

Information Production Requirements for Chapter 7 Debtors after BAPCPA

(Does not include documents traditionally required for case filing such as petition, statements, and schedules)

What	To Whom	When	Source of Requirement	Comments
Counseling Certificates and Related Information				
a. Credit counseling certificate received from approved credit counseling agency and copy of any debt repayment plan OR a certification under 11 USC § 109(h)(3) OR a request for determination under 11 USC § 109(h)(4)	Court	With petition	11 USC § 109(h) 11 USC § 521(b) IFRBP 1007(b)(3) and (c)	Counseling must have occurred within 180 days pre-petition with very limited exceptions. Credit counseling certificate itself (not just debtor's certification) and any debt repayment plan must be filed with the Court per 11 USC § 521(b).
b. Statement of Completion of Financial Management Class (Form 23)	Court	Within 45 days after 1 st set 341 meeting	11 USC § 727(a)(11) IFRBP 1007(b)(7) and (c)	Instructional course must be completed post-petition.
Means Testing Documentation				
a. Statement of Current Monthly Income and Means Test Calculation (Form 22A)	Court	With petition or within 15 days thereafter	11 USC § 521(a)(1)(B)(v) IFRBP 1007(b)(4) and (c)	Applies only to individuals with primarily consumer debts.
b Backup for certain claimed means test expenses	UST Ch 7 Trustee, upon request	When file Statement of Current Monthly Income and Means Test Calculation (see comments)	11 USC § 707(b)(2) IFRBP 4002 (b)(2)(C) GO 05-1 ¶7	GO requires backup documentation to UST when file means test form; IFRBP requires documentation to be produced at 341 meeting. UST and trustees request production per GO.
Tax Return Information				
a. Last federal income tax return filed or transcript	Ch 7 Trustee	At least 7 days before 341 meeting	11 USC § 521(e)(2)(A)(i) IFRBP 4002(b)(3)	Include attachments. Provide statement if documentation does not exist. Creditors must request 15 days before 341 meeting.
	Others, upon request	At same time provided to Ch 7 Trustee	11 USC § 521(e)(2)(A)(ii) IFRBP 4002(b)(4)	

b. If requested by Court, UST, or interested party, federal tax returns (and any amendments thereto) for years ending during pendency of case	Court	At same time filed with taxing authority	11 USC § 521(f)(1) 11 USC § 521(f)(3)	The information, once filed with the Court, will not be generally available. Parties must file motion to get it and there are restrictions on use of the information received per GO 05-1 ¶7.
c. If requested by Court, UST, or interested part, federal tax returns (and any amendments thereto) for 3 years preceding case filing if unfiled when case filed but subsequently filed,	Court	At same time filed with taxing authority	11 USC § 521(f)(2) 11 USC § 521(f)(3)	The information, once filed with the Court, will not be generally available. Parties must file motion to get it and there are restrictions on use of the information received per GO 05-1 ¶7
Pay Advices				
a. All payment advices received during the 60 days preceding filing	UST	When petition filed or within 15 days thereafter	11 USC § 521(a)(1)(B)(iv) IFRBP 1007(b)(1)(E) & (c) GO 05-1 ¶7	Do not file with court per GO 05-1 ¶7
b. Evidence of current income (e.g. most recent pay advice)	Ch 7 Trustee	341 meeting	IFRBP 4002(b)(2)(A) GO 05-1 ¶7	Trustee to make available to interested parties for review at 341 meeting per GO 05-1 ¶7
Financial Institution/Depository/Investment Account Information				
Statements for each of the debtor's depository and investment accounts (including checking, savings, money market, mutual funds, and brokerage accounts) financial institutions for the time period that includes the date of filing	Ch 7 Trustee	341 meeting	IFRBP 4002(b)(2)(B)	
Identification Information				
Proof of SSN	Ch 7 Trustee	341 meeting	11 USC § 521(h) IFRBP 4002(b)(1)(B)	Originals only. See UST list of acceptable documents.
Photo ID	Ch 7 Trustee	341 meeting	11 USC § 521(h) IFRBP 4002(b)(1)(A)	Originals only. See UST list of acceptable photo ID.

Other				
DSO Notice Information Sheet	Ch 7 Trustee	Upon filing; 341 meeting		See panel trustee notice form
Education IRA's/529 Plans	Court	When petition filed or within 15 days thereafter	11 USC § 521(c) IFRBP 1007 (b)(1)(F) & (c)	
As reasonably requested by trustee	Ch 7 Trustee	Upon request	11 USC § 521(a)(3) and (4)	See panel trustee document checklist
As ordered by the court	As ordered	As ordered	11 USC § 542 11 USC § 521(a)(3) and (4) FRBP 2004	
As required by discovery rules	As required by rules	As required by rules	FRBP and associated FRCP	

Preferred Method of Transmitting Information to Chapter 7 Trustees: Contact individual trustees. Some trustees may post this information.

Preferred Method of Transmitting Information to UST

(unless otherwise requested)

- 1. Court filed documents:** Documents filed with the Court (e.g. credit counseling certificates; means test forms) do not need to be separately sent to the UST. The UST will receive these documents via ECF.
- 2. Other documents:** For documents not filed with the Court (e.g. pay advices; required means test support documentation), e-mail to USTPRegion18.pl.ecf@usdoj.gov (Portland cases) or to USTPRegion18.eg.ecf@usdoj.gov (Eugene cases) using the following naming conventions: Debtor's case number, debtor's last name, 341 date (1st date set), document abbreviation. The following document abbreviations should be used: 1) Pay advices = ADV; 2) Means test support documentation = MEANS; 3) Anything else = OTH. For example, transmission of pay advices for a debtor named Smith who filed the first case of 2006 and had a 341 meeting first set for 1-25-06 would read: 06-30001,Smith,060125,ADV.