

Rec'd NCR 11 Apr 80 NY

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

LEAVE BLANK	
JOB NO	NCL-60-80-9
DATE RECEIVED	4-11-80
NOTIFICATION TO AGENCY	
In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10	
Date	5-8-80
acting	Walter M. Stender
Archivist of the United States	

TO GENERAL SERVICES ADMINISTRATION,
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408

1. FROM (AGENCY OR ESTABLISHMENT)
Department of Justice

2. MAJOR SUBDIVISION
Executive Office for U.S. Trustees

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER
for Richard L. Levine

5. TEL EXT
633-5122

6. CERTIFICATE OF AGENCY REPRESENTATIVE

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of 3 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

A Request for immediate disposal.

B Request for disposal after a specified period of time or request for permanent retention.

C. DATE 4/10/80	D. SIGNATURE OF AGENCY REPRESENTATIVE <i>Robert M. Yahn</i> ROBERT M. YAHN	E. TITLE Chief, Records Maintenance and Disposition Section, Records Management Group/RPS/IMD
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7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN
1.	<p>The Bankruptcy Reform Act of 1978 (P.L. 95-598), codified as Title 11, United States Code, established a program which shifted the administration of bankruptcy cases from Bankruptcy Judges to U.S. Trustees in 18 federal districts. These U.S. Trustees are employees of the Department of Justice. The U.S. Trustee program began on October 1, 1979 and is an experiment that must either be extended by Congress before April 1984, or it will lapse at that time.</p> <p>Cassette tapes of meetings of creditors and equity security holders held pursuant to 11 U.S.C. 341.</p> <p>DISPOSITION:</p> <p>I. Applicable to the District of Kansas and to the Northern District of Illinois.</p> <p>A. Cases under Chapter 7 and Chapter 13 of Title 11, U.S.C.:</p> <p>Except as provided in sections C and D below, erase or destroy the tapes sixty (60) days after the Sec. 341 meeting or any postponement or adjournment thereof. If converted to a case under Chapter 11, then as provided in section B below.</p>		

17 items

Copy to NAF
NNV.
and agency.

Request for Records Disposition Authority - Continuation

JOB NO

PAGE OF
2

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	<p>B. Cases under Chapter 11 of Title 11, U.S.C.:</p> <p>Except as provided in sections C and D below, erase or destroy the tapes ten (10) days after</p> <ol style="list-style-type: none"> (1) a Plan of Reorganization is confirmed, or (2) the case is dismissed, whichever first occurs. <p>If converted to a case under Chapter 7 or Chapter 13, then as provided in section A above.</p> <p>C. All cases under Title 11, U.S.C.:</p> <ol style="list-style-type: none"> 1. The tapes may be retained for longer than the period described in sections A and B above if the United States Trustee determines their retention to be useful for one of the following purposes: <ol style="list-style-type: none"> (a) collecting assets of the estate; (b) determining the appropriateness of discharge; (c) obtaining relevant information about the affairs of the debtor; (d) investigating the organizational structure of the debtor; (e) fixing compensation of professional persons; (f) investigating or prosecuting criminal conduct, including but not limited to perjury. <p>If the tapes are retained pursuant to this section C(1), they may be erased or destroyed when the United States Trustee determines that the basis for retention no longer exists, which shall ordinarily be no later than the date of closing of the case.</p> <ol style="list-style-type: none"> 2. The tapes may be retained for a shorter period than described in sections A and B above if <ol style="list-style-type: none"> (a) a record is taken by sound recording, or by a reporter qualified to take a verbatim record of court proceedings by shorthand or similar means, and the reporter or the operator of the recording device attaches his certificate to the record, and 		

Request for Records Disposition Authority - Continuation

JOB NO

PAGE OF
3

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	<p>(b) a certified transcript of the proceedings is made and filed with the United States Trustee or with the Bankruptcy Court.</p> <p>D. Cases regarded as significant in terms of public interest,</p> <p>1. Expressed by:</p> <p>(a) a demonstrated interest of a Congressional committee or the Executive Office of the President, or</p> <p>(b) a high degree of media attention</p> <p>2. May be erased or destroyed:</p> <p>(a) only upon the making of a certified record and a certified transcript as specified in C2(a) and (b) above, or</p> <p>(b) when the United States Trustee determines that there no longer exists a significant public interest.</p> <p>II. Applicable to the Districts of Maine, New Hampshire, Massachusetts, Rhode Island, Delaware, New Jersey, District of Columbia, Minnesota, North Dakota, South Dakota, Colorado; and to the Southern District of New York, the Eastern District of Virginia, the Northern District of Alabama, the Northern District of Texas and the Central District of California.</p> <p>A. Cases under Chapters 7 and 13 of Title 11, U.S.C.:</p> <p>Except as provided in sections IC and ID above, erase or destroy the tapes ninety (90) days after the Sec. 341 meeting or any postponement or adjournment thereof.</p> <p>If converted to a case under Chapter 11, then as provided in section IB above.</p> <p>B. The provisions of IB, IC, and ID apply.</p>		