

# Weekly Bankruptcy Analysis

## October 11-17, 2021

*Written by:*

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Bankruptcy filings remained low for the week ending October 10, down by over 20 percent from the same week last year. Chapter 13 filings compared to last year have been trending upward in recent weeks, possibly as a result of increased foreclosure activity.

Compared to the same week two years ago (pre-pandemic), bankruptcy filings are down by about half.

<b>Bankruptcy Filings October 11 - 17, 2021</b>			
Type of Case	Number Filed	Percent Change From Same Week Last Two Years	
		2020	2019
<b>Total</b>	<b>6,620</b>	<b>-20.6%</b>	<b>-51.5%</b>
<b>- Chapter 7</b>	<b>4,120</b>	<b>-31.9%</b>	<b>-52.3%</b>
<b>- Chapter 11</b>	<b>119</b>	<b>N/A*</b>	<b>N/A*</b>
<b>- Chapter 13</b>	<b>2,376</b>	<b>11.7%</b>	<b>-51.8%</b>
<b>- Other Cases**</b>	<b>5</b>	<b>-73.7%</b>	<b>-58.3%</b>
<p><b>* Data on chapter 11 filings in prior years comes from the Integrated Data Base published by the Federal Judicial Center. This information is temporarily unavailable.</b></p>			
<p><b>** Chapters 9, 12 and 15</b></p>			

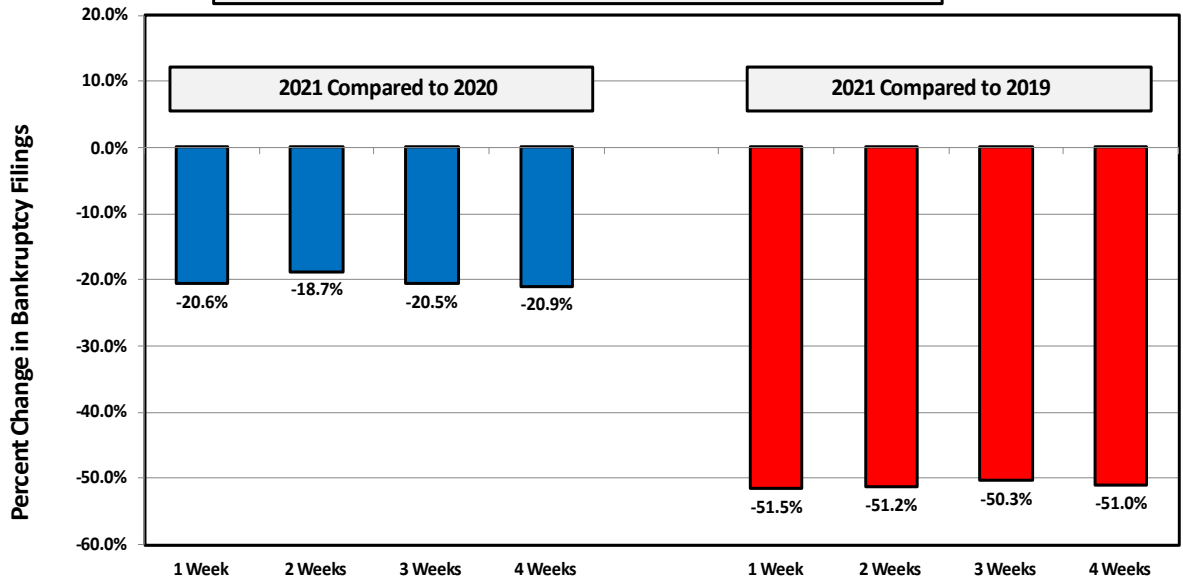
The following charts show recent weekly filing trends by chapter compared to 2020 and 2019.

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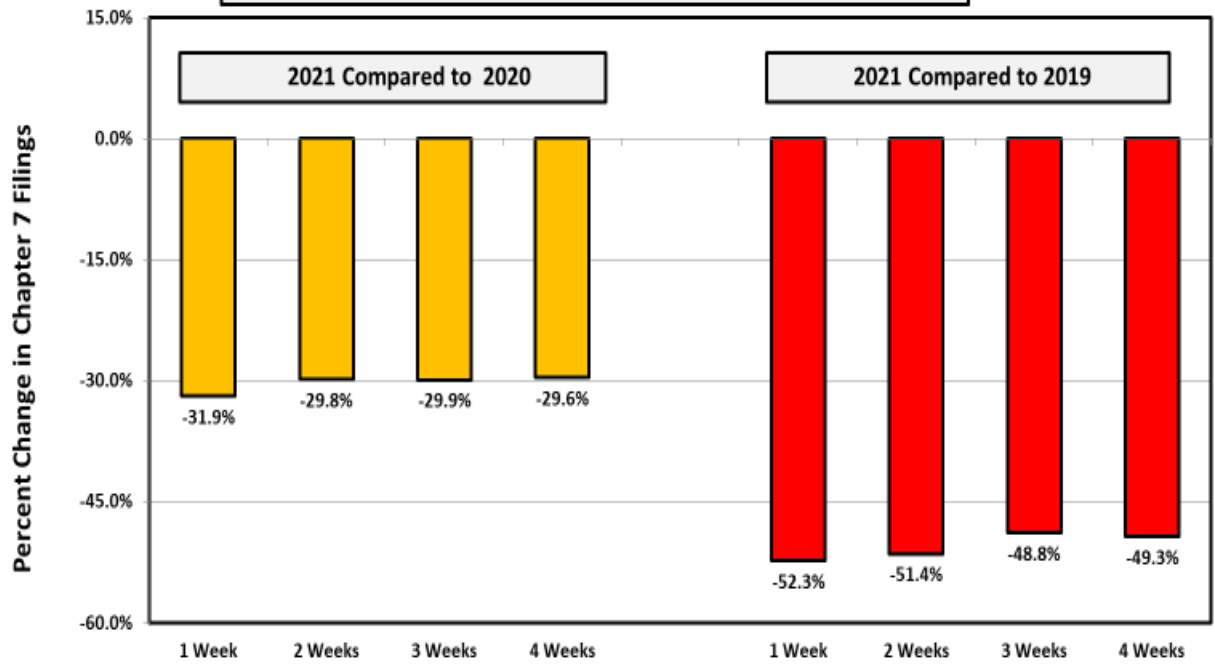
Week Ending  
October 17

### Bankruptcy Filing Trends (All Chapters) Percent Change From 2020 and 2019



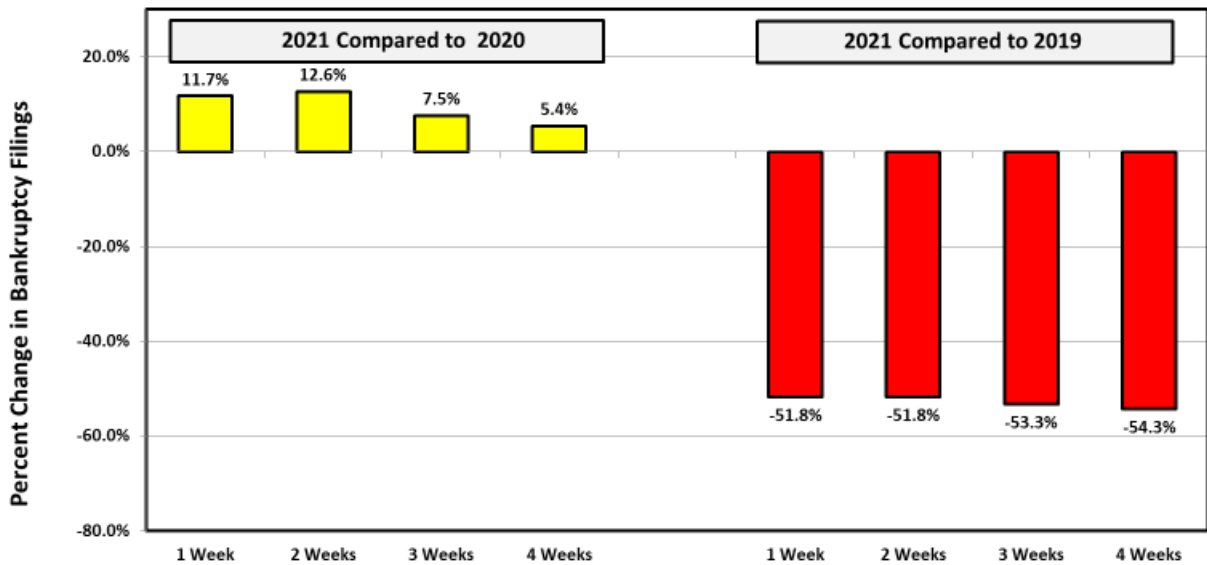
Week Ending  
October 17

### Chapter 7 Filing Trends Percent Change From 2020 and 2019



Week Ending  
October 17

**Chapter 13 Filing Trends**  
Percent Change From 2020 and 2019



**Chapter 11 Cases**

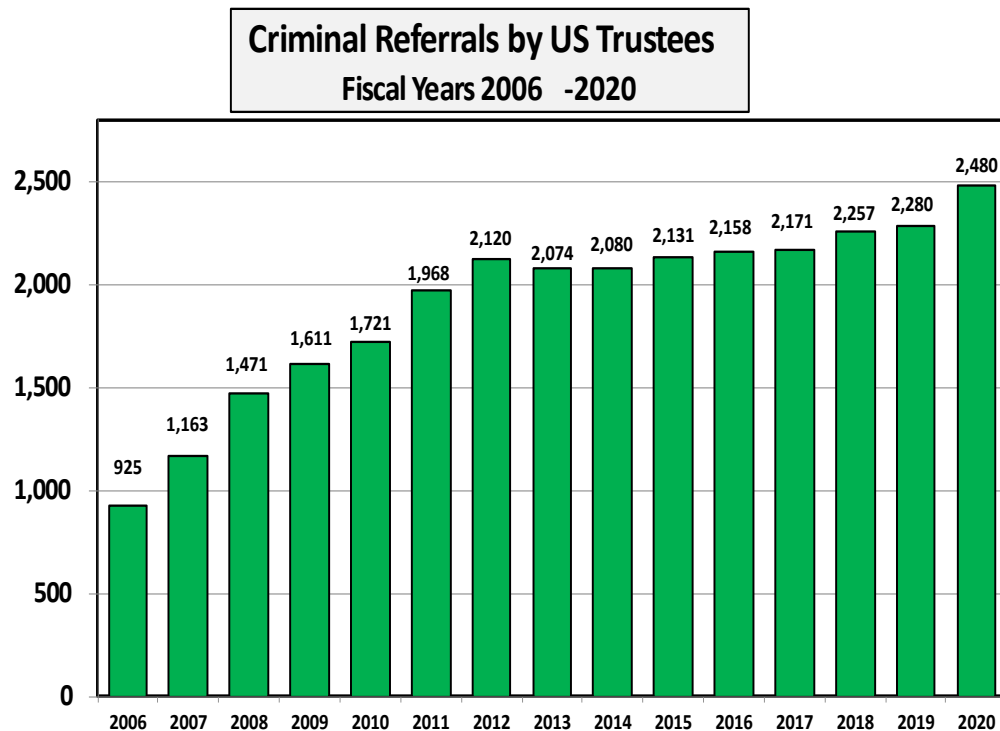
The 119 chapter 11 filings during the week were the highest weekly total in four months. However, more than one-half of the cases were filings related to nursing home operator Gulf Coast Health Care, LLC, which filed in Delaware on Oct. 14 along with 61 related entities. Also filing in Delaware on Oct. 14 was generic drug maker Teligent, Inc., along with three related entities. A third notable case filed on Oct. 14 involved LTL Management LLC. The affiliate of Johnson & Johnson responsible for talc-based liabilities filed in the Western District of North Carolina.

<b>Types of Chapter 11 Cases Filed</b>	
	<b>October 11 - 17, 2021</b>
<b>Total Filed</b>	<b>119</b>
<b>Solo Cases</b>	<b>47</b>
<b>Parent Cases</b>	<b>5</b>
<b>Child Cases</b>	<b>67</b>
<b><i>Filed By Individuals</i></b>	<b><i>10</i></b>
<b>Subchapter V Cases</b>	<b>22</b>

## Criminal Referrals Resulting from Bankruptcy Cases

Eighteen categories of criminal behavior are described in chapter 9 of title 18 of the U.S. Code. In addition to these bankruptcy-specific statutes, there are dozens of other federal statutes that can be used as the basis of criminal charges in the bankruptcy arena.

The Executive Office for U.S. Trustees (EOUST) has produced an annual report since 2006 on criminal referrals made to U.S. Attorneys in bankruptcy cases.<sup>2</sup> Over the last 15 years, more than 28,000 criminal referrals have been made. The following chart shows total referrals by year between Fiscal Years 2006 and 2020.<sup>3</sup> Despite the pandemic, referrals were at an all-time high in Fiscal Year 2020.



The EOUST reports also detail the allegations made in the criminal referrals, many of which contain more than one allegation. The 28,610 referrals recorded over the last 15 years have included 53,210 allegations in total. Following are the 10 most common allegations in the criminal referrals.

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<sup>2</sup> These figures do not include referrals made in North Carolina and Alabama, which are not part of the U.S. Trustee System.

<sup>3</sup> The Government Fiscal Year is the 12-month period ending September 30 of each year.

<b>Criminal Referrals Fiscal Years 2006 - 2020</b>		
<b>Total Criminal Referrals</b>	<b>28,610</b>	<b>Percent of Cases With This Allegation</b>
<b>Total Allegations</b>	<b>53,210</b>	
<b>Nature of Allegation</b>		
<b>Tax Issues</b>	<b>11,645</b>	<b>40.7%</b>
<b>False Oath/Statement</b>	<b>8,953</b>	<b>31.3%</b>
<b>Concealment of Assets</b>	<b>7,171</b>	<b>25.1%</b>
<b>Bankruptcy Fraud</b>	<b>5,973</b>	<b>20.9%</b>
<b>Identity Theft</b>	<b>4,750</b>	<b>16.6%</b>
<b>Perjury/False Statements</b>	<b>2,421</b>	<b>8.5%</b>
<b>Mail/Wire Fraud</b>	<b>1,800</b>	<b>6.3%</b>
<b>Mortgage/Real Estate Fraud</b>	<b>1,648</b>	<b>5.8%</b>
<b>Conceal/Destroy Documents</b>	<b>1,331</b>	<b>4.7%</b>
<b>Bank Fraud</b>	<b>1,065</b>	<b>3.7%</b>

See ABI Headlines for news of the latest filings at <https://www.abi.org/newsroom/headlines>.