

**FRBP 2002(a)(1) - SSNs, potential amendment**

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History:

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The service of B21 forms (statement of the debtor's SSN) is not required by the Federal Rules of Bankruptcy Procedure. This makes sense from a privacy standpoint. The only time, as far as I can tell, that creditors in general receive the debtor's full SSN is when they are served with the notice of 341 meeting under FRBP 2002(a)(1). This rule was amended in 2003 to require the full SSN to be included in the notice served on creditors so that the creditors can cross-reference the SSN on the notice with the one that the creditors have on file for the debtor. FRBP 2002(a)(1) also provides that the full SSN shall be included in the 341 notice "unless the Court orders otherwise."

Since 2003, FRBP 9037 has been enacted to require the redaction of individual identifiers, and more attention has been given to the problem of identity theft. Notices sent by the court and parties other than the notice of 341 meeting only contain the last four digits of the debtor's SSN. See 11 USC 342. It seems irresponsible to have a rule such as FRBP 2002(a)(1) that requires debtors' full SSNs to be on documents sent from the courts to anybody, even creditors. If a creditor already has somebody's SSN, there is no good reason why the creditor cannot cross-reference a debtor's name and the last 4 of their SSN to verify identity with regard to a 341 meeting notice.

I suggest that FRBP 2002(a)(1) be revised so that only the last four digits of an individual's SSN are required to be included in the 341 meeting notice. I write in my own capacity and am not necessarily expressing the views of our Court or its Judges.

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