

**UNITED STATES DISTRICT AND BANKRUPTCY COURTS
FOR THE DISTRICT OF IDAHO**

In the Matter of:)
Fax Filing of Documents) General Order Number 201
_____)

United States Courts
District of Idaho

FILED December 23, 2005

By Cameron Burke, Clerk

This matter is before the Court upon the recommendation of the Court Executive to amend General Order 154, which authorizes facsimile (“fax”) filing through a private service center, and

The Court having implemented the Electronic Case Filing system on January 1, 2005 which has significantly reduced the need for fax filing, and

The Court’s service provider for fax filing having notified the Court that, effective January 1, 2006, it will no longer provide such fax filing services because the same are not economically viable, and

The Court having made the use of Electronic Case Filing (ECF) mandatory for attorneys in both the District and Bankruptcy Courts, effective January 1, 2006;

NOW, THEREFORE, IT IS HEREBY ORDERED that, effective January 1, 2006, fax filing will **ONLY** be available and allowed to individuals in the following circumstances:

- A. Unrepresented (pro se) litigants, who are located in an area not reasonably convenient to a Federal Courthouse in this District (Boise, Pocatello, Moscow, and Coeur d’Alene) where a filing can be made, and who show extenuating circumstances indicating they cannot use other available filing alternatives (such as in-person filing during business hours; use of the 24-hour “drop box” outside the Courthouse; mail; or delivery/courier service).

B. An attorney who demonstrates that (i) he or she cannot use electronic filing and is or should be exempt from the mandatory ECF requirement, and (ii) he or she cannot reasonably use any other filing alternative (in-person filing; 24-hour drop box; mail; or delivery/courier service), and (iii) he or she has obtained the prior approval of the assigned judge.

IT IS FURTHER ORDERED that this General Order replaces and supersedes all prior general orders, including but not limited to General Order 154, with respect to facsimile filing.

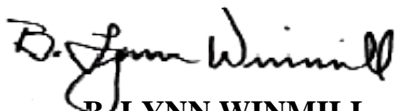
IT IS FURTHER ORDERED that the following requirements shall apply to all persons qualifying for fax filing under category A or B of this General Order, as set forth above.

1. Facsimile produced documents submitted for filing with the Court, shall comply with all applicable Local District and Bankruptcy Rules, and the Federal Rules of Civil, Criminal and/or Bankruptcy Procedure.
2. Fax filings shall be made to the Clerk's office. No direct fax filings to chambers will be permitted.
3. A document shall be deemed "filed" when it is received in the Clerk's Office and complies with all the requirements listed in this general order, including the payment of any applicable filing fees, copying fees or miscellaneous fees. Mere transmission by the sender does **not** constitute "filing."
4. The fax received will be electronically scanned, and the scanned version shall constitute the original for all Court purposes pursuant to General Order 187. The original signed document transmitted by the fax filer should **not** be later filed with the Court and will **not** be accepted by the Court. The signed original should be maintained by the filing party until the conclusion of the case. The sending

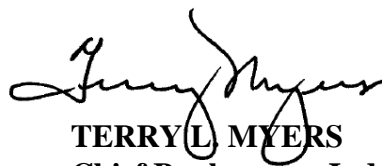
party is also required to maintain a transmission record in the event the fax filing later becomes an issue.

5. If approved by the Court, documents which may be filed by fax include all civil, criminal, bankruptcy and adversary proceedings **except** search warrants, arrest warrants and their returns, charging instruments, pretrial diversion agreements, plea agreements, pre-sentence investigation reports and all types of documents specifically excluded from electronic filing by the ECF Procedures.
6. The Court shall not accept documents for filing unless appropriate arrangements for payment of any required filing fees and/or other applicable fees have been made by the transmitting party. A credit card number may be required for the payment of any associated filing fees.
7. Each transmittal to the Court of a document or pleading for fax filing shall be accompanied by a cover sheet, in the form attached to this general order.

Dated this 23rd day of December, 2005.



B. LYNN WINMILL
Chief District Judge
United States District Court



TERRY L. MYERS
Chief Bankruptcy Judge
United States Bankruptcy Court

**U.S. District & Bankruptcy Court
District of Idaho
550 W. Fort St
MSC 039
Boise, ID 83724**

Cover sheet for facsimile (fax) filings with the Court

Fax: (208) 334-9362
Telephone: (208) 334-1361
From: _____
Address: _____

Telephone: _____
Fax: _____

The following transmittal consists of _____ pages, including this cover sheet.

Title of Document to be filed: _____

District Court: Case # _____ Civil Case Criminal Case
Bankruptcy Court: Case # _____ Main case Adversary Proceeding

Case Title: _____

Additional Filing Instructions: _____

Billing Information: *(Must be filled out)*

Charge to my Credit Card # _____ Exp. Date: _____

Visa Mastercard American Express
 Discovery Diners Club

Name as it appears on Card: _____

Billing Address: _____
(Street Address)