

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**AMENDED PROCEDURES RE: PRIVACY-RELATED AMENDMENTS TO
FEDERAL RULES OF BANKRUPTCY PROCEDURE**

The following is an amended summary of procedures to be followed in light of the approval by the Judicial Conference of Amendments to Rules 1005, 1007 and 2002 of the Federal Rules of Bankruptcy Procedure effective December 1, 2003.

Attorneys and pro se filers, not the clerk, are responsible for redacting social security numbers (SSN) and other personal identifiers on documents that they file with the court. Official Form 1, Voluntary Petition, is amended effective December 1, 2003 to require only the last four digits of the social security number. Additionally, in compliance with the E-Government Act of 2002, a party wishing to file a document containing personal data identifiers may:

(a) file an unredacted document under seal to be retained by the court as part of the record, or

*(b) file a reference list under seal. The reference list shall contain the complete personal data identifier(s) and the redacted identifiers used in its (their) place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete identifier. The reference list must be filed under seal, and may be amended as of right. It shall be retained by the court as part of the record.

Debtor's counsel is responsible for submitting a Form B-21, Statement of Social Security Number, when a new bankruptcy petition is filed. Form B-21 is a verified statement containing the full nine-digit social security number. If Form B-21 is not submitted at the time that the bankruptcy petition is filed, the court may, after notice and an opportunity to cure the defect, dismiss the case.

During the pendency of the bankruptcy case, if the debtor amends the full SSN, counsel or the pro se debtor will be required to submit and amended Form B-21. It will be the responsibility of counsel and/or the debtor to notify all parties that the SSN was amended and to file a certificate of service along with a redacted copy of the notice.

The full social security number will appear on the recipient's copy of the 341 notice, but will not be included on the copy maintained in the court file.

When creditors are added to a bankruptcy case, Local Rule 1009-1 applies.

Counsel is responsible for entering the full nine-digit social security number when a petition is filed electronically or by the case upload module. Counsel must also submit Form B-21. An event code has been created for attorneys who are registered filing users in the CM/ECF system to docket Form B-21. It is located under: Bankruptcy->Other->Statement of Social Security Form B-21. The attorney must keep the signed original B-21 form in his/her possession for a period of three years from the date that the case is closed.

Disk Submission:

A bankruptcy petition filed on disk must be in PDF form and must be accompanied by Form B-21 on a separate disk. The attorney must keep the signed original of Form B-21 in his/her possession for a period of three years from the date the case is closed.

Manual Submission:

A Form B-21 submitted by a pro se debtor in paper form will be maintained by the clerk outside of the public case file. The case administrator or intake clerk in the clerk's office will date stamp the document and will be responsible for processing the form.

*In August, 2004, Section 205(c)(3) of the E-Government Act of 2002 was amended to provide this additional method of dealing with redacted documents.

JOSEPH SIMMONS
CLERK OF COURT
11/01/04