



U.S. Department of Justice

Office of the United States Trustee

Ochoa Building (787) 729-7444
500 Tanca Street, Suite 301
San Juan, PR 00921-1922 FAX (787) 729-7449

M E M O R A N D U M

TO: Chapter 7 and Chapter 13 Practitioners

FROM: Nancy Pujals, Assistant United States Trustee

DATE: February 28, 2002

RE: NEW DEBTOR IDENTIFICATION AND
PROOF OF SOCIAL SECURITY PROCEDURES

EFFECTIVE MARCH 25, 2002, ALL INDIVIDUAL DEBTORS WILL BE REQUIRED TO PROVIDE PICTURE IDENTIFICATION AND PROOF OF SOCIAL SECURITY NUMBER TO THE TRUSTEE AT THE 341 MEETING.

Debtors will be required to present two forms of documentation from each debtor at the 341 meeting, one to verify ID, the other to verify Social Security number (SSN). **All documents must be originals.** Acceptable documentation is as follows:

- A. Picture Identification: a valid state driver's license, government-issued picture ID card, U.S. passport, government employee photo ID, military photo ID, or resident alien card.
- B. Proof of SSN: valid state driver's license (if it contains the SSN), social security card or social security statement, a W-2 Form for the most recent tax year, recent payroll tax stub and a medical insurance card.

Note: Please take notice that recent driver's licenses issued in Puerto Rico do not contain the SSN.

One document may be used for proof of both identification and SSN if it contains both a picture and the SSN.

If the debtor does not bring the proof of identification or SSN to the meeting, or if the documentation is not acceptable, the trustee at his/her discretion will decide on whether to conduct the meeting of creditors or continue the same. The trustee will note the reason for the continuance in the minute sheet.

If the name or SSN does not match the information on the petition, the trustee will conduct the 341 meeting but will not conclude the same. The meeting will be continued to allow debtor or debtor's counsel to file an amended petition. The trustee will note the reason for the continuance on the minute sheet.

In those cases in which the petition is incorrect, you will be asked to take the following actions:

1. If the SSN on the petition does not match the proof of SSN, counsel for debtor or debtor (in *pro se* cases) will be required to within ten (10) days **FILE** an Amended Petition pursuant to F.R.B.P 1009 which corrects the SSN, serve the Amended Petition on all creditors, the trustee and the Office of the United States Trustee.

If the trustee receives a copy of the stamped Amended Petition prior to the continued meeting of creditors and he/she is satisfied that all issues have been resolved, the trustee, at his/her discretion, may cancel the continued meeting of creditors.

If the trustee is not supplied with an Amended Petition by the date of the continued meeting of creditors, or if the Debtors still do not produce adequate proof at the continued meeting, the trustee will make a record of the matter on tape, announce on the record that the case will be referred to the United States Trustee for dismissal or other appropriate action, and will then conclude the meeting. The Office of the United States Trustee will undertake any necessary enforcement action.

2. **NOTIFY** of the amendment to the two major credit reporting agencies using the attached "Notice of Correction of Social Security Number in Bankruptcy Filing" and attaching copy of the Amended Petition. A copy of the notice shall be sent to the Office of the United States Trustee.

Bankruptcy filings are primarily reported to credit agencies by SSN. The cost and hardship to correct an adverse credit history can be substantial. With your assistance, we should be able to limit the impact on innocent parties of a case which has been filed with an incorrect SSN.

Enclosure

1. Notice of Correction of Social Security Number in Bankruptcy Filing

NOTICE OF CORRECTION OF SOCIAL SECURITY NUMBER
IN BANKRUPTCY FILING

TO: EQUIFAX CREDIT INFORMATION SERVICES
P. O. Box 364983
San Juan, PR 00936-4983

TRANS UNION
P.O. Box 13968
San Juan, PR 00908-3968

FROM: _____,
Debtor

DATE: _____

INCORRECT SSN: _____ - _____ - _____

CORRECT SSN: _____ - _____ - _____

Enclosed please find an **amended** bankruptcy petition which lists the correct social security number for the above named Debtor.

The Debtor originally filed the bankruptcy petition using an incorrect social security number. This social security number was not assigned to the Debtor and was inadvertently listed on the bankruptcy petition.

Please correct your records to indicate that the individual whose social security number is _____ - _____ - _____ is not the debtor in Case # _____ filed before the United States Bankruptcy Court for the District of Puerto Rico.

Enclosure
cc: Office of the United States Trustee
Ochoa Building
500 Tanca Street, Suite 301
San Juan, PR 00901-1922