



## UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF LOUISIANA

### NOTICE

### **Upcoming Amendments to the Federal Bankruptcy Rules and Official Bankruptcy Forms Addressing Privacy Requirements Scheduled to Go Into Effect December 1, 2003**

#### **Amendments to the Following Federal Bankruptcy Rules:**

**Rule 1005:** will be amended to require the debtor to list all names used in the six years preceding the filing of the petition, and to include on the caption appropriate numerical identifiers, but using only the last four digits of the social security number.

**Rule 1007:** will be amended to require the debtor to submit a verified statement of his or her full social security number. The statement is submitted, but it is not filed in the case and does not become a part of the court record. Therefore, the full social security number does not become a part of the electronic case record that would be available to the public either through internet access or by a search of the paper records at the court.

**Rule 2002:** will be amended to require the clerk to include the debtor's full social security number on the § 341 notice to creditors. The full number should be included only on the notices sent to the creditors and not on the copy of the notice that becomes part of the court record.

**Rule 2003 and 2009:** will reflect the enactment of a new subchapter V of chapter 7 of the Bankruptcy Code, which makes multilateral clearing organizations eligible for bankruptcy relief and authorizes the Federal Reserve Board to designate the trustee or alternative trustees for the case.

**Rule 2016:** will be amended to implement amendments made to 11 USC § 110(h)(1) governing disclosure of compensation paid to a bankruptcy petition preparer.

**New Rule 7007.1:** will require parties in adversary proceedings to disclose corporate entities that own 10% or more of the stock of the party to provide the court with some of the information necessary to make judicial disqualifications decisions.

**Amendments to the Following Official Forms: 1, 3, 5, 6, 7, 8, 9, 10, 16A, 16C, 17 and 19**

**Petitions, Schedules, Statement of Financial Affairs, Proof of Claim Form and other Official and Administrative and Local Forms** will be amended to require debtors and creditors to disclose only the last four digits of the debtor's or creditor's Social Security or other Taxpayer Identification number.

**Schedules D, E and F** instructions will be amended to inform the debtor that the debtor's account number with a listed creditor is useful to the trustee and to the creditor and should be provided whenever practicable, but not require the number to be provided.

**Schedule I** will be amended to provide greater privacy to minors and other dependents of the debtor by deleting the requirement that the debtor disclose their names.

**Proof of Claim** form will be amended to require a wage, salary, or other compensation creditor to disclose only the last four digits of the creditor's Social Security number to afford greater privacy to the creditor. A trustee can request the full information necessary for tax withholding and reporting at the time the trustee makes a distribution to creditors.

**Voluntary Petition** will also be amended to provide a checkbox for designating a clearing-bank case filed under subchapter V of chapter 7 of the Code enacted by §112 of Pub. L. No. 106-554 (December 21, 2000).

**Involuntary Petition** will also be amended to give notice that no filing fee is required if a child support creditor or its representative is a petitioner, and if the petitioner also files a form detailing the child support debt, its status, and other characteristics, as specified in §304(g) of the Bankruptcy Reform Act of 1994, Pub. L. No. 103-394, 108 Stat. 4106 (Oct. 22, 1994).

**Notice of Appeal** will be amended to give notice that no filing fee is required if a child support creditor or its representative is the appellant, and if the child support creditor or its representative files a form detailing the child support debt, its status, and other characteristics, as specified in §304(g) of the Bankruptcy Reform Act of 1994, Pub. L. No. 103-396, 108 Stat. 4106 (Oct. 22, 1994).

***Pursuant to §110(c) of the Bankruptcy Code, non-attorney bankruptcy petition preparers will continue to have to provide the full Social Security Number of the individual who actually prepares the document.***

**Copies of the proposed amended rules and forms and information regarding adoption of the amendments are available on the Rule Making page of the Judiciary's website at [www.uscourts.gov/rules](http://www.uscourts.gov/rules) under "Pending Rules Amendments Awaiting Final Action" and then "Amendments Submitted to the Judicial Conference."**