

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, Revised October 16, 2012

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: Halt* with instructions to correct the error within three business days unless the Clerk's Office can promptly resolve the error by contacting the filer and verifying that the error is in CM/ECF.

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 the SSN is <ul style="list-style-type: none"> • illegible, • incorrect, or • missing on the 	THEN...
Voluntary Petition	<p>the attorney will need to file an <i>Amended Voluntary Petition</i> (signed by the debtor).</p> <p>See the procedure “Amended Voluntary Petition” listed under the Procedures book.</p>
Statement of Social Security Number	<p>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>.</p> <p>In the docket entry before submitting the document, select “Amended” from the pick-list on the docket entry screen.</p> <p>A pdf fillable amended statement form is available on the court’s Website at https://www.nmb.uscourts.gov/forms/local-forms.</p>
If the SSN is incorrect in	

CM/ECF	<p>the attorney must promptly verify telephonically with the Clerk's Office that the SSN information on the Statement matches the information on the Voluntary Petition.</p> <p>The Clerk's office will then change the incorrect SSN entered in CM/ECF to match the Statement of Social Security Number and the Voluntary Petition.</p> <p>If a verification cannot be made promptly, the Clerk's Office will enter a <i>Notice of Error: Halt</i> and the attorney will have 3 business days to take the appropriate corrective action, including calling the Clerk's Office to change the SSN in CM/ECF if the error is in CM/ECF.</p>
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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.

Date	Comments	By
10/16/12	Revised to remove the requirement to file a Notice of Incorrect Social Security Number. Verification will be done telephonically.	mls