

# U.S. Trustee Update

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## National Filings

- 1<sup>st</sup> Two Quarters of FY 2018:
- Ch. 13 cases down 4 %
- Ch. 7 cases down 2%
- Ch. 11 up by 25%

## Chapter 7 filings- Local

WDTX- up 5% through May 2018

EDTX up 1%

NDTX 0%

SDTX 0% (Houston/Galveston up 2%; Corpus down 7%)

## Chapter 13 Filings- Local

WDTX down 7% through May 2018

EDTX down 10%

NDTX down 7%

SDTX down 31%

## Chapter 11 filings- Local

WDTX up 30% through May 2018

EDTX down 39%

NDTX down 2% (up 116% last year)

SDTX up 53% (40% last year)

## Means Test

- FY 2017, 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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14<sup>th</sup> Annual Consumer Bankruptcy Practice session  
"U.S. Trustee Update"