/" with filer's name typed in the space where the signature would otherwise appear. (e.g. /s/ Jane Doe).

Registered ECF Users must maintain originally executed copies of signed documents for one year after the case is closed in the bankruptcy court.

C. Filing Deadlines

Filing documents through the ECF system does not alter any filing deadline or any time computation pursuant to Fed. R. Bankr. P. 9006. All ECF filings of documents must be completed prior to midnight Central Standard Time to be considered timely filed on that day. At the end of the filing process, the ECF system will display a "Notice of Electronic Filing". Although documents may be filed electronically twenty-four hours a day, ECF Users are strongly encouraged to file all documents during the Court's office hours (8:00 a.m. – 5:00 p.m., Monday through Friday) when assistance is available from the Clerk's office.

D. Errors in Filing

Once a document is filed through the ECF system, it becomes a part of the Court's record, and only the Court can make a correction. The ECF system will not allow an ECF User to change a document or docket entry, and the ECF User should not attempt to re-file the document(s).

As soon as possible after an error is discovered, the ECF User that filed the document should contact the Case Administrator responsible for the case and provide the case number and document number for which the correction is being requested. The Court's website (www.mssb.uscourts.gov) lists names of case administrators and their respective assigned digits.

Section 4. Electronic Service of Documents

A. Service of Filed Documents on Parties

1. When any document is filed, the ECF system will produce a "Notice of Electronic Filing." This notice represents service of the document on parties who are also registered ECF Users. The filing party is not required to serve any pleading or other documents on any party receiving a Notice of Electronic Filing except as set out in paragraph 3 below.

2. The filing party shall serve those parties not designated or able to receive a Notice of Electronic Filing but that are nevertheless entitled to notice of said pleading or other document in accordance with the Federal Rules of Bankruptcy Procedure and the Local Rules except as otherwise provided by order of the Court. Service of a paper copy must be made in accordance with the Federal Rules of Bankruptcy Procedures and the Local Rules.

3. A party may not electronically serve a summons and complaint in an adversary proceeding, but instead must perfect service according to Fed. R. Bankr. P. 7004.

Service by email will constitute service pursuant to Miss. Bankr. L.R. 5005-1(a)(2)(A).

B. Certificate of Service

A Certificate of Service is required when filing documents through the ECF system. The Certificate of Service must be attached to the filed document(s), must specify the method of service, and must identify all parties served.

Example: Parties served via regular mail:

Notice provided via First Class U.S. Mail:

John Doe
5 State Street
Laurel, MS 39443-5807

ABC Company
P.O. Box 566
Jackson, MS 39225-0566

Example: Parties served electronically (Miss. Bankr. L. R. 5005-1(a)(2)(A)):

Service provided via Notice of Electronic Filing (NEF) through ECF system:

John Doe, Esq.;
Office of the US Trustee;
John Smith, Trustee;

Section 5. Proposed Orders

A. Submission of Proposed Orders

1. Proposed orders must be submitted as separate PDF documents in accordance with the following requirements:

   Judge Ellington:

   Upload proposed orders to the ECF system through the e-Orders program.

   Judge Olack:

   Upload proposed orders as an attachment to the main document at the time of filing.

   If the original proposed order changes in any way, upload the final proposed order to the ECF system through the e-Orders program.

   Judge Samson:

   Upload proposed orders as an attachment to the main document at the time of filing.

   If the original proposed order changes in any way, upload the final proposed order to the ECF system through the e-Orders program.

2. Signatures – The submitting party must maintain original copies of proposed orders containing original signatures for one year after the case is closed in bankruptcy court.

3. Approval of Proposed Orders - the Judge's signature will be added to the order and the order will be docketed by the Court.

4. Rejection of Proposed Orders

   a. When a new or revised order is required the ECF system will email a resubmission notification to the submitting party's with an explanation.

   b. Resubmission notifications are emailed to the submitting party's primary email address of record; resubmission notifications are not emailed to any

secondary email account associated with the ECF user's account.

5. Exhibits - Proposed order and all exhibits must be uploaded as one PDF document.

B. Requirements

1. Technical Requirements:

   Proposed orders uploaded to the ECF system must be saved as a PDF document.

   Orders should be created using a word processing application (i.e. Microsoft Word, WordPerfect) and then saved as a PDF document. Scanned orders are not recommended.

2. Format Requirements (see image below)

   a. Document Size

      - 8 ½ x 11 standard paper size (portrait orientation)
      - PDF document; maximum file size 35 MB

   b. Document Margins

      First Page

      - Top 3"
      - Bottom 1"

      Subsequent Page(s)

      - Top 1"
      - Bottom 1"

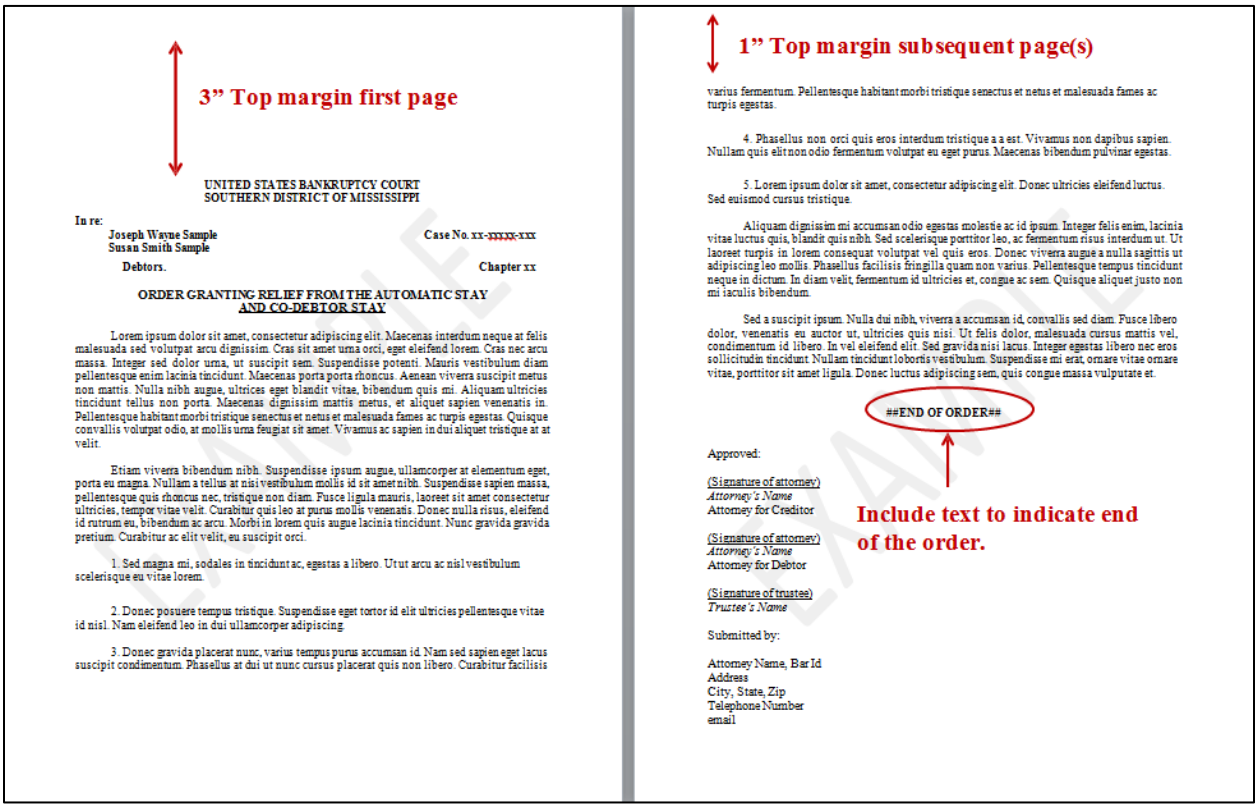
   c. End of Order

      1. Below the last paragraph in the proposed order:

         - Insert one blank line;
         - Insert and center: *##END OF ORDER##*

      2. Do not include "So Ordered."

      3. Do not include signature line for judge.



3" Top margin first page

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI

In re:
Joseph Wayne Sample
Susan Smith Sample
Debtors.

Case No. xx-xxxxx-xxx
Chapter xx

ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY AND CO-DEBTOR STAY

Lorem ipsum dolor sit amet, consectetur adipiscing elit. Maecenas interdum neque at felis malesuada sed volutpat arcu dignissim. Cras sit amet urna orci, eget eleifend lorem. Cras nec arcu massa. Integer sed dolor urna, ut suscipit sem. Suspendisse potenti. Mauris vestibulum diam pellentesque enim lacinia tincidunt. Maecenas porta porta rhoncus. Aenean viverra suscipit metus non mattis. Nulla nibh augue, ultrices eget blandit vitae, bibendum quis mi. Aliquam ultricies tincidunt tellus non porta. Maecenas dignissim mattis metus, et aliquet sapien venenatis in. Pellentesque habitant morbi tristique senectus et netus et malesuada fames ac turpis egestas. Quisque convallis volutpat odio, at mollis urna feugiat sit amet. Vivamus ac sapien in dui aliquet tristique at at velit.

Etiam viverra bibendum nibh. Suspendisse ipsum augue, ullamcorper at elementum eget, porta eu magna. Nullam a tellus at nisi vestibulum mollis id sit amet nibh. Suspendisse sapien massa, pellentesque quis rhoncus nec, tristique non diam. Fusce ligula mauris, laoreet sit amet consectetur ultricies, tempor vitae velit. Curabitur quis leo at purus mollis venenatis. Donec nulla risus, eleifend id rutrum eu, bibendum ac arcu. Morbi in lorem quis augue lacinia tincidunt. Nunc gravida gravida pretium. Curabitur ac elit velit, eu suscipit orci.

1. Sed magna mi, sodales in tincidunt ac, egestas a libero. Ut ut arcu ac nisl vestibulum scelerisque eu vitae lorem.

2. Donec posuere tempus tristique. Suspendisse eget tortor id elit ultricies pellentesque vitae id nisl. Nam eleifend leo in dui ullamcorper adipiscing.

3. Donec gravida placerat nunc, varius tempus purus accumsan id. Nam sed sapien eget lacus suscipit condimentum. Phasellus at dui ut nunc cursus placerat quis non libero. Curabitur facilisis

1" Top margin subsequent page(s)

varius fermentum. Pellentesque habitant morbi tristique senectus et netus et malesuada fames ac turpis egestas.

4. Phasellus non orci quis eros interdum tristique a a est. Vivamus non dapibus sapien. Nullam quis elit non odio fermentum volutpat eu eget purus. Maecenas bibendum pulvinar egestas.

5. Lorem ipsum dolor sit amet, consectetur adipiscing elit. Donec ultricies eleifend luctus. Sed euismod cursus tristique.

Aliquam dignissim mi accumsan odio egestas molestie ac id ipsum. Integer felis enim, lacinia vitae luctus quis, blandit quis nibh. Sed scelerisque porttitor leo, ac fermentum risus interdum ut. Ut laoreet turpis in lorem consequat volutpat vel quis eros. Donec viverra augue a nulla sagittis ut adipiscing leo mollis. Phasellus facilisis fringilla quam non varius. Pellentesque tempus tincidunt neque in dictum. In diam velit, fermentum id ultricies et, congue ac sem. Quisque aliquet justo non mi iaculis bibendum.

Sed a suscipit ipsum. Nulla dui nibh, viverra a accumsan id, convallis sed diam. Fusce libero dolor, venenatis eu auctor ut, ultricies quis nisi. Ut felis dolor, malesuada cursus mattis vel, condimentum id libero. In vel eleifend elit. Sed gravida nisi lacus. Integer egestas libero nec eros sollicitudin tincidunt. Nullam tincidunt lobortis vestibulum. Suspendisse mi erat, ornare vitae ornare vitae, porttitor sit amet ligula. Donec luctus adipiscing sem, quis congue massa vulputate et.

##END OF ORDER##

Include text to indicate end of the order.

Approved:

(Signature of attorney)
Attorney's Name
Attorney for Creditor

(Signature of attorney)
Attorney's Name
Attorney for Debtor

(Signature of trustee)
Trustee's Name

Submitted by:

Attorney Name, Bar Id
Address
City, State, Zip
Telephone Number
email

C. Service of Orders

The Clerk's Office uses the Bankruptcy Noticing Center to effect service to any party who is not an attorney, private trustee, or United States Trustee registered ECF users.

Section 6. Paper Filings

A. Paper Filings

As used in these procedures, a "paper filing" is a document or pleading presented to the Clerk on 8½ x 11 inch paper or other non-electronic, tangible format; documents filed in paper should not be stapled or bound. The following documents must be filed in paper unless the court specifically authorizes an exception:

1. Sealed documents.
2. Documents filed by pro se litigants.
3. Commencing document/pleading for a Miscellaneous Proceeding.

B. Service of Paper Filings

Pleadings or other documents that are filed in paper rather than through the ECF system shall be served in the manner provided for in the Federal Rules of Bankruptcy Procedure and the Local Rules, except as otherwise provided by order of the Court.

Section 7. Public Access to the System

A. Public Remote Access Through PACER

Public remote access to the ECF system for viewing and printing purposes is available to subscribers through the Public Access to Court Electronic Records (PACER) system.

Such access requires registration with the PACER Service Center at www.pacer.uscourts.gov (or 1-800-676-6856) and, in accordance with the mandate of the Judicial Conference of the United States, a fee will be charged.

B. Public Access at the Court

The Court provides free public access to view case files in the ECF system in the office of the Clerk during regular business hours (8:00 a.m. – 5:00 p.m., Monday through Friday). A copy fee for printing documents is required in accordance with 28 U.S.C. §1914.

C. Certified Copies

Certified copies of filed documents may be obtained at either location of the Clerk's office during regular business hours or registered users may file a written request in the applicable case. A list of fees is available on the Court's website at www.mssb.uscourts.gov.

Section 8. ECF Systems Technical Failures

A. The Court's System

If the ECF system is not available for technical reasons, the Court has established the following procedures to accept filings. These procedures will be in effect for the duration of any outage.

During regular business hours, the registered ECF User should contact either location of the Clerk's office by telephone and speak with a supervisor or, in the supervisor's absence, the case administrator assigned to the case.

Jackson Clerk's office	601-608-4600
Gulfport Clerk's office	228-563-1790

If an immediate filing is necessary, the Clerk's office will make arrangements to accept the filing. Such a filing is effective upon receipt and will be electronically entered and docketed when ECF system is accessible, unless otherwise ordered by the Court.

After hours (nights, weekends, and holidays), if a registered ECF User cannot access ECF to effect a time-sensitive filing due to a technological failure of the ECF system, the registered ECF User should call:

Clerk's office 601-608-4603

A staff member will make arrangements with the registered ECF User to accept the filing. Such a filing is effective upon receipt by the assigned staff member and will be electronically entered and docketed when the ECF system is accessible, unless otherwise ordered by the Court. If the Court determines that the failure to file electronically was caused by an error of the registered ECF User or a misuse or abuse of the emergency filing procedures, the Court may strike the document and issue sanctions, which may include additional mandatory training.

B. The Registered ECF User's System

Problems with the registered User's system(s), such as phone line problems, problems with the filer's Internet Service Provider (ISP), or hardware or software problems, do not constitute a "technical failure" under these procedures. A registered ECF User who cannot file a document electronically because of a problem with his/her hardware, software, Internet connection or other such problems may file the document(s) at the Clerk's Office during regular business hours.

Practice Note: *ECF Users are encouraged to use the ECF system during the Clerk's regular business hours (8:00 a.m. – 5:00 p.m. Central Standard Time). ECF Users are encouraged to file time-sensitive cases or documents allowing sufficient time for an alternative filing should the ECF system be unavailable. Failure to file a petition or other pleading because of failure of the Court's ECF system or the attorney's electronic system will not necessarily relieve or excuse the filing party from the consequences of failure to file by a certain time or date.*

Section 9. Privacy – Redaction of Certain Personal Identifiers

See Fed. R. Bankr. P. 9037.

The filing party is solely responsible for properly redacting personal identifiers. The Clerk will not review pleadings for compliance with this procedure, and the Clerk is not authorized to redact personal identifiers on documents filed by parties in a bankruptcy case.

A party may file a motion asking the Court to restrict the view (ECF/PACER) of an improperly redacted document in the ECF system and request permission to file a redacted version of the original document. (See Local Form MSSB-MRD and MSSB-ORD *Motion and Order to Restrict Public Access and Redact Document*)

Because transcripts of proceedings are subject to being filed electronically and therefore remotely available to the public through PACER, attorneys should develop the trial record by excluding from any testimony or documentary evidence the personal identifiers set out in Fed. R. Bankr. P. 9037.

Chapter 2: ECF Payment of Filing Fees (Pay.gov)

Section 1. Overview

Registered ECF Users must pay all filing fees for ECF transactions through Pay.gov, an online payment portal for public access to federal agency services.

Pay.gov accepts credit cards (Visa, MasterCard, American Express, and Discover) and debit cards (Visa or MasterCard only).

Timely Payment of Filing Fees

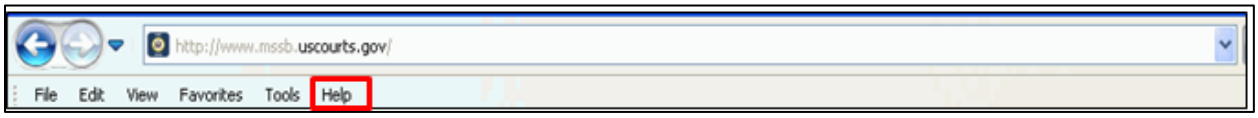
Registered ECF Users must pay all filing fees on the same day the ECF filing transaction is submitted. If a registered ECF User account balance is not settled by midnight, the ECF system will prevent the user from filing until the outstanding balance is paid. (See Chapter 2 Section 8 *Failure to Timely Pay Filing Fees*.)

Section 2. Pay.gov System/Security Requirements

See Pay.Gov

Checking the Windows version and encryption or cipher strength of your web browser:

1. Open the web browser; click the "**Help**" tab on the menu bar at the top of the screen.



2. Click "**About Internet Explorer**."

3. A small window appears in the center of the screen indicating the version, as well as the encryption or cipher strength, of the browser. If the screen indicates a 40- or 56-bit version, or does not indicate the encryption level, you will need to upgrade to a version with 128-bit encryption.

Section 3. Online Payment Process

IMPORTANT: When making online payments, avoid using the web browser's "Back Button." This may lead to incomplete data being transmitted and pages being loaded incorrectly. You should use hyperlinks whenever possible.

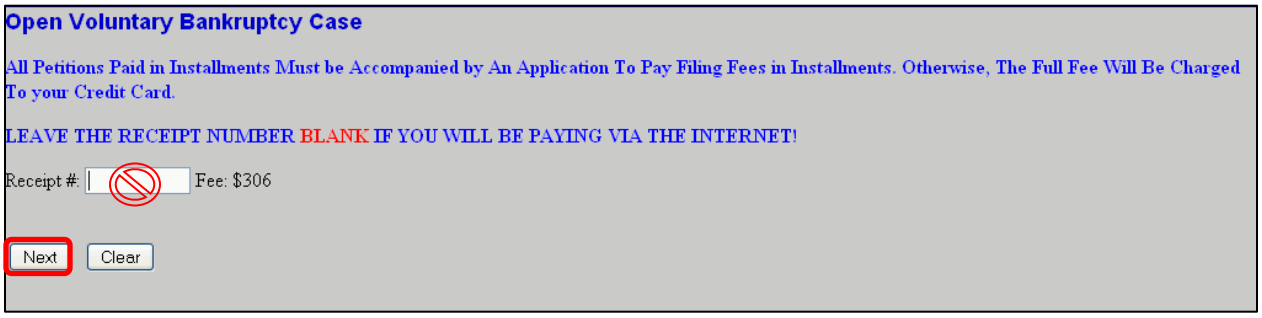
Filing Fee for a Bankruptcy Case

When filing a case using proprietary (third-party) software, a payment pop-up window may not appear on the screen. If a payment pop-up window does not appear, use the **Utilities** menu in ECF to make the payment. (See Chapter 2 Section 7 *Internet Payments Due*.)

Pay.gov can accommodate a filing fee paid in full or in installments.

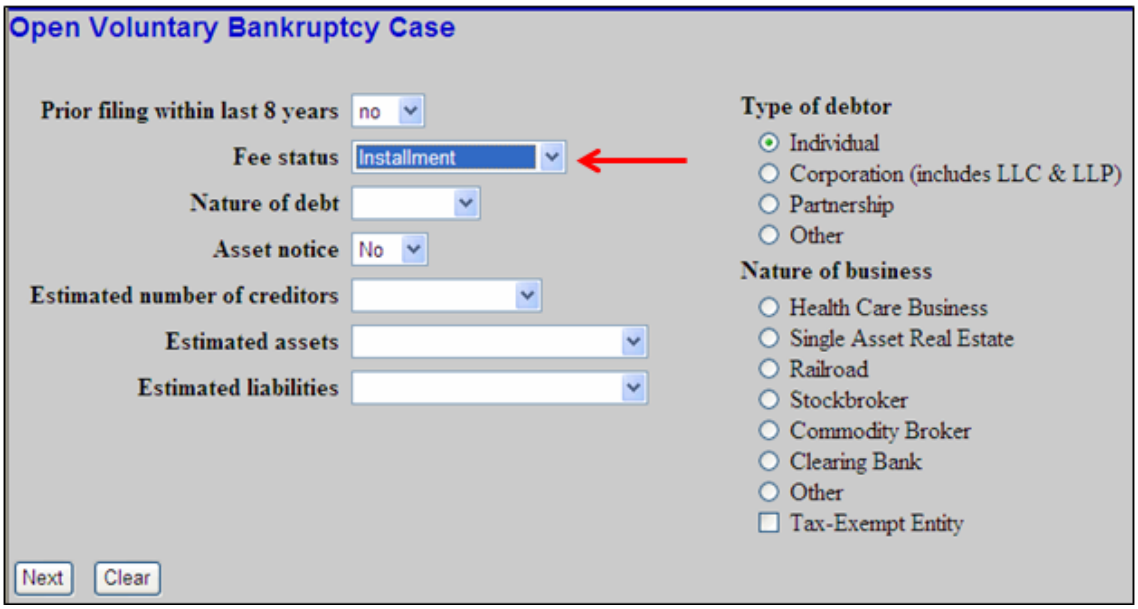
Filing Fees Paid in Full

- On the filing fee screen, leave the "Receipt" field **blank.**
- Click **"Next"** to complete the case opening process.



Filing Fees Paid in Installments

- ECF defaults to **Paid** and inserts the full filing fee amount unless the user indicates otherwise. On the statistical information screen, select **"Installment"** as the "Fee status." This option will allow the installment payment amount to be entered (first installment payment).

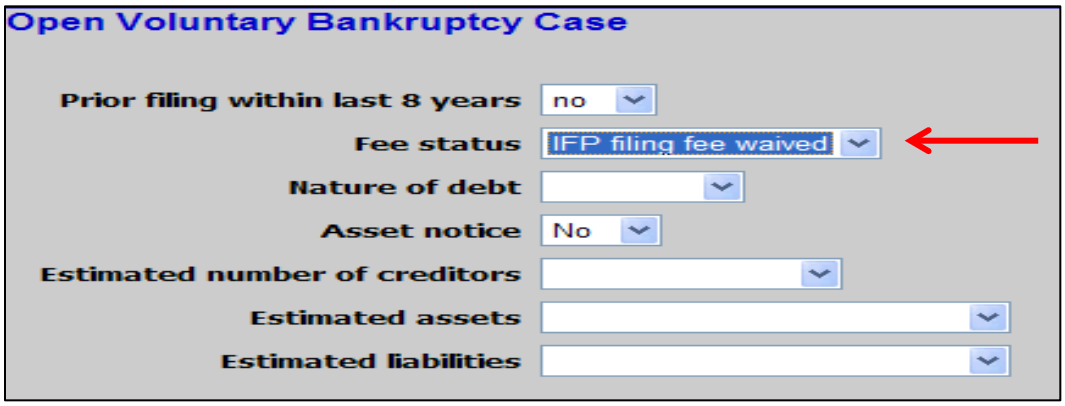


- On the filing fee screen, leave the “Receipt” field blank and change the “Fee” field to the amount of the first installment payment.

- Click “Next” to complete the case opening process.

Filing Fee Waived *(In Forma Pauperis – only applicable for Chapter 7 individuals)*

- On the statistical information screen, select ***“IFP filing fee waived”*** as the “Fee status.” This option will eliminate the receipt and fee screen from the filing process.

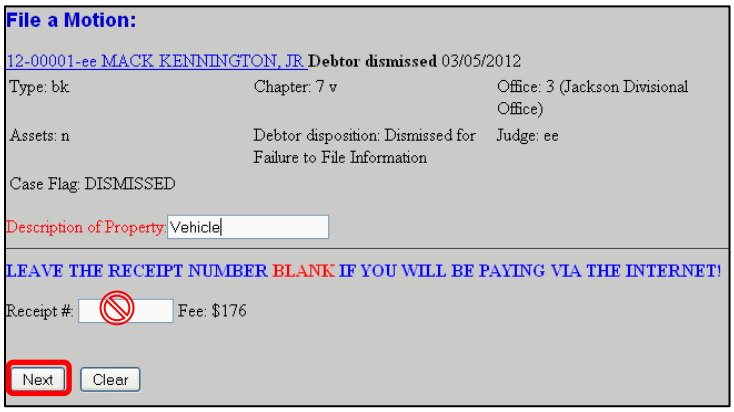


Section 4. Filing a Document Requiring a Fee

The fee is due in full unless the filer is exempt from paying the fee or the filer files a motion to defer the fee. If you have questions regarding the exemption of a filing fee, contact the Court before filing the document/pleading.

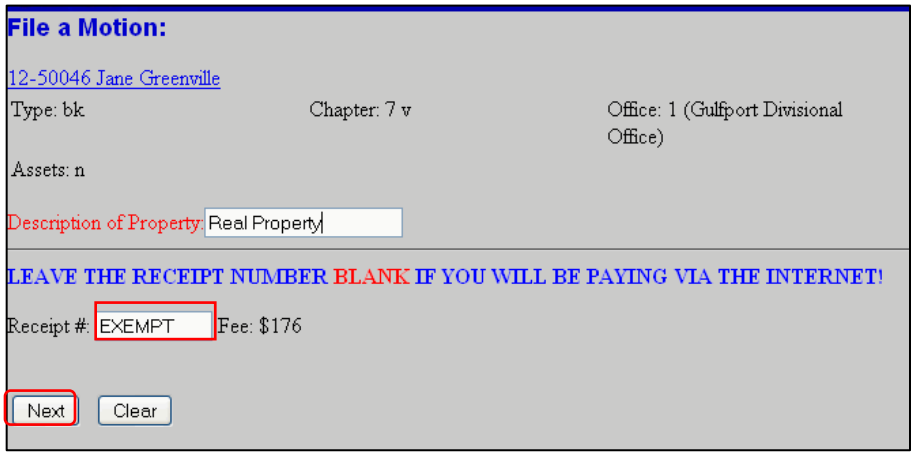
Filing Fee due:

- Leave the "Receipt" field **blank.**
- Click **"Next"** to complete the filing process.



Exempt from Filing Fee:

- *Enter **"EXEMPT"** in the "Receipt" field.
- Click ***"Next"*** to complete the filing process.

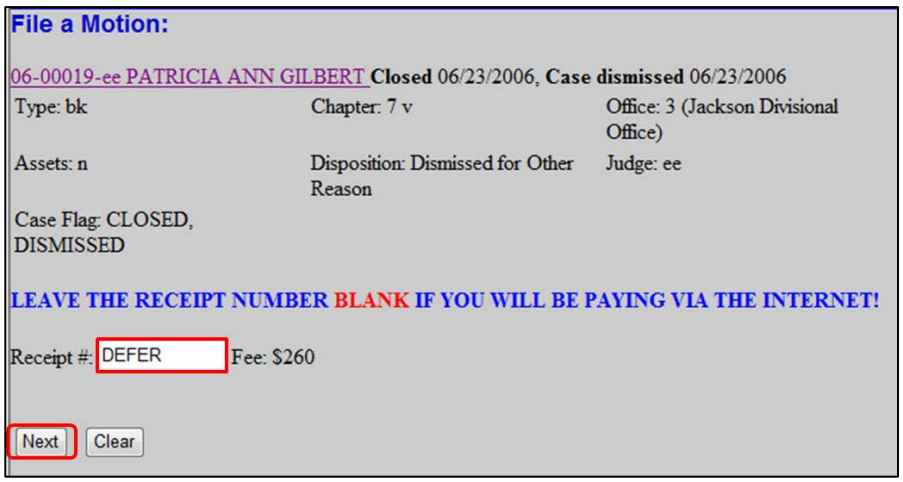


*By entering *EXEMPT* in the receipt field the registered User declares the filer is exempted from a filing fee by the Judicial Conference of the United States, federal statute, federal rule, or local rule.

If the filer does not qualify for a filing fee exemption, the Clerk will require immediate payment of the filing fee or the filing of a motion seeking Court approval to defer or waive the filing fee.

Deferred Filing Fee:

- *Enter **"DEFER"** in the "Receipt" field.
- Click ***"Next"*** to complete the filing process.

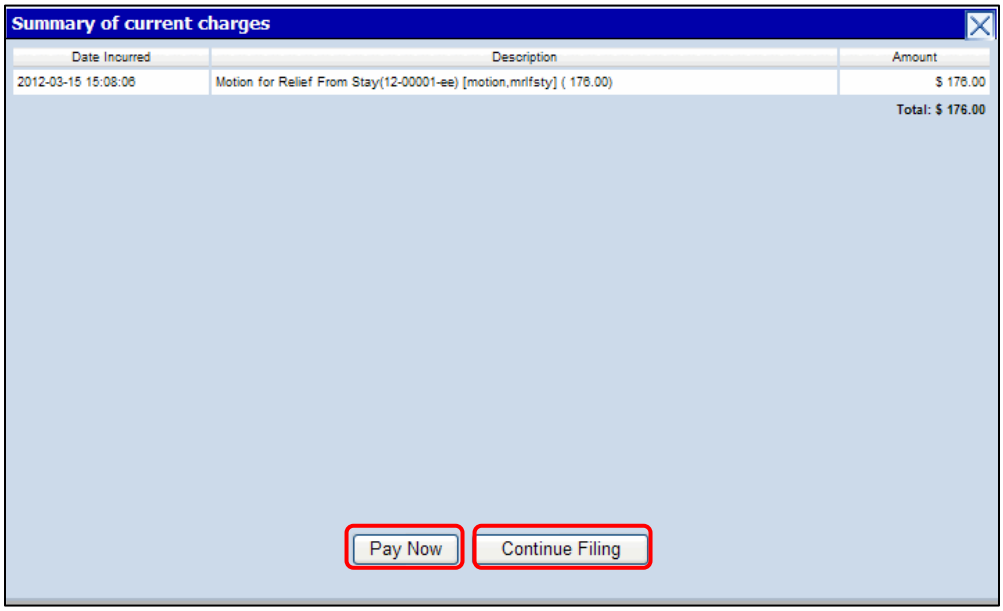


*By entering *DEFER* in the receipt field the Registered ECF User declares the bankruptcy estate has no assets to pay the filing fee at the time of filing, or the filer is filing a motion seeking Court approval to defer the filing fee pending the recovery of assets.

If the filer does not qualify for automatic fee deferment, the Clerk will require immediate payment of the filing fee or the filing of a motion seeking Court approval to defer the filing fee.

Section 5. After the Document is Filed

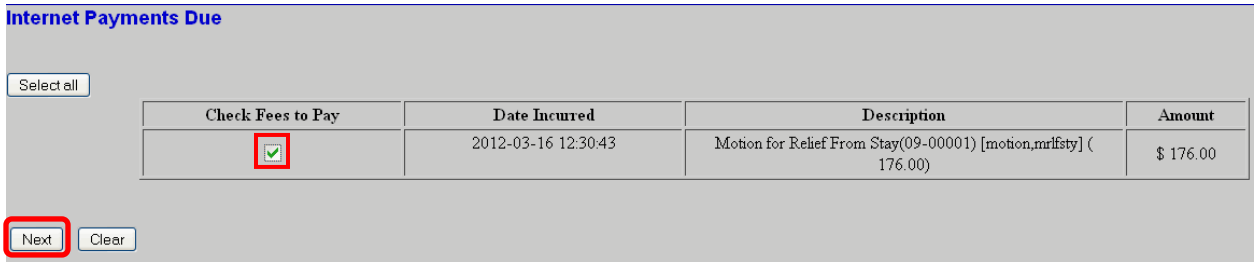
- After the docketing process, a "Summary of current charges" window will appear.
- The filing fee may be paid at this point or the user may continue filing and pay accumulated fees once by the end of the day.



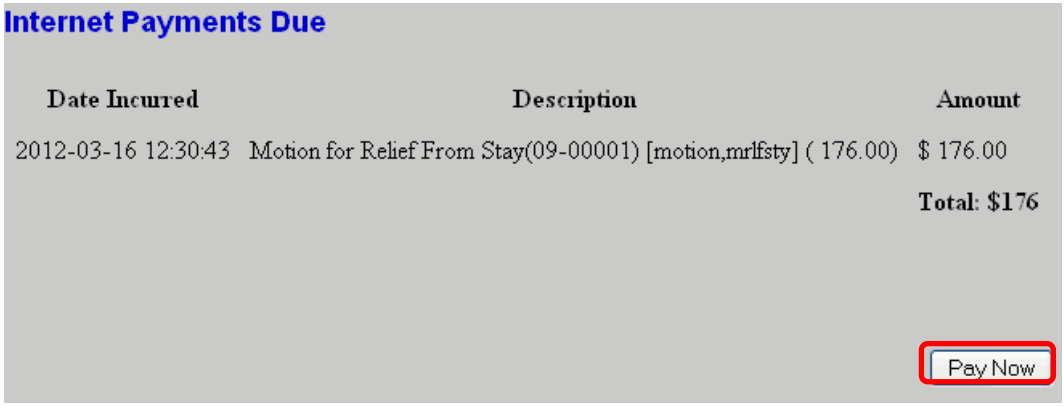
"Pay Now"

- Click the **"Pay Now"** button. The "**Internet Payments Due"** screen appears. Check the box for the fee to be paid.

- Click **"Next"** to continue the payment process



- Click **"Pay Now."**



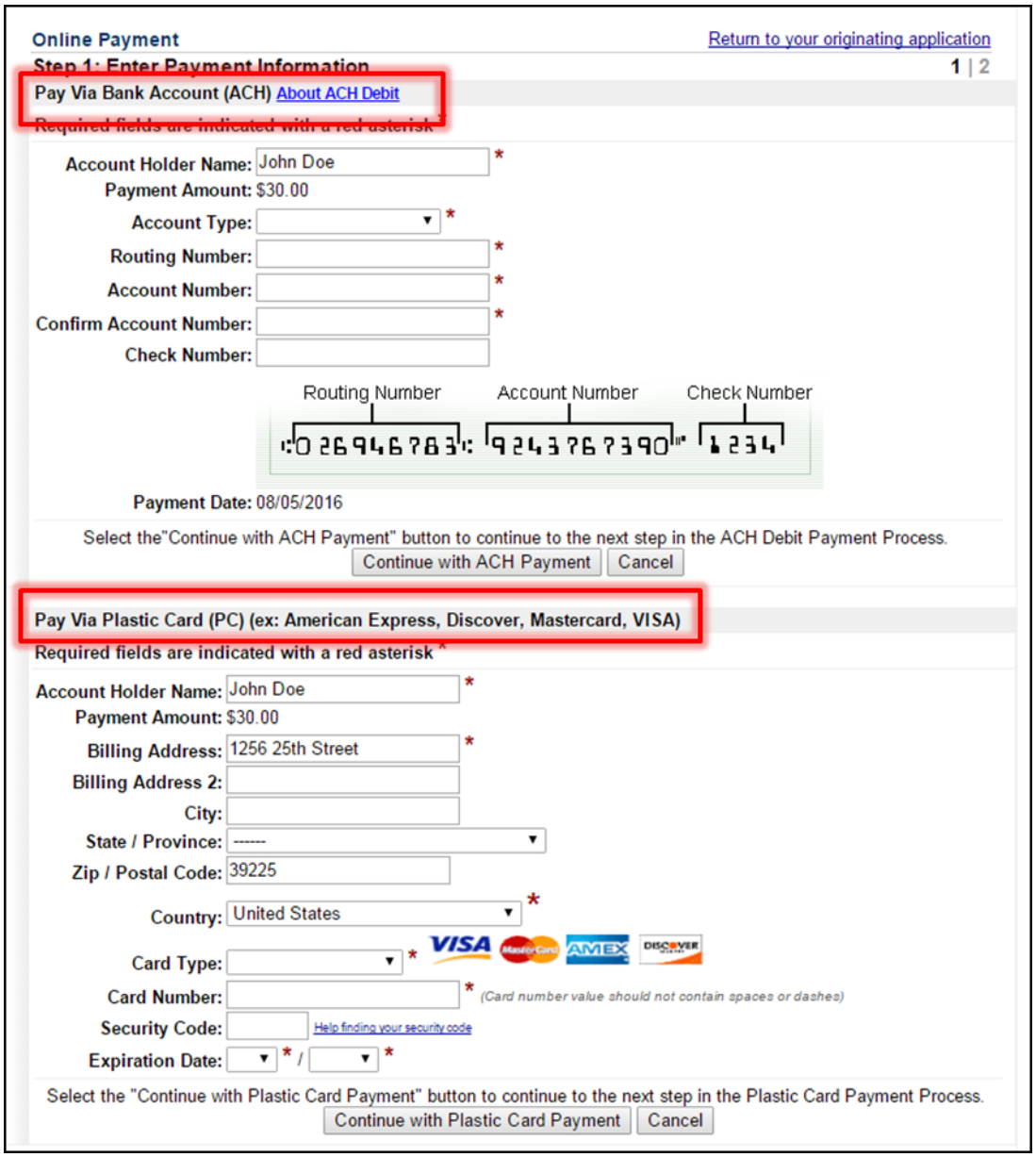
"Continue Filing"

- Until all filing fees are paid, the "Summary of current charges" window will appear every time a document is filed (even for documents for which a fee is not due).

- If the filing fee remains unpaid at the end of the day, the system will prevent you from filing documents until all outstanding fees are paid in full.

Section 6. Online Payment Process

The online payment screen displays payment options: Bank Account (ACH) and Debit/Credit Card.



A. Bank Account (ACH) Process

ACH payments may be made from the following types of bank accounts:

- Business Checking
- Business Savings
- Personal Checking
- Personal Savings

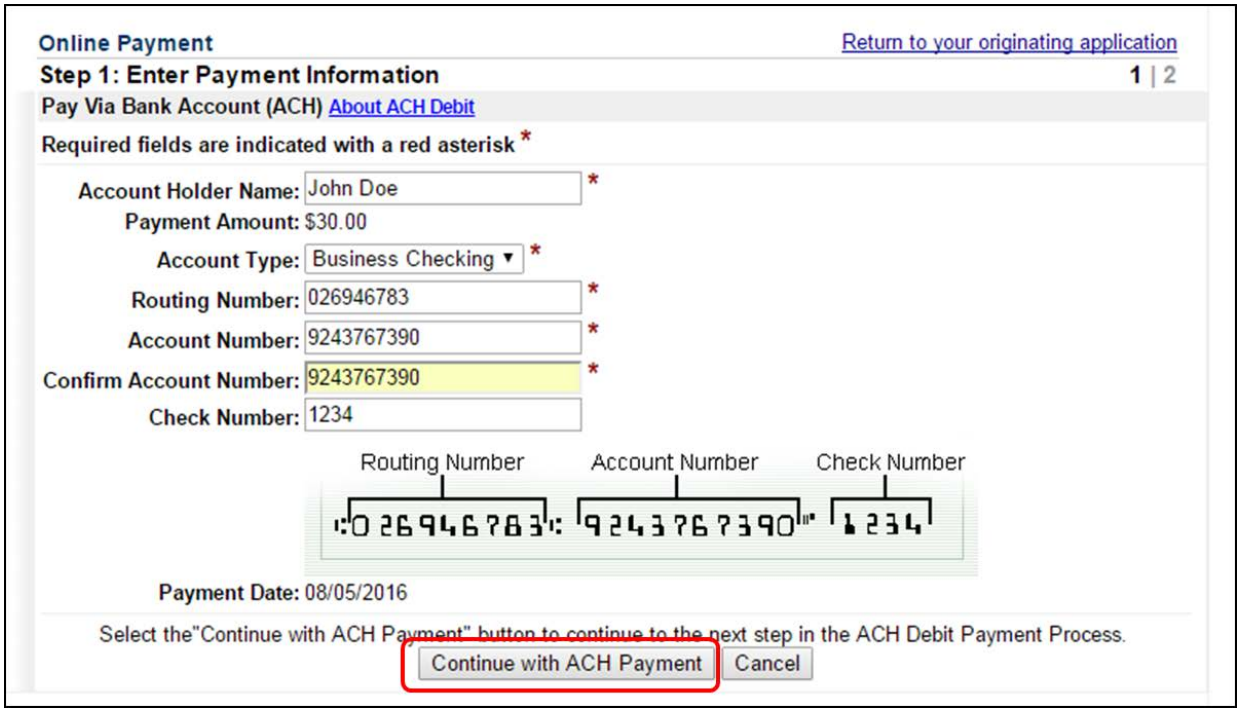
Note: A fee will be assessed for a payment returned or denied due to insufficient funds. *See Bankruptcy Miscellaneous Fee Schedule - Item 13*

Step 1 – Payment Process

- Fields followed by an asterisk (*****) are required.

- "Account Holder Name," "Billing Address," and "Zip Code" default to the user account information in ECF.

- Changing the information in any of these fields does not change the user's ECF account.



- After entering the required information, click the "**Continue with ACH Payment**" button. The "**Authorize Payment"** window will be displayed.

Step 2 – Authorize Payment

1. Payment Summary:

   Review information for accuracy. Click "**Edit this Information**" to make changes.

2. Email Confirmation Receipt (Optional):

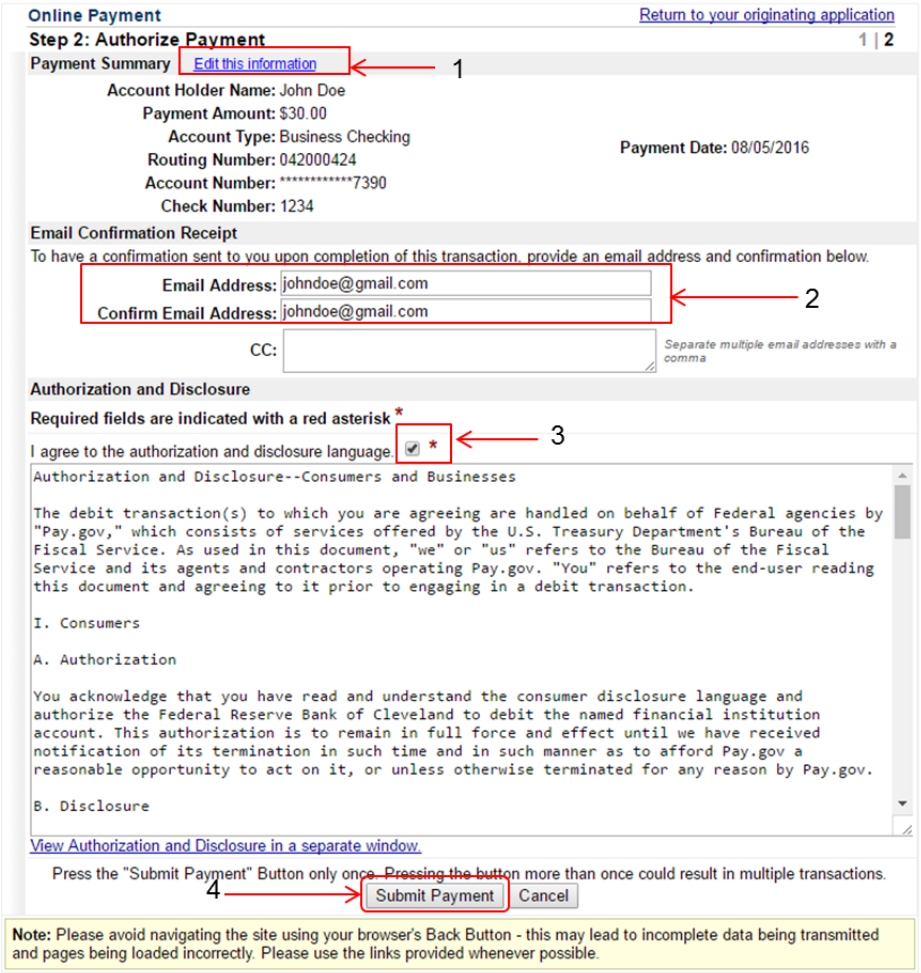
   Enter an email address to receive confirmation receipt of payment. Enter the same email address in the "Confirm Email Address" field.

3. Authorization and Disclosure:

   Select the check box to authorize debit transaction to your bank account.

4. Submit Payment:

   Click the "**Submit Payment**" button once. **Pressing the button more than once could result in multiple charges to your bank account**.

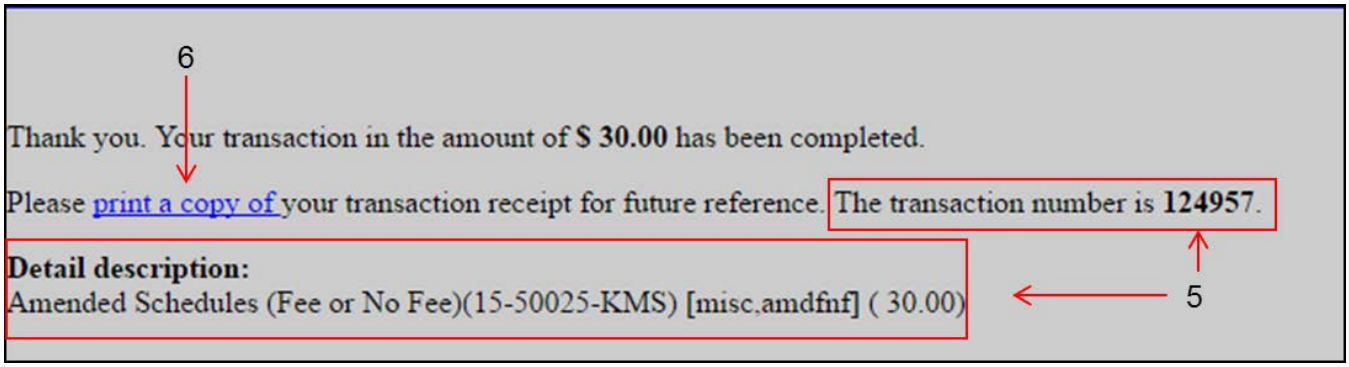


5. Payment Confirmation:

After the transaction has processed, a transaction confirmation screen will appear that provides the transaction number and description of the fee paid. ECF will automatically docket the filing fee receipt to the case docket.

6. Printing a Receipt:

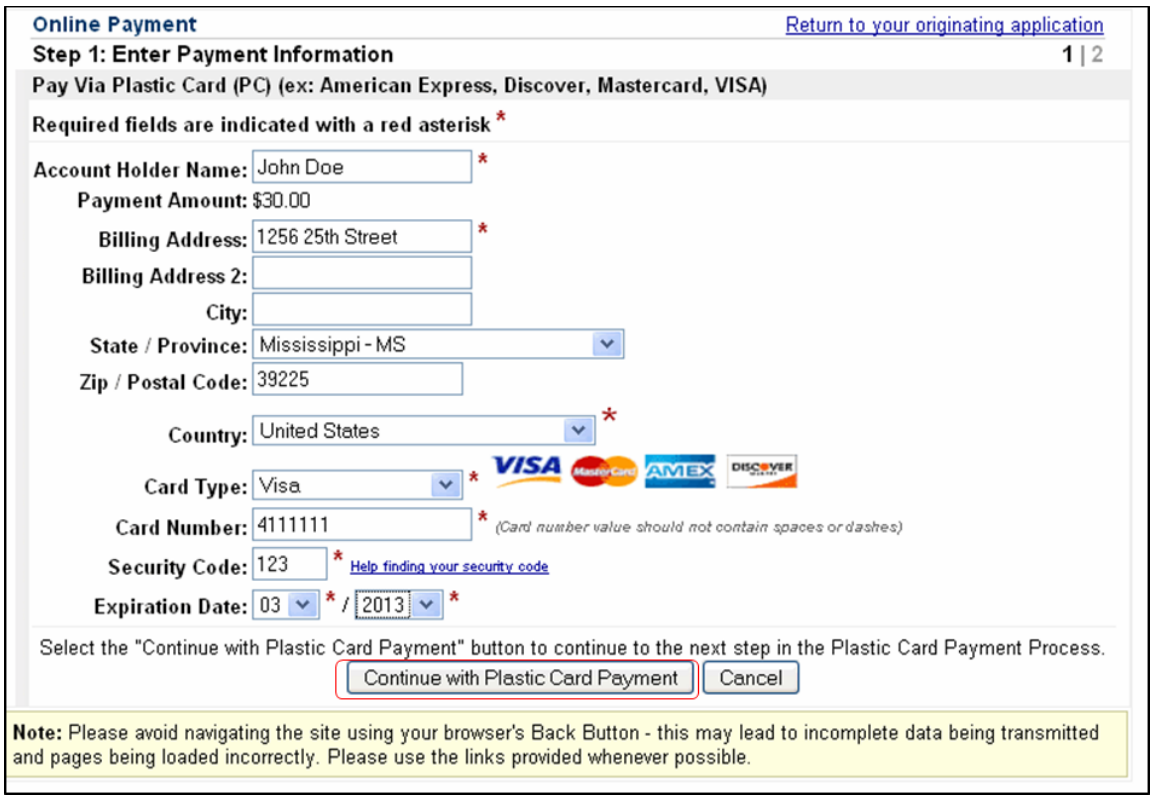
The transaction screen has a link for printing the receipt. Printing a copy of the receipt for your records is recommended. If you provided an email address in the "Email Confirmation Receipt" section, you will receive a receipt via email from Pay.gov.



B. Debit/Credit Card Process Steps

Step 1 – Payment Process

- Fields followed by an asterisk (*****) are required.
- "Account Holder Name," "Billing Address," and "Zip Code" default to the user account information in ECF.
- Changing the information in any of these fields does not change the user's ECF account.



- After entering the required information, click the "**Continue with Plastic Card Payment**" button. The "**Authorize Payment"** window will be displayed.

Step 2 – Authorize Payment

1. Payment Summary:

   Review information for accuracy. Click "**Edit this Information**" to make changes.

2. Email Confirmation Receipt (Optional):

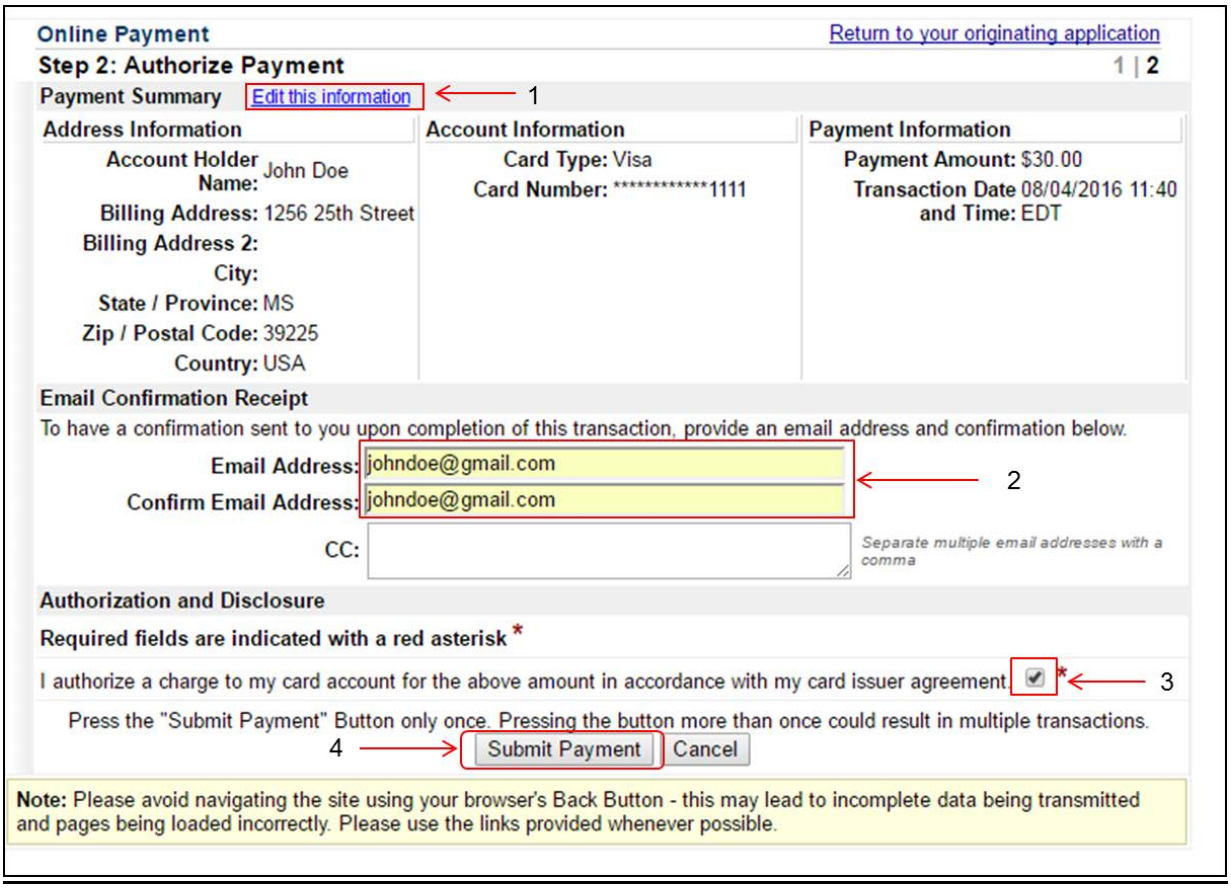
   Enter an email address to receive confirmation receipt of payment. Enter the same email address in the "Confirm Email Address" field.

3. Authorization and Disclosure:

   Select the check box to authorize charges to your credit card.

4. Submit Payment:

   Click the "**Submit Payment**" button once. **Pressing the button more than once could result in multiple charges to your credit card**.

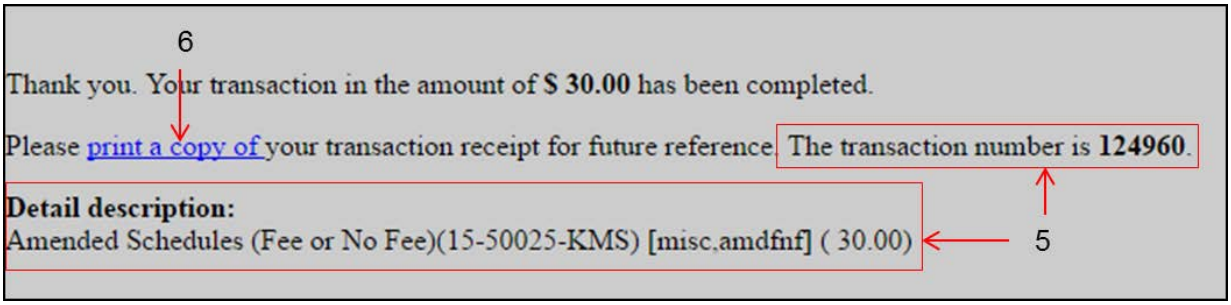


5. Payment Confirmation:

After the transaction has processed, a transaction confirmation screen will appear that provides the transaction number and description of the fee paid. ECF will automatically docket the filing fee receipt to the case docket.

6. Printing a Receipt:

The transaction screen has a link for printing the receipt. Printing a copy of the receipt for your records is recommended. If you provided an email address in the "Email Confirmation Receipt" section, you will receive a receipt via email from Pay.gov.



Section 7. Online Filing Fee Reports

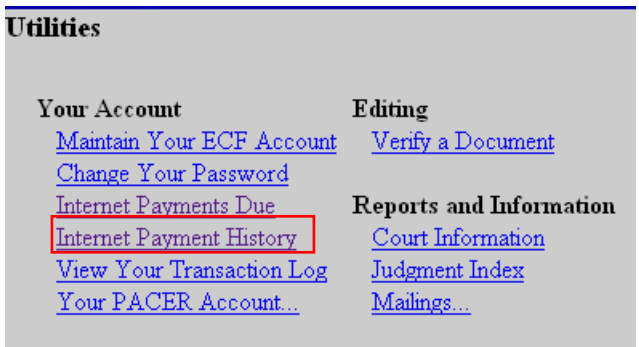
The following reports are available to the filer and may be located by clicking on **Utilities** on the blue menu bar.

Internet Payment History:

The Internet Payment History report allows review and reconciliation of payments over any specified period. This report includes all fees paid including Pay.gov, over-the-counter credit card, check, or cash.

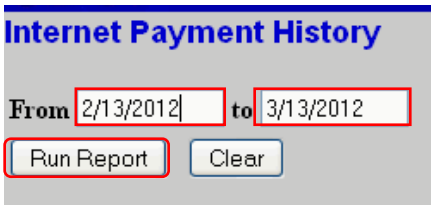
To access a list of your charges from the **Utilities** menu:

1. Click **"Internet Payment History."**



2. Enter a beginning ("From") date and ending ("to") date for the report. The date range defaults to the previous thirty days.

   Click "**Run Report."**



3. **Internet Payment History Report** displays. The report contains fee payments over the date range specified.

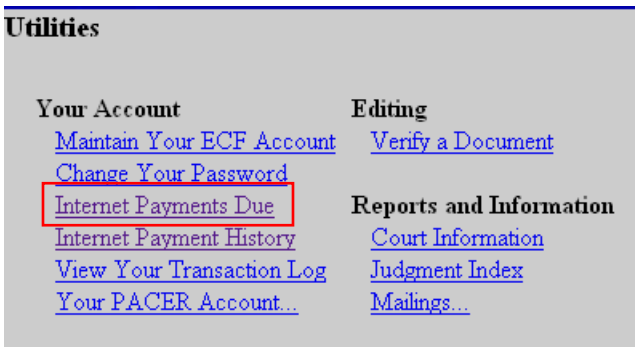
U.S. Bankruptcy Court [TEST]
Southern District of Mississippi
Internet Payment History for [redacted]
3/12/2012 to 3/12/2012

Date Paid	Description	Payment Method	Receipt #	Amount
2012-03-12 15:32:11	FARM SERVICE AGENCY Motion to Convert Case to Chapter 7(05-50002-NPO) [motion,mcnv7] (60.00) FARM SERVICE AGENCY Motion to Convert Case to Chapter 7(05-50002-NPO) [motion,mcnv7] (65.00) FARM SERVICE AGENCY Motion to Convert Case to Chapter 7(05-50002-NPO) [motion,mcnv7] (60.00) B.C. ROGERS PROCESSORS, INC. Motion to Convert Case to Chapter 7(01-06515-ee) [motion,mcnv7] (15.00) FARM SERVICE AGENCY Motion to Convert Case to Chapter 7(05-50002-NPO) [motion,mcnv7] (60.00) Mercy Hospital Motion to Convert Case to Chapter 7(08-50012) [motion,mcnv7] (15.00) MACK KENNINGTON, JR Motion for Relief From Stay(12-00001-ee) [motion,mrlfsty] (176.00) Paoi Tran Voluntary Petition (Chapter 12)(11-50028) [misc,volp12] (239.00) Abc Inc. v. smith Complaint(11-05003) [cmp,cmp] (250.00) Paoi Tran Motion to Convert Case From Chapter 12 to 11(11-50028-KMS) [motion,mcn12t11] (800.00) Joe Smith Voluntary Petition (Chapter 7)(12-00029) [misc,volp7] (306.00)	CreditCard	51489	$2046.00
2012-03-12 15:55:48	MACK KENNINGTON, JR Amended Schedules (Fee)(12-00002-ee) [misc,amdfee] (30.00)	CreditCard	51504	$ 30.00

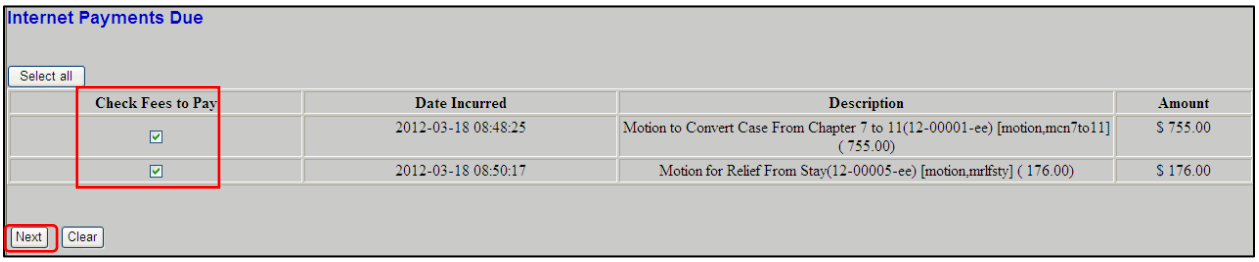
Internet Payment Due

The **Internet Payments Due** report allows payment of some or all outstanding (pending) fees. This screen contains a summary of all current unpaid filing fees.

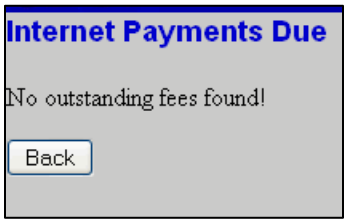
1. From the **Utilities** menu, click **"Internet Payments Due."**



2. A pop-up window will indicate the accumulated outstanding fees. To pay the outstanding fees, check the box under "**Check Fees to Pay,**" then click **"Next."** (See Chapter 2 Section 6 ***Online Payment Process***.)



3. If no fees are owed, the message will confirm that no fee is due.



Section 8. Failure to Timely Pay Filing Fees

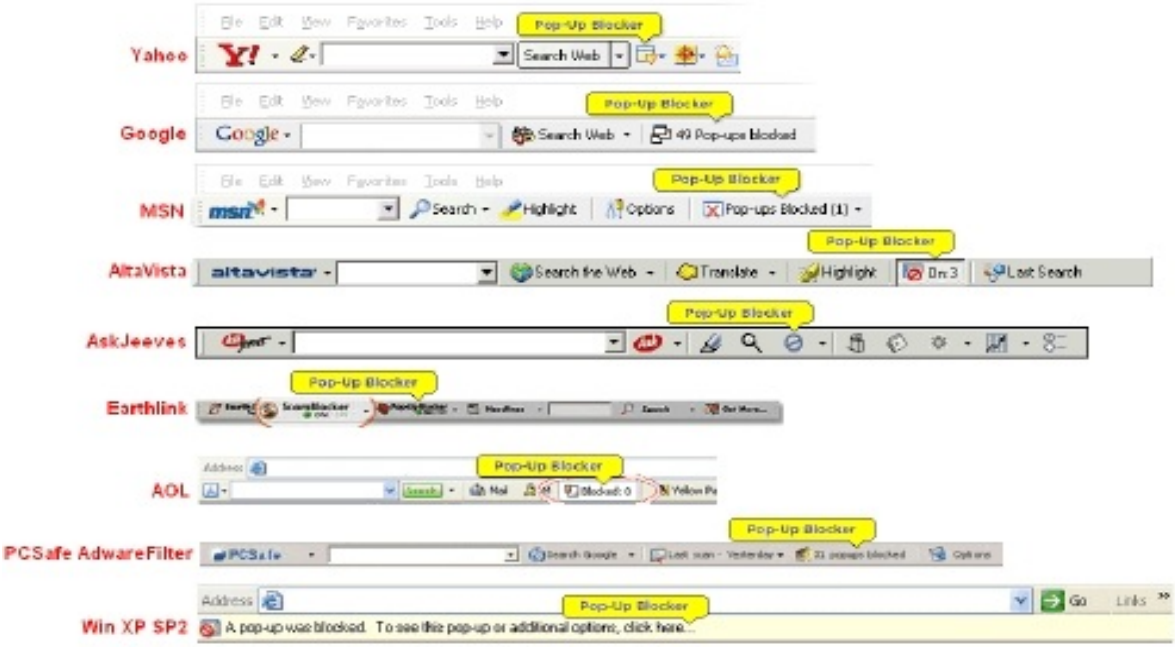
Users must pay all filing fees for ECF transactions on the same day the ECF transaction is submitted. If outstanding fees are not paid by midnight on the day of the filing, the ECF system will notify the registered ECF User that the system has "locked" the registered ECF User Account, with the exception of the ability for the registered ECF User to pay outstanding filing fees. To pay outstanding fees, see Chapter 2 Section 7 *Internet Payment Due*.

Section 9. Troubleshooting

Pop-up Blocking Software:

Active pop-up blocking software is the most common problem encountered. Pop-up blocking software may prevent viewing of the payment window(s). Pop-up blockers can be disabled in most web browsers by changing a setting under the browser's options.

Below are some examples of common pop-up blockers. The highlighted buttons show where the pop-up blocking features can be disabled.



Confirmation Issues:

IMPORTANT: Do not re-file the pleading. Re-filing may result in duplicate charges to your credit card and duplicate entries on the docket.

If you receive an error message referencing a transaction ID number:

- Review the **Internet Payment History** report.
- Review the docket to verify that a receipt was docketed to the case.
- Contact the Court to verify that the transaction was successful.

Other reasons an error message may display:

- Address entered may not match the credit card billing address
- Insufficient funds
- Credit card has expired or the expiration date occurs during the month in which you are attempting to make your payment. The financial institution may require the new card to be activated prior to the transaction.
- Invalid credit card number entered

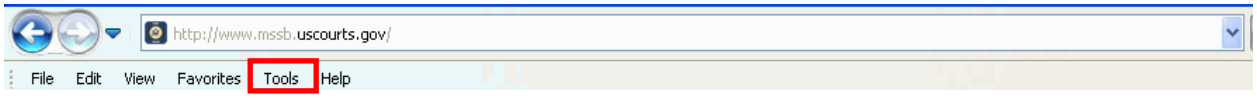
The user should check with the credit card issuer to determine why the transaction failed.

Internet Cache:

If configured to do so, the computer stores a copy of every web page that you visit. These stored files, called *Internet Cache*, allow the computer to display a previously visited web page faster. However, if a page has changed since it was viewed last; the page may not be the correct one. You may set your browser to refresh automatically and clear the Internet cache in order to retrieve the most up-to-date information available and avoid symptoms such as missing user options and old hyperlinks.

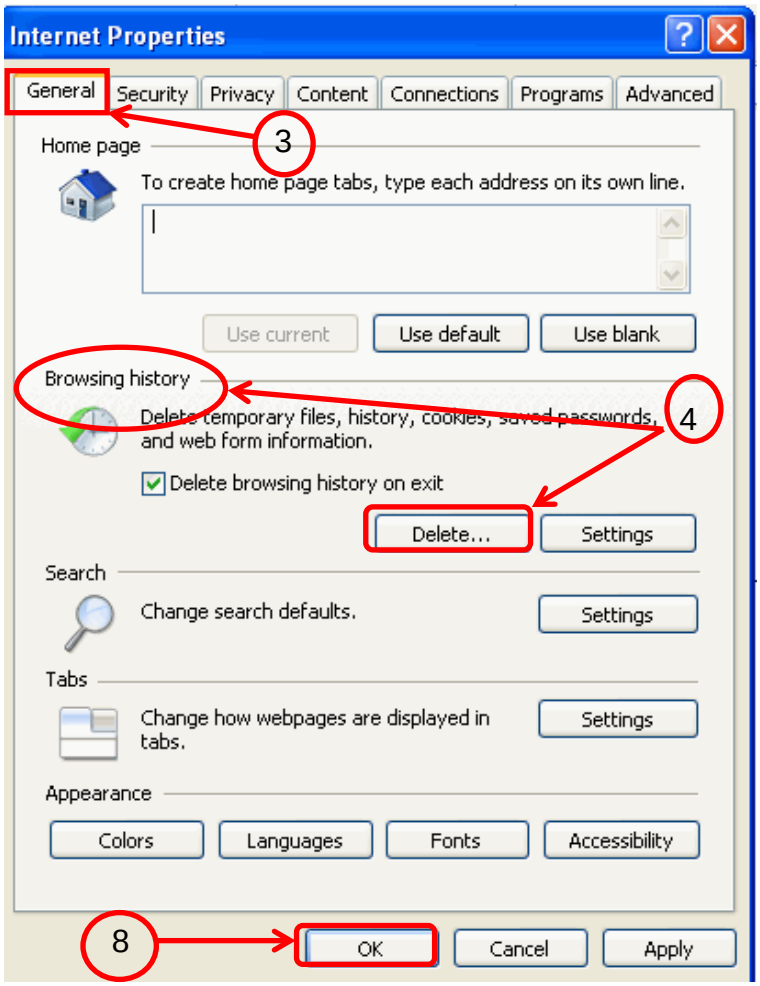
Internet Explorer 8 - Clearing the Cache

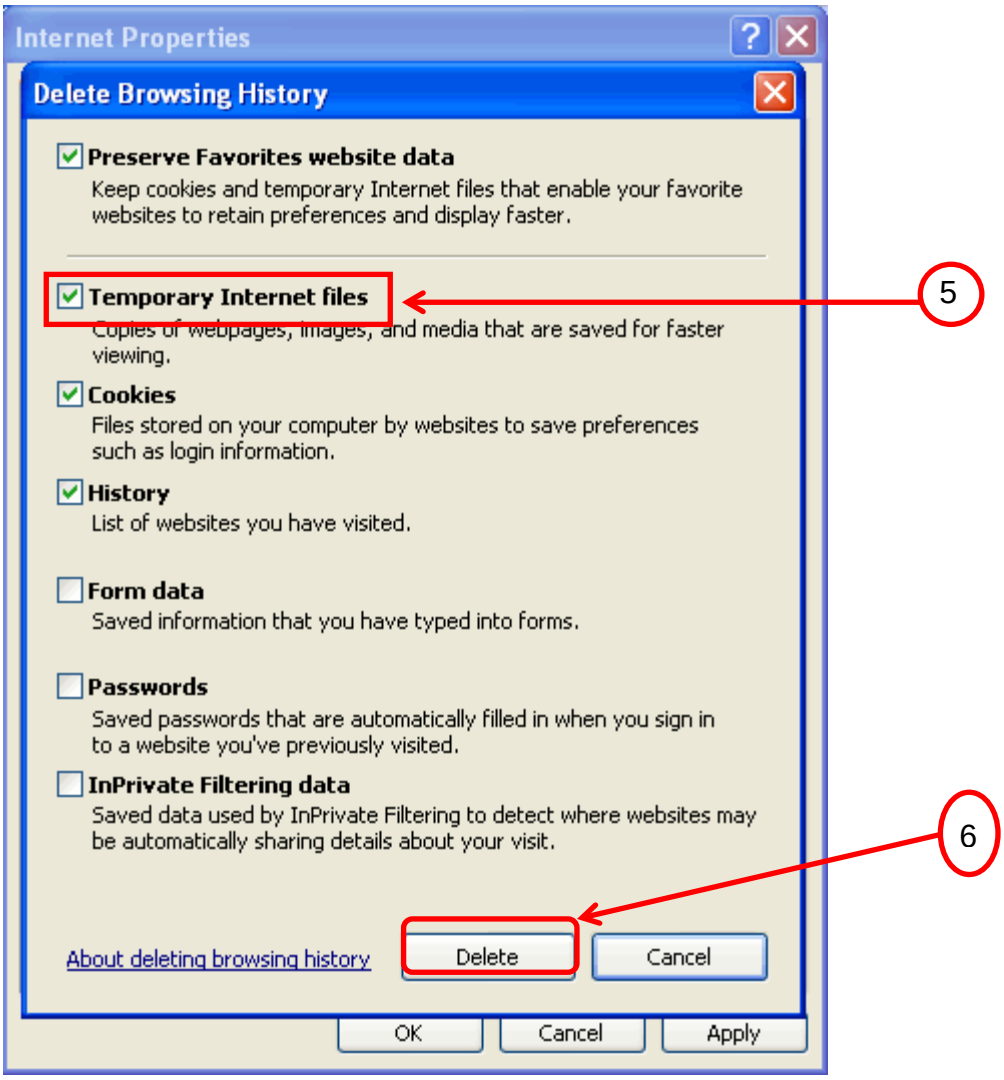
1. On the menu bar, click "**Tools.**"

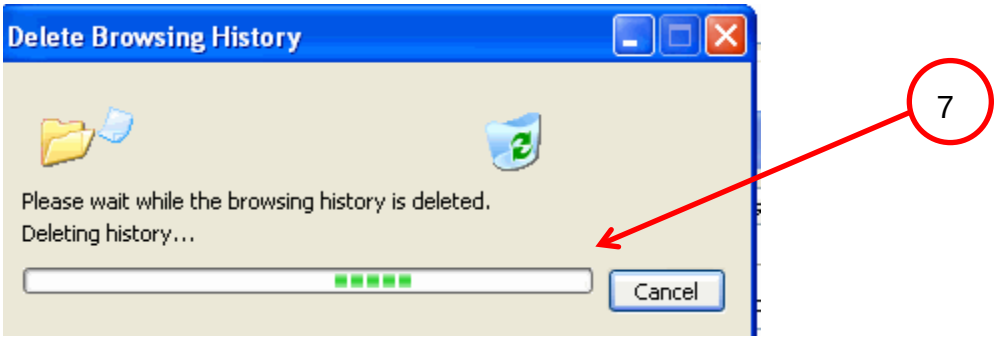


2. Click "**Internet Options.**"
3. Click the "**General**" tab.
4. Under **Browsing history,** click "**Delete.**"
5. Check the box for "**Temporary Internet Files.**"
6. Click "**Delete.**"
7. A pop-up screen appears displaying the deletion process.

8. When the deletion process ends, click "**OK.**"




Internet Properties
Delete Browsing History
Preserve Favorites website data
Keep cookies and temporary Internet files that enable your favorite websites to retain preferences and display faster.
Temporary Internet files
Copies of webpages, images, and media that are saved for faster viewing.
Cookies
Files stored on your computer by websites to save preferences such as login information.
History
List of websites you have visited.
Form data
Saved information that you have typed into forms.
Passwords
Saved passwords that are automatically filled in when you sign in to a website you've previously visited.
InPrivate Filtering data
Saved data used by InPrivate Filtering to detect where websites may be automatically sharing details about your visit.
About deleting browsing history
Delete
Cancel
OK
Cancel
Apply
5
6


Delete Browsing History
Please wait while the browsing history is deleted.
Deleting history...
Cancel
7

Chapter 3: Transcripts and Audio Recordings of Court Proceedings

Section 1. General Policy

The United States Bankruptcy Court for the Southern District of Mississippi uses an electronic court recording (ECRO) system to make audio recordings of certain court proceedings.

Section 2. Reproduction of Audio Recording of Court Proceedings

A party to a case, or a member of the general public, may request a copy of an audio recording of a court proceeding by submitting an *Audio Recording Order* (MSSB-436-1) to the Clerk of Court. The requesting party will be required to pay a fee as required by the Bankruptcy Court Miscellaneous Fee Schedule (28 U.S.C. § 1930).

Section 3. Transcript of Electronically Recorded Court Proceeding

A party to a case may also request a written transcript of an audio recording of a court proceeding by submitting a *Transcript Order* (MSSB-435-1) to the Clerk of Court. Upon receipt of the order, the Clerk will provide an audio recording of the proceeding to an authorized transcriber. The authorized transcriber will contact the requesting party to make arrangements for payment of required fees in accordance with maximum fee limits established by the Judicial Conference:

	Original Copy (per page)	First Copy to Each Party (per page)	Add'l Copy Same Party (per page)
Ordinary Transcript : 30 day delivery	$3.65	$.90	$.60
Expedited Transcripts:			
14 day delivery	$4.25	$.90	$.60
7 day delivery	$4.85	$.90	$.60
1 day delivery	$6.05	$1.20	$.90

Generally, the transcriber will deliver the transcript to the Clerk within 30 calendar days after receipt of the order. The Clerk will place the transcript on the docket of the related case.

90-day Rule for Access to Transcript

The Judicial Conference imposes a **90-day rule** regarding access to transcripts:

- (a) Public Access: A transcript provided to a court by a transcriber will be available for inspection only (no copies), at the office of the Clerk during the initial 90-day period after delivery to the court by the transcriber.
- (b) Access by Parties to Case: A party to the case may obtain a copy of the transcript from the transcriber, and an attorney of record who obtains the transcript from the transcriber may also request remote electronic access to the transcript through the Court's ECF system.
- (c) At the end of the initial 90-day restriction period, the filed transcript will be available for public inspection and copying (subject to regular fees for copies of court documents) in the Clerk's office and for download through the judiciary's PACER system (subject to customary PACER fees).

Transcript Redaction Process

Once a transcript is entered on the case docket, all parties to the recorded proceeding should review the transcript to determine if any personal identifiers should be redacted under Fed. R. Bankr. P. 9037(a). Unless otherwise ordered by the Court, each attorney (or self-represented party) should review these portions of the transcript:

a. Opening and closing statements on the party's behalf;

b. Statements of the party;

c. Testimony of any witnesses called by the party;

d. Any other portion of the proceeding order by the court.

Within seven calendar days of the entry of the transcript on the case docket:

- Each attorney (or self-represented party) that seeks redaction of personal identifiers must file *a* Notice of Intent to Request Redaction with the Clerk. If no such notice is filed within seven days, the Court will assume redaction of personal identifiers from the transcript is not necessary.

Within 21 calendar days (or longer if the Court orders) of the entry of the transcript on the case docket:

- Each attorney (or self-represented party) must submit to the transcriber, a Request for Redaction with an itemized list of personal data identifiers to be redacted including location in the transcript. The transcriber must redact the identifiers as directed by the party. This request for redaction should not be filed with the court.

An attorney (or self-represented party) may move the Court for additional redactions to the transcripts that are not otherwise required by federal rules. Until the Court has ruled on such motion, the transcript will not be available for public access through PACER.

Within 31 calendar days (or longer if the court orders) of the filing of the transcript on the case docket:

- The transcriber shall perform requested redactions, and file a redacted version of the transcript with the Clerk. The Clerk will retain the original unredacted electronic transcript.
- The original transcript and any redacted version will not be available via remote electronic access; but instead will be available for review and inspection at the Court's public terminal. However, the Clerk's office will not provide copies to counsel, a party or the public.

A party who purchases a copy of the transcript from the transcriber may file with the Clerk of Court a request for remote electronic access to the original transcript and any redacted version. (Local Form TA-1-adv and TA-2-bk MSSB-435-1 *Transcript Order Form and Instructions*)

If a party purchases only a redacted version of the transcript, the party will only have remote electronic access to the redacted version. Members of the general public or the media who purchase a transcript will not have remote electronic access.