

U.S. Trustee Update

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National Filings

- 1st Two Quarters of FY 2017:
- Ch. 13 cases down 2 %
- Ch. 7 cases down 4%
- Ch. 11 down by 13%

Chapter 7 filings- Local

WDTX- up 5% through April 2017

EDTX up 6%

NDTX up 6%

SDTX up 20%

Chapter 13 Filings- Local

WDTX up <1% through April 2017

EDTX up 10%

NDTX down 11%

SDTX up 5%

Chapter 11 filings- Local

WDTX down 51% through April 2017

EDTX down 7%

NDTX up 176%

SDTX up 40%

Means Test

- FY 2016, the USTP declined to file a motion to dismiss in about 63 percent of presumed abusive cases that didn't voluntarily dismiss or convert to chapter 13 .
- In FY 2006 the percentage of declinations was less than 35 percent
- Trend suggests objective criteria of the means test are well established and that counsel file presumed abusive cases primarily when they can satisfy statutory exceptions.

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First appeared as part of the conference materials for the

13th Annual Consumer Bankruptcy Practice session

"United States Trustee Perspective"