

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

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**GENERAL ORDER 23-1: TERMINATION OF GENERAL WAIVERS FROM  
COMPLIANCE WITH ELECTRONIC FILING UNDER LOCAL RULE 5005  
GRANTED BY CHIEF JUDGE LETTER**

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The Bankruptcy Court for the Eastern District of Wisconsin started maintaining an electronic court docket on CM/ECF on February 24, 2004. Local Rule 5005(a) provides that “Electronic filing is mandatory for all attorneys who practice in this district, except in limited, emergency circumstances, or where the attorney has received a waiver from the Chief Judge of the Bankruptcy Court.” This rule, which has been in effect for many years, allows attorneys to request a waiver from the chief judge and was intended to ease the transition to electronic filing.

A few attorneys requested and received waivers, granted by letter from the chief judge, of the requirement to file electronically. Most, if not all, of these waivers were requested long ago by attorneys who practice very little or not all before this court on an ongoing basis. No one has requested that the chief judge grant such a waiver since at least January 1, 2019. This is unsurprising: electronic filing of court documents by attorneys has become commonplace in the twenty-first century. The court concludes from these circumstances that blanket waivers of the electronic-filing requirement are no longer necessary or appropriate. As a practical matter, practice before this court requires attorneys to make all routine filings electronically.

This order addresses previously granted waivers of Rule 5005(a)’s electronic-filing requirement. **Effective January 31, 2023, all waivers of that requirement granted by chief judge letter pursuant to Local Rule 5005(a) are without effect.** All future waivers will be addressed on a case-by-case basis, and, by operation of this order, the chief judge delegates the authority to grant electronic-filing waivers to each judge presiding over a case or proceeding for which an electronic-filing waiver is requested.

**Effective January 31, 2023, in the absence of the “emergency circumstances” referred to in Rule 5005(a), an attorney may file a document by mail, by drop box, or in person if and only if that filing is accompanied by a motion to waive the electronic-filing requirement and an affidavit (or an unsworn declaration meeting the requirements of 28 U.S.C. §1746 to be deemed made under penalty of perjury) establishing that the attorney is currently unable to file electronically and was unable**

**to timely obtain the ability to do so; and, if the attorney requests the ability to make future filings through non-electronic means, establishes that the attorney is unable to cure that inability and the reasons therefor.**

This order does not limit an attorney's right to request a waiver under Local Rule 5005(a) to file specific documents using non-electronic means "in limited, emergency circumstances," as stated in the rule. This order also does not limit the authority to file using non-electronic means granted by an order entered in a case or adversary proceeding.

Dated: January 4, 2023

**BY THE COURT:**

s/ G. Michael Halfenger

Honorable G. Michael Halfenger,  
Chief Bankruptcy Judge

s/ Beth E. Hanan

Honorable Beth E. Hanan

s/ Katherine M. Perhach

Honorable Katherine M. Perhach

s/ Rachel M. Blise

Honorable Rachel M. Blise