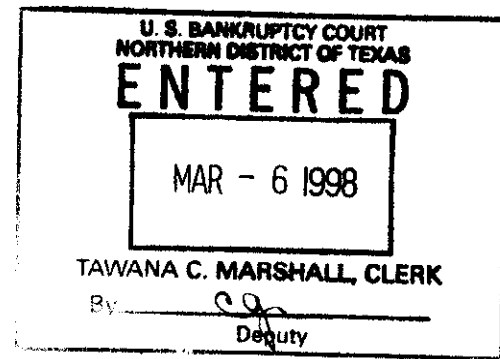


IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE and SAN ANGELO DIVISIONS



IN RE:

ORDER CONCERNING FACSIMILE FILINGS
IN THE ABILENE AND SAN ANGELO DIVISIONS

§
§ **STANDING ORDER NO. 98-1**
§
§
§

Prior to April 15, 1996, the United States District Clerk's offices in the Abilene and San Angelo Divisions filed original petitions in bankruptcy cases. After that date, all matters in bankruptcy cases in those divisions had to be filed in the United States Bankruptcy Clerk's office in Lubbock, Texas. Because the timing of the filing of a bankruptcy petition is often critical, by Standing Order 96-2 the court permitted facsimile filing of emergency original petitions from attorneys in the Abilene and San Angelo Divisions. Because the Lubbock Bankruptcy Clerk's office now has the capability to charge filing fees to an attorney's credit card, the court finds that the procedures for filing emergency petitions by facsimile should be revised and improved.

It is therefore ORDERED that in emergency situations, attorneys resident in the Abilene and San Angelo Divisions may file original bankruptcy petitions for cases properly venued in those divisions by facsimile transmission in accordance with the following procedures:

1. Facsimile transmission shall be used **only** for emergency original petitions in the manner herein described. Credit card payment of filing fees shall be used **only** in connection with the facsimile filing of original petitions in the manner herein described. Standing Order 96-2 shall expire on May 1, 1998.
2. An Application and Certification to File Documents by Facsimile Transmission and a signature card must be approved by the Bankruptcy Clerk and be on file in the Lubbock Bankruptcy Clerk's office. Petitions received by facsimile on or after May 1, 1998 will not be accepted for filing unless the debtor's attorney has complied with the provisions of this paragraph.
3. The original petition (without schedules) with a certificate signed by the attorney stating the emergency which requires immediate filing, may be faxed to the Lubbock Bankruptcy Clerk's office at (806) 472-7524. Petitions received after 4:00 p.m. will be filed the following business day. The faxed copy will be treated as the original.
4. The Clerk's office will make the appropriate number of copies and distribute them. The attorney's credit card will be charged for the filing fee and copying fees. The Clerk will fax a copy of the filed petition bearing the case number to the attorney with the total amount

ORIGINAL

charged annotated on the petition. If the credit card company declines to accept the charge, the attorney will be notified immediately and the petition **will not** be filed. No attempt will be made to gain authorization through any other means.

5. Within two business days following the filing of the petition, the matrix must be delivered to the Lubbock Bankruptcy Clerk's office. Schedules, statements of financial affairs, and other required documents must be delivered to the Lubbock Bankruptcy Clerk's office within fifteen calendar days following the filing of the petition. The case is subject to dismissal if the required documents are not timely received.

DATED: MAR - 6 1998



JOHN C. AKARD, BANKRUPTCY JUDGE