



UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF NEW YORK

Paul R. Warren
Clerk of Court

Buffalo (716) 551-4130
Rochester (585) 613-4200

NOTICE OF AMENDED OFFICIAL BANKRUPTCY FORMS AND AMENDMENTS TO BANKRUPTCY RULES EFFECTIVE DECEMBER 1, 2003

No. 02-09

November 17, 2003

Synopsis of Amendments to the Federal Rules of Bankruptcy Procedure:

Rule 1005 is amended to require the debtor to list all names used in the six years preceding the filing of the petition, and to include on the caption appropriate numerical identifiers, but using only the last four digits of the social security number.

Rule 1007(a) is amended to require the debtor to file a corporate ownership statement setting out the information described in Rule 7001.1.

Rule 1007(f) is amended to require the debtor to submit a verified statement of his or her full social security number. The statement is *submitted*, but it is not filed in the case and does not become a part of the court record. Therefore, the full social security number does not become a part of the electronic case record that would be available to the public either through internet access or by a search of the paper records at the Court.

Rule 2002 is amended to require the Clerk to include the debtor's full social security number on the § 341 notice to creditors. The full social security number should be included only on the notices sent to the creditors and not on the copy of the notice that becomes part of the court record.

Rule 2003(b) is amended to reflect the enactment of subchapter V of chapter 7 of the Code governing multilateral clearing organization liquidations. Section 782 of the Code provides that the designation of a trustee or alternative trustee for the case is made by the Federal Reserve Board. Therefore, the meeting of creditors in those cases cannot include the election of a trustee.

Rule 2009 is amended to reflect the enactment of subchapter V of chapter 7 of the Code governing multilateral clearing organization liquidations.

Rule 2016 is amended by adding subdivision (c) to implement § 110(h)(1) of the Code.

Rule 7001.1 is derived from Rule 26.1 of the Federal Rules of Appellate Procedure. The information that parties will supply will support properly informed disqualification decisions in situations that call for automatic disqualification under Canon 3C(a)(c) of the Code of conduct for United States Judges.

Summary of Amendments to Official Bankruptcy Forms:

Official Forms 1, 3, 5, 6, 7, 8, 9, 10, 16A, 16C, and 19 are amended to comply with the amendments to Rules 1005, 1007 and 2002 regarding the debtor's social security number.

Official Form 21 - Statement of Social Security Number - is a new form to comply with the amendment to Rule 1007(f).

Additional guidance to practitioners regarding local requirements in implementing the Rules amendments in this District has been previously transmitted in memo format and is posted to the Court's website: www.nywb.uscourts.gov.

Please direct questions regarding these amendments to the Clerk's Office at the telephone numbers listed above.

PAUL R. WARREN
Clerk of Court