

with respect to appeals authorized under section 158(d)(2)(A), to the extent relevant and as if such appeals were taken from final judgments, orders, or decrees of the district courts or bankruptcy appellate panels exercising appellate jurisdiction under subsection (a) or (b) of section 158 of title 28, United States Code.”

§ 159. Bankruptcy statistics

(a) The clerk of the district court, or the clerk of the bankruptcy court if one is certified pursuant to section 156(b) of this title, shall collect statistics regarding debtors who are individuals with primarily consumer debts seeking relief under chapters 7, 11, and 13 of title 11. Those statistics shall be in a standardized format prescribed by the Director of the Administrative Office of the United States Courts (referred to in this section as the “Director”).

(b) The Director shall—

(1) compile the statistics referred to in subsection (a);

(2) make the statistics available to the public; and

(3) not later than July 1, 2008, and annually thereafter, prepare, and submit to Congress a report concerning the information collected under subsection (a) that contains an analysis of the information.

(c) The compilation required under subsection (b) shall—

(1) be itemized, by chapter, with respect to title 11;

(2) be presented in the aggregate and for each district; and

(3) include information concerning—

(A) the total assets and total liabilities of the debtors described in subsection (a), and in each category of assets and liabilities, as reported in the schedules prescribed pursuant to section 2075 of this title and filed by debtors;

(B) the current monthly income, average income, and average expenses of debtors as reported on the schedules and statements that each such debtor files under sections 521 and 1322 of title 11;

(C) the aggregate amount of debt discharged in cases filed during the reporting period, determined as the difference between the total amount of debt and obligations of a debtor reported on the schedules and the amount of such debt reported in categories which are predominantly nondischargeable;

(D) the average period of time between the date of the filing of the petition and the closing of the case for cases closed during the reporting period;

(E) for cases closed during the reporting period—

(i) the number of cases in which a reaffirmation agreement was filed; and

(ii)(I) the total number of reaffirmation agreements filed;

(II) of those cases in which a reaffirmation agreement was filed, the number of cases in which the debtor was not represented by an attorney; and

(III) of those cases in which a reaffirmation agreement was filed, the number of cases in which the reaffirmation agreement was approved by the court;

(F) with respect to cases filed under chapter 13 of title 11, for the reporting period—

(i)(I) the number of cases in which a final order was entered determining the value of property securing a claim in an amount less than the amount of the claim; and

(II) the number of final orders entered determining the value of property securing a claim;

(ii) the number of cases dismissed, the number of cases dismissed for failure to make payments under the plan, the number of cases refiled after dismissal, and the number of cases in which the plan was completed, separately itemized with respect to the number of modifications made before completion of the plan, if any; and

(iii) the number of cases in which the debtor filed another case during the 6-year period preceding the filing;

(G) the number of cases in which creditors were fined for misconduct and any amount of punitive damages awarded by the court for creditor misconduct; and

(H) the number of cases in which sanctions under rule 9011 of the Federal Rules of Bankruptcy Procedure were imposed against the debtor’s attorney or damages awarded under such Rule.

(Added Pub. L. 109–8, title VI, §601(a), Apr. 20, 2005, 119 Stat. 119; amended Pub. L. 111–327, §2(c)(2), Dec. 22, 2010, 124 Stat. 3563.)

REFERENCES IN TEXT

The Federal Rules of Bankruptcy Procedure, referred to in subsec. (c)(3)(H), are set out in the Appendix to Title 11, Bankruptcy.

AMENDMENTS

2010—Subsec. (c)(3)(H). Pub. L. 111–327 inserted “the” after “against”.

EFFECTIVE DATE

Pub. L. 109–8, title VI, §601(c), Apr. 20, 2005, 119 Stat. 120, provided that: “The amendments made by this section [enacting this section] shall take effect 18 months after the date of enactment of this Act [Apr. 20, 2005].”

CHAPTER 7—UNITED STATES COURT OF FEDERAL CLAIMS

Sec.

171.	Appointment and number of judges; character of court; designation of chief judge.
172.	Tenure and salaries of judges.
173.	Times and places of holding court.
174.	Assignment of judges; decisions.
175.	Official duty station; residence.
176.	Removal from office.
177.	Disbarment of removed judges.
178.	Retirement of judges of the Court of Federal Claims.
179.	Personnel application and insurance programs.
[180.]	Repealed.]

AMENDMENTS

2000—Pub. L. 106–518, title III, §309(b), Nov. 13, 2000, 114 Stat. 2420, substituted “Personnel application and insurance programs” for “Insurance and annuities programs” in item 179.

Pub. L. 106–398, §1 [[div. A], title VI, §654(b)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A–165, struck out item 180 “Military retirement pay for retired judges”.