

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

IN RE:

ORDER REGARDING TAX
INFORMATION FILED BY DEBTORS.

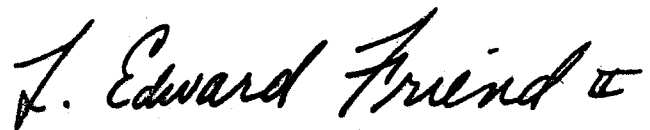
Gen. Order No: 05-01

GENERAL ORDER ADDRESSING
MANAGEMENT OF TAX INFORMATION
SUBMITTED TO THE BANKRUPTCY COURT

Section 315(c) of the *Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (Reform Act)* requires the Director of the Administrative Office of the Courts to establish procedures for safeguarding the confidentiality of any tax information required to be provided under §521 of the **Bankruptcy Code**. Consistent with the new tax provisions of the *Reform Act*, and in the interest of complying with privacy considerations required by law, it is hereby **ORDERED** that the following requirements be followed on, and after, October 17, 2005:

- 1) No tax information filed with the bankruptcy court or otherwise provided by the debtor will be available to the public via the Internet, PACER, or CM/ECF;
- 2) Debtors providing tax information under 11 U.S.C. § 521 should redact personal information as set forth in the Judicial Conference's Policy on Privacy and Public Access; and,
- 3) To obtain access to tax information filed under § 521(f) "the United States trustee (or a bankruptcy administrator, if any), trustee or party in interest, including a creditor," must make a written request (motion) that includes a description of the movant's status, a description of the specific tax information sought, a statement that the information cannot be obtained from other sources, and a statement showing a demonstrated need for the tax information.
- 4.) Orders granting such motions shall include language advising the movant that the information is confidential and may state that sanctions may be imposed for improper use.
5. Upon entry of orders granting relief under this general order, the Clerk of this Court will determine procedures for transmitting tax information.

ENTER: October 14, 2005



L. EDWARD FRIEND II, JUDGE