

United States Bankruptcy Court  
Eastern District of California

NOTICE CONCERNING AMENDMENTS TO THE  
FEDERAL RULES OF BANKRUPTCY PROCEDURE AND  
OFFICIAL FORMS EFFECTIVE DECEMBER 1, 2003

The Judicial Conference of the United States has approved proposed amendments to the Federal Rules of Bankruptcy Procedure and the Official Bankruptcy Forms. Barring Congressional action, **these amendments will take effect December 1, 2003** and will govern in all proceedings in bankruptcy cases thereafter commenced and, insofar as just and practicable, in all proceedings then pending.

A number of the amendments will implement the Conference policy on privacy and public access to electronic court files. The privacy amendments are consistent with the policy that documents in bankruptcy cases generally should be available electronically with the proviso that the Bankruptcy Code and Rules should be amended as necessary to allow the court to collect a debtor's full Social Security number but display only the last four digits.

Attorneys and parties filing documents in this court should review the changes to ensure they are using the correct Official Forms as of December 1. They should also review the other forms used in their offices and delete any information no longer required by the rules or inconsistent with the privacy policy. **The filing party – not the clerk – is responsible for redacting Social Security numbers and other personal identifiers** such as dates of birth, financial account numbers, and names of minor children in documents filed with the court. **Full Social Security numbers or other personal identifiers will be available electronically if they are contained in a document when filed.**

The full text of the amendments is available at <http://www.uscourts.gov/rules/jc0902.html>. Selected amended forms, modified for use in the Eastern District of California, may be accessed from the links provided below. The following is a synopsis of the amendments:

**Rule 1005. *Caption of the Petition*** - Amended to require the debtor to list all names used in the 6 years preceding filing of the petition and to include in the caption appropriate numerical identifiers, but to use only the last four digits of the social security number. (NOTE: The full employer identification number (EIN) or other tax identification number is required.)

**Rule 1007. *Lists, Schedules and Statements; Time Limits*** - Amended to require the debtor to submit a verified statement of his/her full social security number (new Official Form 21) with the petition. The statement is submitted, but is not filed in the case and does not become a part of the court record available to the public at the court or over the Internet.

Rule 1007 has also been amended to require a corporate debtor to file a corporate ownership statement that includes information regarding its owners who are also corporations.

**Rule 2002. *Notices to Creditors, Equity Security Holders, United States and United States Trustee*** - Amended to require the clerk to include the debtor's full social security number on the § 341 notice sent to the debtor, the trustee, the U.S. Trustee, and creditors. The copy of the notice that becomes part of the court record will not include the full social security number. It will contain the last four digits only.

**Rule 2003. *Meeting of Creditors or Equity Security Holders*** - Amended to reflect enactment of a new subchapter V of chapter 7 of the Bankruptcy Code that makes multilateral clearing organizations eligible for bankruptcy relief.

**Rule 2009. *Trustees for Estates When Joint Administration Ordered*** - Amended to reflect enactment of a new subchapter V of chapter 7 of the Bankruptcy Code that makes multilateral clearing organizations eligible for bankruptcy relief.

**Rule 2016. *Compensation for Services Rendered and Reimbursement of Expenses*** - Amended to implement amendments to 11 U.S.C. § 110(h)(1) by adding subdivision (c) which requires every bankruptcy petition preparer for a debtor to file a declaration under penalty of perjury and transmit the declaration to the United States trustee within 10 days after the date of filing of the petition, or at another time as the court may direct.

**Rule 7007.1. *Corporate Ownership Statement*** - Rule 7007.1 is added to require a corporation that is a party to an adversary proceeding to disclose corporate entities that directly or indirectly own 10% or more of any class of the party's equity interests.

**Official Form 1 ([Voluntary Petition](#))** - Amended to require the debtor to disclose only the last four digits of the debtor's social security number. (NOTE - Pursuant to §110(c) of the Bankruptcy Code, the certification by a non-attorney bankruptcy petition preparer continues to require the full social security number of the individual who actually prepares the document).

**Official Form 3 ([Application and Order to Pay Filing Fee in Installments](#))** - Amended to clarify that pursuant to §110(c) of the Bankruptcy Code, the certification by a non-attorney bankruptcy petition preparer continues to require the full social security number of the individual who actually prepares the document. [Note - Please use Eastern District of California form [EDC 2-020](#) in this district in lieu of Official Form 3.]

**Official Form 5 ([Involuntary Petition](#))** - Amended to require the petitioner to disclose only the last four digits of debtor's social security number, and to delete the request for information concerning the debtor's "Type of Business" as this data is no longer collected for statistical purposes.

**Official Form 6 ([Schedules](#))** - Schedules D ([Creditors Holding Secured Claims](#)), E ([Creditors Holding Unsecured Priority Claims](#)), and F ([Creditors Holding Unsecured Nonpriority Claims](#)) have been amended to require disclosure of only the last four digits of the debtor's account number with each listed creditor. Schedule I ([Current Income of Individual Debtor\(s\)](#)) has been amended to provide greater privacy to minors and other dependents of the debtor by deleting the requirement that the debtor disclose their names.

**Official Form 7 ([Statement of Financial Affairs](#))** - Amended to require debtor to disclose only the last four digits of the debtor's social security number. Also, items requiring the listing of an account number have been amended to specify that only the last four digits must be disclosed.

**Official Form 8 ([Chapter 7 Individual Debtor's Statement of Intention](#))** - Amended to clarify that pursuant to Bankruptcy Code §110(c), the certification by a non-attorney bankruptcy petition preparer continues to require the full social security number of the individual who actually prepares the document.

**Official Form 9A - 9I ([Notice of Commencement of Case under the Bankruptcy Code, Meeting of Creditors, and Fixing of Dates](#))** - Amended to include only the last four digits of the debtor's social security number on the copy of the notice placed in the case file. The copy of the notice transmitted to the debtor, the trustee, the United States Trustee, and creditors will include the debtor's full social security number.

**Official Form 10 ([Proof of Claim](#))** - Amended to require a wage, salary, or other compensation creditor to disclose only the last four digits of the creditor's social security number. A trustee can request the full information necessary for tax withholding and reporting at the time of distribution to creditors.

**Official Form 16A ([Caption \(Full\)](#))** - Amended to include only the last four digits of the debtor's social security number.

**Official Form 16C ([Caption of Complaint in Adversary Proceeding Filed by a Debtor](#))** - Abrogated because Bankruptcy Code § 342(c) requires a debtor to provide the debtor's social security number on any notice furnished to creditors by the debtor. A complaint, accompanied by a summons and served on a defendant, functions as notice of the commencement of an adversary proceeding.

**Official Form 19 ([Certification and Signature of Non-Attorney Bankruptcy Petition Preparer](#))** - Amended to clarify that pursuant to §110(c) of the Bankruptcy Code, the certification by a non-attorney bankruptcy petition preparer continues to require the full social security number of the individual who actually prepares the document.

**Official Form 21 ([Statement of Social Security Number\(s\)](#))** - This new official form will be submitted to the court by an individual debtor with the debtor's voluntary petition. It will contain the debtor's full social security number or a statement that the debtor does not have a social security number and will be used to prepare the § 341 meeting notice. Because it is "submitted" rather than "filed," the *Statement of Social Security Number(s)* will not become part of the case file available to the parties, bar, and public at the court or over the Internet.