



Debtor Identification Process Cheat Sheet

The debtor identification process is vital to the integrity of the 341 meeting. With the transition to Zoom, the process to confirm a debtor's identification, however, is not intuitive. Please make sure to implement the critical elements below when confirming the debtor's identification.

VERIFYING INDIVIDUAL DEBTOR'S IDENTITY AT THE 341 MEETING

- ◆ Ask the debtor and their attorney, if represented, to identify themselves.
- ◆ Ask the debtor to expressly testify that he or she is the individual whose name and address appear on the voluntary bankruptcy petition as the debtor.
- ◆ Make sure that debtor's image can be clearly seen on the screen. Without displaying the previously provided ID, the trustee should compare the photo on the ID with the image of the debtor on the screen.

If the photo on the ID sufficiently matches the debtor's image on the video screen:

- ◆ Confirm this fact on the record by:
 - Stating the type of ID (driver's license, passport, etc.),
 - Describing the process used by the trustee to obtain the ID from the debtor,
 - Confirming that the name on the ID matches the name of the debtor on the 341 meeting notice, and
 - Reciting that the photo on the ID sufficiently matches the debtor's image on the video screen and that the ID photo and video screen image are of sufficient clarity for the trustee to make this determination.

If the trustee cannot match the photo on the ID with the debtor's video image for any reason:

- ◆ Take steps to remedy the issue and if unsuccessful
 - State the inability to confirm the debtor's identity on the record,
 - Adjourn and continue the 341 meeting to a later time, and
 - Refer the matter to the UST.

Note: When the debtor appears by video at the 341 meeting, the trustee should not rely upon the debtor's attorney to certify the debtor's identity or the validity of the ID Documents.

CONFIRMING THE DEBTOR'S SOCIAL SECURITY NUMBER

- ◆ Compare the name and SSN in the SSN Documents with the SSN on file with the bankruptcy court in the debtor's case and confirm that the debtor's name and SSN in the bankruptcy case matches the name and SSN in the SSN Documents.

If they match:

- ◆ Without displaying the SSN Documents or reading the SSN, confirm this fact on the record by:
 - Describing the SSN Documents and the process used to obtain them from the debtor,



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- Confirming the name and SSN in the SSN Documents match the name and SSN of the debtor on the 341 meeting notice, and
- Reciting any other relevant facts used by the trustee to determine that the SSN Documents provide sufficient proof of the debtor's SSN consistent with the Handbooks.

If either the name or SSN does not match, or the trustee determines that the SSN Documents otherwise are insufficient:

- ◆ Take steps to remedy the issue and if unsuccessful
 - State the inability to confirm the debtor's SSN on the record,
 - Adjourn and continue the 341 meeting to a later time, and
 - Refer the matter to the UST.