

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
OFFICE OF THE CLERK

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**PUBLIC NOTICE**

November 24, 2003

**SUBJECT: PRIVACY-RELATED RULES CHANGES**

Effective December 1, 2003, the United States Bankruptcy Court for the Northern District of Texas will implement the following procedures to comply with the policy of the Judicial Conference of the United States and the E-Government Act of 2002 on privacy and public access to electronic court files. To view the amended rules, see "Synopsis of Proposed Amendments" to FRBP 1005, 1007 (c) and (f), and 2002, on page 14 at

<http://www.uscourts.gov/rules/congress0303/BK-Redline.pdf>.

1. The bankruptcy petition must contain only the last four digits of a debtor's social security number. Only the last four digits of the social security number should appear on any document filed with the court.
2. For petitions filed on or after December 1, 2003, individual debtors must complete and submit to the court Official Form 21 *Statement of Social Security Number(s)* (attached), **in paper format**. Form 21 verifies under penalty of perjury the debtor's full social security number, or that the debtor does not have a social security number. Form 21 will not become part of the case file available to the public or over the Internet.
3. Electronic filers shall submit the *Statement of Social Security Number* (Official Form 21) in paper format to the clerk within five (5) days after the filing of the petition. For non-

electronic filers, the statement must be submitted at the time of the filing of a new petition. The petition, schedules, statements, and **ALL** other documents should be filed either electronically or submitted on diskette or CD. Failure to submit the *Statement of Social Security Number* may result in dismissal of the case.

4. The debtor's full social security number will appear on the §341 meeting notice that is sent to all creditors, the debtor, the trustee, and United States Trustee. However, only the last four digits will appear on §341 meeting notices retained for the official court record and available via WebPACER.
5. Other personal identifiers (i.e., dates of birth, names of minor children, financial account numbers) must also be redacted from all documents filed with the court in the manner provided by General Order No. 2003-05.
6. Official Form 10 *Proof of Claim* will require a wage creditor to disclose only the last four digits of the creditor's social security number. Subtotals for unsecured, secured, and priority debts will be added, and a box will be added for unsecured non-priority claims.
7. Official Form 16A, the full caption will disclose only the last four digits of any debtor's social security number. Accordingly, subsequent notices (after the §341 meeting notice) will either include the last four digits or none at all if Official Form 16B, the short caption is used.
8. Pursuant to 11 U.S.C. §110(c)(2), a non-attorney "bankruptcy petition preparer" must continue to provide the preparer's own nine-digit social security number on the petition he or she is completing on behalf of a debtor.
9. These procedures do not apply to an employer identification number (EIN). Corporate debtors do not need to submit Official Form 21.

10. A party wishing to file a document containing the personal identifiers specified above may file an unredacted document under seal. This document shall be retained by the court as part of the record. The court may, however, also require the party to file a redacted copy for the public file.
11. The filing party – not the clerk – is responsible for redacting the social security number or personal identifiers. Filers should review all documents before filing to ensure compliance. The clerk’s office will not review documents for redaction. Filers with the court must use the most current Official Bankruptcy Forms as of December 1, 2003.
12. In addition, exercise caution when filing documents that contain the following:
  - any personal identifying number, such as a driver’s license number
  - medical records, treatment, and diagnosis
  - employment history
  - individual financial information
  - proprietary or trade secret information

Counsel is strongly urged to share this notice with all clients so that an informed decision about the inclusion of certain information may be made. Sensitive information should not be included in any document filed with the court unless required by the Federal Rules of Bankruptcy Procedure or Official Bankruptcy Forms, or is otherwise necessary and relevant to the case.

Any personal information not otherwise protected will be made available over the Internet via WebPACER. The Office of the Clerk is now accepting electronically filed documents and pleadings and making the content of these pleadings available on the court’s Internet website. Documents and pleadings filed in paper format will be imaged and similarly available. Any subscriber to WebPACER will be able to read, download, store, and print the full content of electronically filed documents. The only documents not available electronically will be those that have been sealed or otherwise restricted by court order.