

**Request For Comments
on
“Data Enabled” or “Smart” Bankruptcy Forms**

June 3, 2005

Submitted By:

Administrative Office of the U.S. Courts

and

**United States Trustee Program
Executive Office for the United States Trustees**

Introduction

This document presents a concept document for an implementation of “data enabled” or “smart” bankruptcy forms. The Administrative Office for the United States Courts (AOUSC) and the United States Trustee Program (USTP) are considering accepting forms with embedded data. If such a “data enabled” or “smart” forms were released for general use, a standard data schema defined in advance by the AOUSC and USTP would need to be used. The purpose of this document is to present this concept for review and solicit comments.

If accepted, this concept would immediately become an interim standard for electronic filing of bankruptcy petitions and other bankruptcy forms. The use of interim standards is up to local court rules. Final national standards may require approval of the Director of the Administrative Office of the U.S. Courts, one or more committees of the Judicial Conference of the United States, and/or the Judicial Conference of the United States, itself.

This concept document is based on the current bankruptcy forms. Because of the Bankruptcy Reform Act, new versions of the forms will be issued by the Bankruptcy Rule Committee over the next two years. This concept document will be updated as new forms are released.

Concept

This initiative is the culmination of several years of research and planning between the AOUSC and the USTP. For many reasons, most of them obvious, federal agencies must look at ways to efficiently use new technology to meet its core missions. As of FY2005, the majority of U. S. Bankruptcy Courts are accepting filings through an Electronic Case Filing (ECF) interface. Accordingly, the majority of all new petitions, statements of financial affairs, and schedules are submitted as a Portable Document Format (PDF) files. The AOUSC and the USTP has determined that the Case Management/Electronic Case Filing (CM/ECF) system “as is” will accept “data enabled” forms. A “data enabled” or “smart” form is a PDF document that is filled out on-line, either via a software program or by downloading the form from the Internet, and then saved as a PDF file containing data tags that are not visible to the user, but which “mark” each piece of data entered into the individual fields on the form with a tag.

To illustrate this concept, the AOUSC and the USTP have attached two sample “data enabled” or “smart” forms, Voluntary Petition and Schedule J. These two sample forms depict the proposed approach for labeling the data elements and for organizing the data tags within the forms. The final “data enabled” or “smart” form filed through CM/ECF would still be a PDF that is viewable in the same manner as the current process, but the PDF would now also contain the data tags defined by the new schema.

**** Please Note: The sample data tag names are not the proposed data tag names. They merely depict the proposed concept approach. If this concept is fully implemented, the AOUSC*

and the USTP fully expect these naming conventions to change prior to final implementation.

**** Please Note: Under this proposed concept, there will still be an exception process for the general users that does not have access to completing the “data enabled” or “smart” form.*

Proposed Data Schema

The proposed data schema for the “data enabled” or “smart” forms is based on the interim filing format standard, PDF/A, currently in place for CM/ECF. Expanding upon this approach, the AOUSC and the USTP propose the use of Name and Value tags (AcroForms) within PDF documents. This approach does not follow the current industry trend towards XML tags (which is supported in PDF/A version 1.5 or higher), however, the AOUSC and the USTP feel that it is more important to remain compatible with the PDF/A standard^{1/} at this time to ensure all CM/ECF PDFs are compatible with the long time archival of digital records. In addition, AOUSC and USTP research indicates that there are ample Open Source and commercial tool sets available to create, read, and extract data from Name/Value tags within PDF documents. Therefore, the AOUSC and the USTP believe that the use of AcroForm in PDF/A documents is the most viable approach to take at this time. AcroForms (also called Interactive Forms) are defined in the PDF 1.4 standard, section 8.6:

[standard.http://partners.adobe.com/public/developer/en/pdf/PDFReference.pdf](http://partners.adobe.com/public/developer/en/pdf/PDFReference.pdf)

Attachment A provides an example of a completed “data enabled” or “smart” bankruptcy Voluntary Petition form. Attachment B provides an example of a completed “data enabled” or “smart” bankruptcy Schedule J form. Attachment C provides an example of the associated F/V data tags schema for the voluntary petition and schedule J.

Feedback

Please review this document and the attachments and provide written comments to the USTP by 5:00pm on Friday, June 24, 2005. Your input is critical to our success. In your comments, please address the level of effort required to implement “data enabled” or “smart” forms within your product offerings. Also, let us know if you would be able to do so in a limited time frame, such as within a 45 -60 days window.

Comments or questions may be mailed to:

Monique K. Bourque
Chief Information Officer
Executive Office for the United States Trustees
20 Massachusetts Ave., NW, Room 8300

^{1/} PDF/A is based on PDF version 1.4.

Washington, DC 20530

or e-mailed to:

monique.bourque@usdoj.gov

Attachments

[*Attachment A – Sample “Data Enabled” or “Smart” Bankruptcy Voluntary Petition Form \(B1\)*](#)

[*Attachment B – Sample ‘Data Enabled’ or “Smart” Bankruptcy Schedule J Form*](#)

[*Attachment C – Sample F/V Data Tag Schema*](#)

Attachment A (cont.) - Sample Voluntary Petition (B1) Data Tags Structure

***Note: Sample Voluntary Petition (B1) Data Tags Structure which is viewable within the data enabled B1 PDF by going to [Advanced](#) | [Forms](#) | [Export Forms Data](#) and saving as a text file.

```

Check Box32 Check Box33 attachment.exhibit_a      attachment.exhibit_c.no
attachment.exhibit_c.yes      attorney.firm.address.line1
attorney.firm.address.line2   attorney.firm.name
attorney.firm.telephone_number attorney.full_name
attorney_signature_date attorney_signature_date_exhibit_b
authorized_individual_signature_date      chapter_section
debtor.address.mailing debtor.address.principal_assets
debtor.address.street debtor.aliases debtor.authorized_individual.full_name
debtor.authorized_individual.title debtor.county_of_residence
debtor.full_name debtor.tax_id debtor.telephone_number
debtor.type.clearing_bank debtor.type.commodity_broker
debtor.type.corporation debtor.type.individual debtor.type.other
debtor.type.other_text debtor.type.partnership debtor.type.railroad
debtor.type.stockbroker debtor_signature_date district_name district_state
estimate_assets estimated_assets estimated_debts
estimated_number_of_creditors filing_fee funds.available funds.not_available
joint_debtor.address.mailing joint_debtor.address.street joint_debtor.aliases
joint_debtor.county_of_residence joint_debtor.full_name joint_debtor.tax_id
name_of_debtors nature_of_debts pending_bankruptcy.case_number
pending_bankruptcy.date pending_bankruptcy.debtor.full_name
pending_bankruptcy.district pending_bankruptcy.judge
pending_bankruptcy.relationship preparer.address.street preparer.full_name
preparer.social_security_number preparer_signature_date
prior_bankruptcy.case_number prior_bankruptcy.date prior_bankruptcy.district
small_business.usc_101 small_business.usc_1121e venue.district_affiliate
venue.district_residence
Off Off Yes No No
Off Same "1234 S. Anywhere St.
Anywhere, MD 12345" John Doe Prince Georges "Doe,
Johnathon Mathew" 1234 Off Off Off Yes Off Off Off
Off Maryland Off Off 100k-500k 1-15 Off No No
"Doe, Johnathon Mathew" consumer Off
Off Off Yes

```

In re _____,
Debtor

Case No. _____
(if known)

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

Rent or home mortgage payment (include lot rented for mobile home) \$ _____

Are real estate taxes included? Yes _____ No _____

Is property insurance included? Yes _____ No _____

Utilities Electricity and heating fuel \$ _____

Water and sewer \$ _____

Telephone \$ _____

Other _____ \$ _____

Home maintenance (repairs and upkeep) \$ _____

Food \$ _____

Clothing \$ _____

Laundry and dry cleaning \$ _____

Medical and dental expenses \$ _____

Transportation (not including car payments) \$ _____

Recreation, clubs and entertainment, newspapers, magazines, etc. \$ _____

Charitable contributions \$ _____

Insurance (not deducted from wages or included in home mortgage payments)

Homeowner's or renter's \$ _____

Life \$ _____

Health \$ _____

Auto \$ _____

Other _____ \$ _____

Taxes (not deducted from wages or included in home mortgage payments)
(Specify) _____ \$ _____

Installment payments: (In chapter 12 and 13 cases, do not list payments to be included in the plan)

Auto \$ _____

Other _____ \$ _____

Other _____ \$ _____

Alimony, maintenance, and support paid to others \$ _____

Payments for support of additional dependents not living at your home \$ _____

Regular expenses from operation of business, profession, or farm (attach detailed statement) \$ _____

Other _____ \$ _____

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules) \$ _____

[FOR CHAPTER 12 AND 13 DEBTORS ONLY]

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income \$ _____

B. Total projected monthly expenses \$ _____

C. Excess income (A minus B) \$ _____

D. Total amount to be paid into plan each _____
(interval)

Attachment B (cont.) - Sample Voluntary Petition (B1) Data Tags Structure

***Note: Sample Voluntary Petition (B1) Data Tags Structure which is viewable within the data enabled B1 PDF by going to Advanced|Forms|Export Forms Data and saving as a text file.

```

additional_dependents_expense alimony_expense amount_paid_into_plan
auto_insurance_expense auto_payment case_number charitable_expense
clothing_expense debtor_name electricity_heating_fuel_expense
entertainment_expense excess_income expenses_other_description
food_expense health_insurance_expense home_insurance_expense
home_maintenance_expense installment_other_1_description
installment_other_2_description insurance_other_description
joint_filed_but_separate laundry_expense life_insurance_expense
medical_dental_expense operating_expense other_1_payment other_2_expense
other_expense other_insurance_expense other_utilities_expense
property_insurance_included real_estate_taxes_included
rent_mortgage_payment.0 taxes_description taxes_expense telephone_expense
total_expenses total_projected_monthly_expenses
total_projected_monthly_income transportation_expense
utilities_other_description water_sewer_expense
2000.00 200.00 700.00 500.00 "Doe,
Johnathon Mathew" 100.00 1000.00 500.00
200.00 Off 100.00 Yes Yes 595.00
50.00 5995.00 50.00

```

Proposed Data Schema - Voluntary Petition (Form B1)**Page 1**

Field on Form	Field Name	Value
Form Name	form.name	B1
Revision	form.revision	12/03
Page	form.page	1
	district.name	text
	district.state	text
Debtor		
Name of Debtor	debtor.full_name	text
All Other Names used by Debtor	debtor.aliases	text
Last four digits of SSN	debtor.tax_id	text
Street Address	debtor.address.street	text
County of Residence	debtor.country_of_residence	text
Mailing Address	debtor.address.mailling	text
Location of Principal Assets	debtor.address.principal_assets	text
Joint Debtor		
Name of Joint Debtor	joint_debtor.full_name	text
All Other Names used by Joint Debtor	joint_debtor.aliases	text
Last four digits of SSN	joint_debtor.id	text
Street Address	joint_debtor.address.street	text
County of Residence	joint_debtor.county_of_residence	text
Mailing Address	joint_debtor.address.mailing	text
Venue		
District Residence	venue.district_residence	true/false
District Affiliate	venue.district_affiliate	true/false
Type of Debtor		
Individual	debtor.type.individual	true/false
Corporation	debtor.type.corporation	true/false
Partnership	debtor.type.partnership	true/false
Railroad	debtor.type.railroad	true/false
Stockbroker	debtor.type.stockbroker	true/false
Commodity Broker	debtor.type.commodity_broker	true/false
Clearing Bank	debtor.type.clearing_bank	true/false
Other	debtor.type.other	true/false
	debtor.type.other_text	text
Chapter or Section of Bankruptcy Code (Check one box)		
Chapter 7	chapter_section	chapter7
Chapter 9		chapter9
Chapter 11		chapter11
Chapter 12		chapter12
Chapter 13		chapter13
Section 304		section304
Nature of Debts (Check one box)		

Consumer / Non-Business Business	nature_of_debts	consumer business
Filing Fee (Check one box) Filing Fee Attached Filing Fee Payments	filing_fee	attached payments
Chapter 11 Small business Debtor is small business Debtor elects to be considered	small_business.usc_101 small_business.usc_1121e	true/false true/false
Statistical/Administrative Information Funds available No funds available	funds.available funds.not_available	true/false true/false
Estimate Number of Creditors (Check one box) Creditors 1-15 Creditors 16-49 Creditors 50-99 Creditors 100-199 Creditors 200-999 Creditors 1000-over	estimated_number_of_creditors	1-15 16-49 50-99 100-199 200-999 1000-over
Estimated Assets (Check one box) Assets 0-50k Assets 50k-100k Assets 100k-500k Assets 500k-1m Assets 1m-10m Assets 10m-50m Assets 50m-100m Assets 100m - over	estimated_assets	0-50k 50k-100k 100k-500k 500k-1m 1m-10m 10m-50m 50m-100m 100m-over
Estimated Debts (Check one box) Debts 0-50k Debts 50k-100k Debts 100k-500k Debts 500k-1m Debts 1m-10m Debts 10m-50m Debts 50m-100m Debts 100m - over	estimated_debts	0-50k 50k-100k 100k-500k 500k-1m 1m-10m 10m-50m 50m-100m 100m-over

Page 2

Form Name	form.name	B1
Revision	form.revision	12/03
Page	form.page	2
Name of Debtors	name_of_debtors	text

Prior Bankruptcy Case

Location Where Filed	prior_bankruptcy.district	text
Case Number	prior_bankruptcy.case_number	text
Date Filed	prior_bankruptcy.date	text
Pending Bankruptcy Case		
Name of Debtor	pending_bankruptcy.debtor.full_name	text
Case Number	pending_bankruptcy.case_number	text
Date Filed	pending_bankruptcy.date	text
District	pending_bankruptcy.district	text
Relationship	pending_bankruptcy.relationship	text
Judge	pending_bankruptcy.judge	text
Exhibit A Attached	attachment.exhibit_a	true/false
Exhibit C Attached	attachment.exhibit_c.yes	true/false
	attachment.exhibit_c.no	true/false
Signatures		
Debtor (Individual)		
Telephone Number	debtor.telephone_number	text
Date	debtor_signature_date	text
Attorney		
Printed Name of the Attorney	attorney.full_name	text
Firm Name	attorney.firm.name	text
Address Line 1	attorney.firm.address.line1	text
Address Line 2	attorney.firm.address.line2	text
Telephone Number	attorney.telephone_number	text
Date	attorney_signature_date	text
Debtor (Corporation/Partnership)		
Printed Name of Authorized Individual	debtor.authorized_individual.full_name	text
Title	debtor.authorized_individual.title	text
Date	authorized_individual_signature_date	text
Non-Attorney Petition Preparer		
Name	preparer.full_name	text
Social Security Number	preparer.social_security_number	text
Address	preparer.address.street	text
Date	preparer_signature_date	text

Attachment C (cont.) – Sample of Data Tag Field Names Displayed Within a Data Enabled Form – which are viewable within the data enabled B1 PDF by going to Tools|Advanced Editing|Forms|Show Forms Tool Bar and then select Text Field Tool icon.

(Official Form 1) (12/03)

FORM B1		United States Bankruptcy Court		Voluntary Petition	
[district_name]		District of [Maryland]		[district_state]	
Name of Debtor (if individual, enter Last, First, Middle): Doe, Jonathon [debtor.full_name]			Name of Joint Debtor (Spouse) (Last, First, Middle): [joint_debtor.full_name]		
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names): John Doe [debtor.aliases]			All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): [joint_debtor.aliases]		
Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all): [12] [debtor.tax_id]			Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all): [] [joint_debtor.tax_id]		
Street Address of Debtor (No. & Street, City, State & Zip Code): 1234 S. Anywhere St. Anywhere, MD 12345 [debtor.address.street]			Street Address of Joint Debtor (No. & Street, City, State & Zip Code): [joint_debtor.address.street]		
County of Residence or of the Principal Place of Business: [] [debtor.county_of_residence]			County of Residence or of the Principal Place of Business: [] [joint_debtor.county_of_residence]		
Mailing Address of Debtor (if different from street address): Same [debtor.address.mailing]			Mailing Address of Joint Debtor (if different from street address): [joint_debtor.address.mailing]		
Location of Principal Assets of Business Debtor (if different from street address above):			[debtor.address.principal_assets]		

Information Regarding the Debtor (Check the Applicable Boxes)							
Venue (Check any applicable box) <input type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.							
Type of Debtor (Check all boxes that apply) <input type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other [] [debtor.type.other.text] <input type="checkbox"/> Clearing Bank				Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding			
Nature of Debts (Check one box) <input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business -:-				Filing Fee (Check one box) <input type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.			
Chapter 11 Small Business (Check all boxes that apply) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)							
Statistical/Administrative Information (Estimates only) <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.							THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors 1-15 16-49 50-99 100-199 200-999 1000-over <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>							
Estimated Assets \$0 to \$50,000 \$50,001 to \$100,000 \$100,001 to \$500,000 \$500,001 to \$1 million \$1,000,001 to \$10 million \$10,000,001 to \$50 million \$50,000,001 to \$100 million More than \$100 million <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>							
Estimated Debts \$0 to \$50,000 \$50,001 to \$100,000 \$100,001 to \$500,000 \$500,001 to \$1 million \$1,000,001 to \$10 million \$10,000,001 to \$50 million \$50,000,001 to \$100 million More than \$100 million <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>							

Voluntary Petition (This page must be completed and filed in every case)		Name of Debtor(s): Doe, Johnathon Mathe <input type="text" value="name_of_debtors"/>	
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)			
Location Where Filed: <input type="text" value="prior_bankruptcy_district"/>	Case Number: <input type="text" value="prior_bankruptcy_case_number"/>	Date Filed: <input type="text" value="prior_bankruptcy_date"/>	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: <input type="text" value="pending_bankruptcy_debtor_full_name"/>	Case Number: <input type="text" value="pending_bankruptcy_case_number"/>	Date Filed: <input type="text" value="pending_bankruptcy_date"/>	
District: <input type="text" value="pending_bankruptcy_district"/>	Relationship: <input type="text" value="pending_bankruptcy_relationship"/>	Judge: <input type="text" value="pending_bankruptcy_judge"/>	

Signatures

Signature(s) of Debtor(s) (Individual/Joint)
 I declare under penalty of perjury that the information provided in this petition is true and correct.
 [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.
 I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

 Signature of Debtor

 Signature of Joint Debtor

 Telephone Number (If not represented by attorney)

 Date

Exhibit A
 (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

Exhibit A is attached and made a part of this petition.

Exhibit B
 (To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

 Signature of Attorney for Debtor(s) Date

Exhibit C
 Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Signature of Attorney

 Signature of Attorney for Debtor(s)

 Printed Name of Attorney for Debtor(s)

 Firm Name

 Address

 Telephone Number

 Date

Yes, and Exhibit C is attached and made a part of this petition.
 No

Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

 Printed Name of Bankruptcy Petition Preparer

 Social Security Number (Required by 11 U.S.C. § 110(c).)

 Address

Signature of Debtor (Corporation/Partnership)
 I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.
 The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

 Signature of Authorized Individual

 Printed Name of Authorized Individual

 Title of Authorized Individual

 Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

 Signature of Bankruptcy Petition Preparer

 Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.