

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE**

**FIFTH GENERAL ORDER
REGARDING COURT OPERATIONS
UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19**

This General Order is being issued in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19). As noted in the Court's previous General Orders, the President has declared a national emergency, and Governor Sununu has declared a state of emergency. Further, on March 26, 2020, Governor Sununu issued an emergency order requiring New Hampshire citizens to stay home. The order remains in effect until May 4, 2020.

A significant percentage of the documents and pleadings filed in the United States Bankruptcy Court for the District of New Hampshire are filed electronically pursuant to Local Bankruptcy Rule 5005-4 and Administrative Order 5005-4.

Because New Hampshire's stay-at-home order may prevent attorneys from timely obtaining handwritten, wet ink signatures from clients, thereby interfering with their ability to provide appropriate bankruptcy relief or measures, the United States Bankruptcy Court for the District of New Hampshire issues the following order effective immediately and until further notice:

1. The Court hereby suspends any requirement that a Filing User secure the signer's handwritten, wet ink signature prior to electronically filing a document bearing that signature on the condition that, prior to filing, the Filing User has verified with the signer that the signer has received the entire document to be filed and has adequately communicated with the signer regarding the substance and purpose of the document, including the review of a bankruptcy petition, schedules, and statements, and

- (a) has obtained express written permission (including by email) from the signer to affix the signer's signature to the document and has retained a hard copy of the written permission; or
- (b) has obtained in his or her possession at the time of the filing an image, photograph, or other facsimile of the signature page(s) containing the signer's handwritten, wet ink signature and has retained a hard copy of the image, photograph, or facsimile; or
- (c) has obtained the signer's digital signature via any commercially available digital signature software that provides signature authentication; *and*

has instructed the signer to send or deliver the original document, containing the signer's handwritten, wet ink signature, to the Filing User as soon as is practicable.

2. The filing of a document with an electronic signature constitutes the Filing User's certification under Federal Rule of Bankruptcy Procedure 9011 and this General Order that the Filing User either has obtained the signer's handwritten, wet ink signature or has complied with paragraph 1

of this General Order. On written request by any party in interest, the Filing User shall promptly provide evidence to the requesting party of compliance with the terms of this General Order.

3. Administrative Order 5005-4(d)(3) requires that a Declaration Regarding Electronic Filing be submitted to the Court within 7 days of the electronic filing of a document containing signatures under oath. The Court hereby extends the 7-day deadline to 21 days; provided, however, that this General Order does not suspend the requirement of handwritten, wet ink signatures in all such Declarations submitted to the Court.

SO ORDERED.

Date: April 9, 2020

/s/ Bruce A. Harwood
Bruce A. Harwood
Chief Bankruptcy Judge