

Bankruptcy: Is your private information protected?

By: Jerry R. Lowe

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When you file a [bankruptcy case](#), the law requires that you disclose personal, financial information. Bankruptcy filings are a matter of public record, so it is imperative that you protect your privacy. Even in bankruptcy, [identity theft](#) and [fraud](#) are major concerns.

There are numerous ways you can make sure your personal identification information is secure. Bankruptcy Rule 9017 provides that your personal information must be “redacted.” This means the information is edited in a way that protects you, but still allows creditors to identify your debt with them.

A few common examples of redacted information include:

- only showing the last four digits of the social-security number or taxpayer-identification number;
- striking out the year of the individual’s birth;
- identifying a minor by using only his/her initials; and
- only showing the last four digits of the financial-account number.

Debtors must use extreme caution to comply with the redaction requirements. If the debtor discloses his own personal information, he is deemed to have waived the required protections. In fact, the Court now requires that attorneys confirm that they are aware of the redaction requirement when they file a case.

If a creditor wrongfully discloses the debtor’s protected information, the debtor should immediately demand that the creditor take action to correct their error. If the creditor fails to correct their mistake, the debtor may have a claim against the creditor and the court could grant the debtor recourse for any damages suffered as a result of the wrongful disclosure.

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About Jerry R. Lowe

If you are considering filing for bankruptcy protection, call Fresno bankruptcy attorney [Jerry R. Lowe](mailto:Jerry.R.Lowe@fresnobankruptcy.com) at [\(559\)513-8535](tel:5595138535). Mr. Lowe provides representation for debtors in Chapter 7 and Chapter 13 bankruptcy matters throughout California's Central Valley in communities such as Fresno, Clovis, Reedley, Sanger, Selma, Madera, Chowchilla, Oakhurst, Coarsegold, Auberry, Prather, Coalinga, Avenal, Corcoran, Hanford, Lemoore, Tulare and Visalia.