



# The Frequent Filer

Electronic Filing Newsletter  
For the U.S. Bankruptcy Court  
Northern District of Iowa

November 10, 2003

[www.ianb.uscourts.gov](http://www.ianb.uscourts.gov)

## Iowa Northern to Implement Privacy Policy December 1, 2003

Effective December 1, 2003, the Iowa Northern Bankruptcy Court will implement the Judicial Conference Privacy Policy amendments to the Federal Rules of Bankruptcy Procedure. This policy offers operational improvements, as well as amendments to a number of bankruptcy forms, which will allow the court to collect a debtor's full Social Security number, but display only the last four digits when providing electronic public access to the court's records.

This edition of the *Flier* will point out some of the procedure and form amendments that will go into effect on December 1<sup>st</sup>, but will not be all-inclusive. The full text of the proposed amendments to the Federal Rules of Bankruptcy Procedure, as well as the Official Bankruptcy Forms, except Form 21, is available on the Judiciary's website: <http://www.uscourts.gov/rules/index.html>. Click on "Pending Rules Amendments Awaiting Final Action," and then select "Amendments Submitted to the Judicial Conference.)

### Administrative Procedures Updated

The Administrative Procedures for Filing, Signing, Verifying, and Maintaining Pleadings and Other Papers in the Electronic Case Filing (ECF) System, the Exhibit to Standing Order No. 1 which this court entered to launch its Electronic Filing initiative, has been updated to include the processes and

procedures of the December 1, 2003, policy amendments. The updated Administrative Procedures are attached to this edition of the flier and are available at the Iowa Northern web site under our *CM/ECF Information Center* link.

### Bankruptcy Form Amendments

The following forms will no longer collect the debtor(s) social security number, only the last four digits of the social security number will be provided:

- **Voluntary Petition** - Form B1
- **Application and Order to Pay Filing Fees in Installments** - Form B3
- **Involuntary Petition** - Form B5
- **Schedules A-J** - Form B6
- **Statement of Financial Affairs** - Form B7
- **Chapter 7 Individual Debtor's Statement of Intention** - Form B8
- **Notice of Commencement of Case under the Bankruptcy Code, Meeting of Creditors, and Deadlines** - Form B9
- **Proof of Claim** - Form B10
- **Caption** - Form B16A
- **Caption of Complaint in Adversary Proceeding filed by the Debtor** - Form B16C
- **Notice of Appeal under 28 U.S.C. §158(a) or (b) from a Judgment, Order or Decree of a Bankruptcy Court** - Form B17

- **Certification and Signature of Non-Attorney Bankruptcy Petition Preparer** - Form B19.

## Social Security Number Redaction

The Iowa Northern Bankruptcy Clerk's Office will be unable to redact any information (social security numbers) that is included in PDF documents filed by attorneys. Therefore, attorneys that are utilizing outdated forms to create PDF documents with the intent of filing those documents with the court, may be compromising their client's right to privacy. We have provided a link on the court's web site to the updated forms.

A majority of the bankruptcy preparation software packages that are currently available and in use within the Northern District have issued updates and revisions to accommodate and comply with the privacy amendments. The software will continue to collect the full social security number, and transmit that number to the court when you file, but the CM/ECF system will redact all but the last four digits for public viewing. If you are not using a bankruptcy preparation software package to automatically complete the case information fields in CM/ECF, i.e. you are entering new cases screen by screen, you will need to enter the full nine digits of the debtor(s) social security number. The CM/ECF system will redact all but the last four digits for public viewing. The full social security number will only display on the 341 meeting notice generated and sent to the creditors listed in the matrix. The version of the notice that will be attached to the court docket will only display the last four digits of the social security number.

## B21- Statement of Social Security Number

Attorneys who are filing electronically within the Northern District of Iowa will collect the new B21 Statement of Social Security Number from their client(s), but

will not submit that document to the court. The attorney's electronic signature (the act of filing a new petition electronically) will serve as certification to the court that the attorney has collected the B21 from the debtor(s) and will maintain the B21 in accordance with the Administrative Procedures for Electronic Filing.



## Revised Miscellaneous Fees Schedule

On November 1, 2003, this court also implemented a number of revisions to the Bankruptcy Miscellaneous Fees schedule.

Attached to this edition of the *Filer* is a summary of the new fees. A full explanation of the fees is also available at the Federal Judiciary web site.

## Improvements Made in Additions to Matrix Process

In an attempt to streamline processes for those attorneys who are filing electronically, we are offering a revision to the process of filing additions to matrices. On December 1, 2003, the Iowa Northern Bankruptcy Clerk's Office will activate two e-mail addresses, one for Cedar Rapids and its surrounding area, and a second for Sioux City and its surrounding area. Attorneys filing electronically will be able to docket their additions to matrix, and e-mail in those additions in .txt (text) format. By submitting the additions in this way, the change will be made to the court record in a more expeditious manner, with no possibility of data entry error.

## Frequently Asked Questions

Listed below are some of the Frequently Asked Questions that we have received pertaining to the privacy policy enactment. Hopefully these will help to clear up any confusion that still exists:

### **What if my bankruptcy preparation software company has not released an update to comply with this policy?**

The Clerk's Office will be unable to redact any social security numbers contained within the PDF documents submitted to the court. We therefore strongly recommend that you contact your software company and request an update prior to December 1<sup>st</sup>. Bankruptcy forms are still available from the court's web site.

### **With the new privacy rules requiring redaction of a debtor's Social Security number (SSN), how will creditors and other parties in interest get the full number?**

The 341 meeting notice will provide recipients – the debtor, creditors, case trustee, and the US Trustee or bankruptcy administrator – with the debtor's full SSN. Through a new dual noticing procedure to be implemented by the BNC, the file copy of that notice – returned to the court by the BNC with the certificate of service – will show the redacted number.

### **Do I include the B21, Statement of Social Security Number, in the PDF file of the petition and schedules I file to open a case, or file it as a separate document?**

Neither. Attorneys for Debtor(s) will collect and maintain the B21 at their office. This document is not submitted to the court.

### **What happens if I forget to provide the full social security number to the court, or worse yet**

### **provide the wrong Social Security Number for my client to the court?**

If you forget to include the Social Security Number in the case information provided to the court, a case administrator from the Clerk's Office will phone your office the following business day and instruct you on how to send that information via e-mail attachment to the court. If the Social Security Number is not received before close of business on that day, the Clerk's Office will be unable to process the case for trustee assignment and setting of the 341 meeting, so the case will be forwarded to the presiding judge for possible dismissal. If you have filed an incorrect Social Security number for your client, you will need to serve a notice of amendment with the full social security number on all appropriate parties (just as you do now), but the notice of amendment that is filed with the court should contain the redacted social security number (only the last four digits). You will also need to contact the Clerk's Office and you will receive instructions for submitting a corrected social security number with the court.

### **Will the Clerk's Office respond to a request from someone who wants the court to verify or provide a Social Security number for a debtor?**

If the Clerk's Office is given the full Social Security Number, we will verify that it is the number for the debtor in question. The Clerk's Office will be unable to provide the full social security number to anyone, without an order from the court.

