

How to Correct a Discrepancy of Debtor's Social Security Number Resulting in a Halt of the Notice of Commencement of Case

Issue Date

March 7, 2011

Purpose

This procedure is written to guide the electronic filer through the process of correcting an individual debtor's social security number (SSN).

The following information must **all** match:

- the last 4-digits of the debtor's SSN listed on the petition;
 - the 9-digit SSN on the Statement of Social Security Number; and
 - the 9-digit SSN typed in CM-ECF.
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Policy

NM Local Bankruptcy Rule 5003-1 (c) provides:

(c) **Official Record.** The official document of record is the electronic document stored in the court's database.

The judges have determined, effective March 7, 2011, that the Clerk's Office approach to correcting case opening data entry errors should be based on this rule.

When there is a discrepancy in a debtor's SSN, the error will result in a halt on the Clerk of Court serving the Notice of Commencement of Case. This is because when a bankruptcy case is commenced, it is a matter of public record. There must not be any discrepancies in the social security number so as to not adversely impact credit information for the wrong person.

Process

When a discrepancy occurs, the Clerk's Office will enter a Notice of Error with instructions to correct the error within three business days. It is important for the error to be corrected **promptly** so the Section 341(a) meeting may be timely scheduled, and in a chapter 7 case, to avoid the possible need to reassign the chapter 7 trustee assigned to the case to facilitate a timely Section 341(a) meeting.

Procedure

Determine if the error is in the voluntary petition, the Statement of Social Security Number, or in the information entered in CM-ECF.

IF error is in the	THEN...
4-digits SSN on Voluntary Petition, or if the SSN is missing from the Voluntary Petition	the attorney will need to file an <i>Amended Voluntary Petition</i> (signed by the debtor). The procedure for filing an amended petition is listed on the Court's web page at http://www.nmcourt.fed.us/usbc/files/amdvolp.pdf .
9-digit SSN on Statement of Social Security Number, or is missing from the Statement of Social Security Number	the attorney will need to file an <i>Amended Statement of Social Security Number</i> (signed by the debtor), using the event code: <i>Bankruptcy Events -Miscellaneous - Statement of Social Security Number</i> . In the docket entry before submitting the document, select "Amended" from the pick-list on the docket entry screen. A pdf fillable amended statement form is available on the court's Website at http://www.nmcourt.fed.us/usbc/files/amendssn.pdf .
9-digit SSN entered in CM-ECF	the attorney will need to file a <i>Notice of Incorrect Social Security Number Entered in CM-ECF and Authorization for Clerk to Correct Data</i> , using the

IF error is in the	THEN...
	<p>event code: <i>Bankruptcy Events - Notices - Incorrect/Missing Data and Authorization (Notice)</i>.</p> <p>The form <i>Notice of Incorrect Social Security Number Entered in CM-ECF and Authorization for Clerk to Correct Data</i> is available on the court's Website at: http://www.nmcourt.fed.us/usbc/files/ntc2correctoradddata.pdf.</p>

Whom to Contact for Help

Please contact the Court's Electronic Information Specialists for assistance at 505-348-2500 or toll-free at 866-291-6805 - select option 3. The help desk hours are 8:30 a.m. to 4:30 p.m., Monday through Friday.