



The United States Bankruptcy Court  
for the Western District of Michigan

**NOTICE REGARDING “WET SIGNATURE”  
REQUIREMENTS**

Measures taken to combat the spread of COVID-19, such as “social distancing,” self-quarantining, and the Governor’s “Stay Home, Stay Safe” order, may impede the ability of some attorneys to comply with the signature requirements of LBR 9011 or the court’s Electronic Case Filing Administrative Procedures. The court has received general questions about these requirements and is endeavoring to balance the requirements of court rules and the Official Forms (per Fed. R. Bankr. P. 9009 and 9011) against the exigencies of the current public health emergency. The signature requirements protect debtors, creditors, the public, and the members of our bar who serve them all.

Although some courts around the country have dispensed with the requirement of an original signature altogether during the current emergency, the U.S. Bankruptcy Court for the Western District of Michigan will continue to address such problems on a case-by-case basis, as they occur, by considering whether to relax local requirements in an appropriate case, with appropriate safeguards. For example, if counsel cannot physically obtain a debtor’s “wet signature” and determines the petition should be filed immediately, the court will consider authorizing the filing of a petition in a particular case by permitting a member of the bar to file the petition (i) together with the attorney’s declaration under 28 U.S.C. § 1746 establishing the attorney’s authority to sign the petition on the proposed debtor’s behalf, and the circumstances surrounding the grant of that authority, including the exigent circumstances; and (ii) promptly complying, post-filing, with the usual signature requirements.

Attorneys confronting signature-related difficulties should contact the Clerk of Court by telephone ((616) 456-2693) or email ([clerk\\_miwb@miwb.uscourts.gov](mailto:clerk_miwb@miwb.uscourts.gov)) and the court will immediately consider relief on a case-by-case basis.

**SCOTT W. DALES**  
Chief Judge

**MICHELLE M. WILSON**  
Clerk of Court

Dated: March 30, 2020