

# Memorandum

Office of the United States Trustee  
501 I Street, Suite 7-500  
Sacramento, CA 95814  
(916) 930-2100 / fax (916) 930-2099



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Subject: Proof of Identity and SSN	Date: January 19, 2001
To: Debtors Counsel	From: Antonia G. Darling, AUST Sacramento Division  Peter H. Carroll, AUST Fresno and Modesto Divisions

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## **IMPORTANT - SECTION 341 MEETING POLICY CHANGE**

### **BEGINNING WITH ALL CASES FILED JANUARY 1, 2001 ALL INDIVIDUAL DEBTORS MUST PROVIDE GOVERNMENT ISSUED PHOTO IDENTIFICATION AND PROOF OF SOCIAL SECURITY NUMBER TO THE TRUSTEE.**

Acceptable picture identification includes a valid state-issued drivers license, state-issued picture identification card, passport, legal resident alien card, military id, student photo identification or work photo identification. Acceptable proof of social security number includes a social security card, a current W2 form or tax return, health card, employer pay stub or other document which shows the debtor's name and social security number.

The 341 meeting **will be** continued to the trustee's next calendar date if the Debtor does not have the required identification. If the meeting is continued solely for the purpose of producing identification, counsel is not required to appear at the continued meeting, as no questions will be asked. Debtors may produce the identification at the Office of the US Trustee, during normal business hours, at any time prior to the continued meeting date, and then be excused from attending the continued meeting.

In the event that the social security number on the petition is incorrect, you **will be required** to file an amended petition to correct the social security number. The amended petition must be provided to the trustee by the continued date of the meeting of creditors, along with proof of service on all creditors and proof of notification to all three major credit reporting agencies. (Sample notice attached) If an amended petition and notification is not provided to the trustee by the continued meeting of creditors, the trustee will refer the case to the United States Trustee for dismissal or other appropriate action.

In the past few years, we have identified numerous instances of incorrect social security numbers on bankruptcy petitions. In some cases, social security fraud was suspected and appropriate referrals were made to the United States Attorney's Office. In other cases we have filed motions to correct the record.

The United States Trustee believes that it is important to verify social security numbers to protect innocent third parties from both the intentional or inadvertent use of their social security numbers and to prevent bankruptcy fraud. The cost to correct the adverse credit agency for these innocent individuals can be substantial. We believe that with your assistance we will be able to reduce the number of cases which are being filed with incorrect social security numbers. It will also greatly help reduce incorrect information being provided to credit reporting agencies thereby relieving innocent parties of having to spend substantial time and money to correct their credit records.

This policy change is being made throughout Region 17, which includes the Northern and Eastern Districts of California and the District of Nevada. We appreciate your cooperation in implementing this new policy. If you have any questions, please call Antonia Darling at (916) 930-2090 (Sacramento Division) or Peter H. Carroll at (559) 498-7516 (Fresno and Modesto Divisions).

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## SAMPLE

### NOTICE OF CORRECTION OF SOCIAL SECURITY NUMBER

**TO: EXPERIAN  
PROFILE MAINTENANCE  
P. O. BOX 9558  
ALLEN, TEXAS 75103**

**TRANS UNION CORPORATION  
ATTN: PUBLIC RECORDS DEPT.  
555 WEST ADAMS STREET  
CHICAGO, IL 60661**

**EQUIFAX  
P. O. BOX 144717  
ORLANDO, FL 32814**

**FROM: (Attorney for Debtor)**

**DATE:**

Enclosed please find a corrected bankruptcy petition cover page which lists the correct social security number for (Debtor's name).

Please be aware that the Debtor originally filed the bankruptcy petition using social security number (incorrect social security number.) This social security number was not assigned to the Debtor and was inadvertently listed on the bankruptcy petition.

Please correct your records to indicate that the individual whose social security number is (incorrect social security number) did not file this bankruptcy in the Eastern District of California.