

EMERGENCY FILING PROCEDURES FOR ELECTRONIC FILERS WHEN CM/ECF IS NOT AVAILABLE TO THE PUBLIC

Purpose. The following procedure is available if BOTH of the following criteria exist: (1) CM/ECF is unexpectedly unavailable to the public; **AND** (2) the electronic filer is in danger of missing a filing deadline. This procedure does not apply to planned, maintenance outages of CM/ECF previously announced by the Court unless the outage exceeds the duration announced by the Court.

Procedure. In the event of an emergency outlined above, two alternate filing methods are available:

- 1) Emailing Documents to the Court.** Prepare an email message that clearly states why the document is being submitted by an alternate method. The email must specify the filing deadline and the date and time the filer attempted to file the document using ECF. The filer must attach the document to be filed, in PDF format, to an email addressed to the Clerk's Office at Emergency-Filing@ohsb.uscourts.gov. If the email is successfully delivered, the filer will receive an automatic reply confirming the email has been received.
 - i) Required Follow Up Procedures.** Once the email is sent, the filer must call the Clerk's Office to provide notice of the alternate filing. It is the filer's responsibility to follow up with the Clerk's Office to ensure the document is filed. All fees related to the filing must be paid no later than 4:00 p.m. local time on the Court's next business day that CM/ECF is available. Failure to pay the fees in a timely manner will result in the lockdown of the electronic filer's ECF account until the fees are paid.
 - ii) Date and Time Filed.** Upon receipt of the document, the Clerk's Office staff will docket the document with the following notation: "This document is deemed filed on _____ (date/time) pursuant to the court's Emergency Filing Procedures." The document will be deemed filed on the date and time appearing on the email system of the Clerk's Office.
- 2) In-Person Filing.** The document may be filed in-person at the Clerk's Office during regular business hours, 9:00 a.m. to 4:00 p.m. The document may be submitted in electronic format or in paper format. The filer must complete a form (available at the Clerk's Office) that states the filing deadline and the date and time the filer attempted to file the document using ECF.

CAUTION: If this procedure is used when CM/ECF is available, or if there is no danger of missing a filing deadline, an Order to Show Cause may be issued.