

Rule 4002 - 1

Debtor - Duties

(c) Tax and Other Information Where Case is Pending

- (1) Where a request is made that the debtor file tax and other information pursuant to 11 USC 521 (f), the information shall be filed electronically if filed by an attorney, or if by the debtor conventionally in accordance with LBR 9018-1, in which case the debtor shall promptly notify the party requesting that the information has been filed.
- (2) Where the party requesting that the information desires to view the information, such request shall be made in accordance with LBR 9018-1.
- (3) If the requesting party and debtor so elect, the debtor may provide the requested information directly to the requesting party.

Note: 11 USC 521 (f) requires the debtor to file "post filing" tax and other information upon the request of the U.S. trustee, or any party in interest in Chapters 7, 11 or 13. The Administrative Office of the United States was charged to develop procedures to protect the confidentiality of such information. The procedures published by the AO draw a distinction between the filing of the information by the debtor, and the accessing it by the requesting party. By requiring that the debtor to file such information under LBR 9018-1, and then requiring a separate motion by the requesting party to view the information, the scheme of the AO can best be followed. Although technically, the By permitting the debtor and the requesting party to elect to give and receive the information directly, the rather clumsy scheme of the AO can be avoided.

Related Provisions

11 USC 521 (4) Debtor's Duties ~~Duty to Surrender Property~~