

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

PETER J. R. MARTIN, ESQ.,
Petitioner.

Misc Case # 03-101

ORDER GRANTING WAIVER OF
REGISTRATION REQUIREMENT OF Vt. LBR 2090-1(a)

WHEREAS Vt. LBR 2090-1(a) requires that all attorneys register for the Electronic Case Filing System as a pre-requisite to filing papers in this Court, unless such registration is excused by the Court;¹ and

WHEREAS, on August 20, 2003, attorney Peter J. R. Martin filed a Motion to be Excluded From Electronic Filing Requirement (doc. #1), alleging, *inter alia*, that he “knows nothing about computers;” and

WHEREAS the Court set this matter for a hearing on September 30, 2003, in order to provide Attorney Martin with an opportunity to specify how many cases he intends to file per year, whether he intends to litigate in this Court, and to articulate generally the nature of the burden this requirement would place upon him and/or his office; and

WHEREAS, since setting the hearing, the Court has been able to determine from its own records that Attorney Martin typically files fewer than 15 bankruptcy cases per year and does not file papers to initiate or litigate adversary proceedings in this Court.

THE COURT FINDS that, based upon this filing data, it appears the burden which electronic filing would place upon Attorney Martin is greater than the burden his filing of cases in a conventional fashion would place upon this Court.

THEREFORE, Attorney Martin’s Motion to be Excluded is GRANTED subject to the following limitations:

1. The waiver of the requirement for filing cases electronically will automatically expire if and when Attorney Martin files more than 15 bankruptcy cases in any single calendar year;
2. This waiver applies only to bankruptcy cases and the papers required to be filed to commence a

¹ The deadline for such registration was originally set for the date when the Electronic Case Filing System was fully implemented, which was April 2, 2002. See Standing Order #02-1. By Standing Order #02-1, however, this original deadline was extended to October 17, 2002. Thereafter, the registration deadline was further modified by Standing Order #02-2 (ordering that any attorney who registered for the Electronic Case Filing System by October 31, 2002, or who had registered for training by October 31, 2002, would be considered in compliance with Vt. LBR 2090-1(a)).

bankruptcy case and obtain a bankruptcy discharge,² but, specifically, does not apply to any papers filed in an adversary proceedings; and

3. This waiver shall expire five years from the date of this Order unless, prior to expiration, Attorney Martin can show cause why this waiver should be extended.

SO ORDERED.

September 17, 2003
Rutland, Vermont



Colleen A. Brown
United States Bankruptcy Judge

² This waiver shall also apply to any other filings for which the electronic filing requirement is or may be waived by the Vermont Local Bankruptcy Rules.