

## BANKRUPTCY COURT FEES

<b>New Petition:</b>	<b>Chapter 7</b>	<b>\$ 299.00</b>
	<b>Chapter 9</b>	<b>\$ 1,039.00</b>
	<b>Chapter 11 (not a Railroad)</b>	<b>\$ 1,039.00</b>
	<b>Chapter 11 (Railroad)</b>	<b>\$ 1,039.00</b>
	<b>Chapter 12 (Family Farmer)</b>	<b>\$ 239.00</b>
	<b>Chapter 13</b>	<b>\$ 274.00</b>
	<b>Chapter 15</b>	<b>\$ 1,039.00</b>
<b>Adversary Proceeding:</b>		<b>\$ 250.00</b>
<b>Case Reopening or Bifurcation:</b>	<b>Chapter 7</b>	<b>\$ 260.00</b>
	<b>Chapter 13</b>	<b>\$ 235.00</b>
	<b>Chapter 11</b>	<b>\$ 1,000.00</b>
	<b>Chapter 12</b>	<b>\$ 200.00</b>
	<b>Chapter 15</b>	<b>\$ 1,000.00</b>
<b>Case Conversions:</b>		
	<b>Chapter 7 to Chapter 13</b>	<b>None</b>
	<b>Chapter 7 to Chapter 12</b>	<b>None</b>
	<b>Chapter 7 to Chapter 11</b>	<b>\$ 755.00</b>
	<b>Chapter 13 to Chapter 11</b>	<b>\$ 765.00</b>
	<b>Chapter 13 to Chapter 7</b>	<b>\$ 25.00</b>
	<b>Chapter 13 to Chapter 12</b>	<b>None</b>
	<b>Chapter 12 to Chapter 7</b>	<b>\$ 60.00</b>
	<b>Chapter 12 to Chapter 13</b>	<b>\$ 35.00</b>
	<b>Chapter 12 to Chapter 11</b>	<b>\$ 800.00</b>
	<b>Chapter 11 to Chapter 7</b>	<b>\$15.00</b>
	<b>Chapter 11 to any except Chap 7</b>	<b>None</b>
<b>Amendments:</b>	<b>Schedules "D" "E" "F"</b>	<b>\$ 26.00</b>
	<b>Master Mailing List</b>	<b>\$ 26.00</b>
<b>Motions:</b>		
	<b>Motion to Compel Abandonment of Property</b>	<b>\$ 150.00</b>
	<b>Motion to Terminate, Annul, Modify, or Condition the Automatic Stay</b>	<b>\$ 150.00</b>
	<b>Motion to Withdraw Reference</b>	<b>\$ 150.00</b>
<b>Appeal Fee</b>		<b>\$ 255.00</b>
<b>Direct Appeal Fee</b>		<b>\$ 200.00</b>
<b>Pro Hac Vice Fee</b>		<b>\$ 200.00</b>
<b>Attorney Admission Fee</b>		<b>\$ 170.00</b>
<b>Copies (per page)</b>		<b>\$ 0.50</b>
		<b>(\$0.10 at Public Terminals in Courthouse)</b>
<b>Certification</b>		<b>\$ 9.00</b>
<b>Certificate of Good Standing</b>		<b>\$ 15.00</b>
<b>Duplicate Certificate of Admission</b>		<b>\$ 15.00</b>
<b>Exemplification</b>		<b>\$ 18.00</b>
<b>Check Returned for Lack of Funds</b>		<b>\$ 45.00</b>

<b>Retrieval of Records from Archives</b>	<b>\$ 45.00</b>
<b>Reproduction of Recordings</b>	<b>\$ 26.00</b>
<b>Search of Records</b>	<b>\$ 26.00</b>
<b>Filing or Indexing</b> (in a case or proceeding where a filing fee has not been paid)	<b>\$ 39.00</b>

**Bankruptcy Court Miscellaneous Fee Schedule (28 U.S.C. § 1930)**

The fees included in the Bankruptcy Court Miscellaneous Fee Schedule are to be charged for services provided by the bankruptcy courts.

- The United States should not be charged fees under this schedule, with the exception of those specifically prescribed in Items 1, 3 and 5 when the information requested is available through remote electronic access.
  - Federal agencies or programs that are funded from judiciary appropriations (agencies, organizations, and individuals providing services authorized by the Criminal Justice Act, 18 U.S.C. § 3006A, and bankruptcy administrators) should not be charged any fees under this schedule.
- (1) For reproducing any document, \$.50 per page. This fee applies to services rendered on behalf of the United States if the document requested is available through electronic access.
  - (2) For certification of any document, \$9.  
For exemplification of any document, \$18.
  - (3) For reproduction of an audio recording of a court proceeding, \$26. This fee applies to services rendered on behalf of the United States if the recording is available electronically.
  - (4) For filing an amendment to the debtor's schedules, lists of creditors, or mailing list, \$26, except:
    - The bankruptcy judge may, for good cause, waive the charge in any case.
    - This fee must not be charged if -
      - the amendment is to change the address of a creditor or an attorney for a creditor listed on the schedules; or
      - the amendment is to add the name and address of an attorney for a creditor listed on the schedules.
  - (5) For conducting a search of the bankruptcy court records, \$26 per name or item searched. This fee applies to services rendered on behalf of the United States if the information requested is available through electronic access.

- (6) For filing a complaint, \$250, except:
- If the trustee or debtor-in-possession files the complaint, the fee should be paid by the estate, if there is an estate.
  - This fee must not be charged if -
    - the debtor is the plaintiff; or
    - a child support creditor or representative files the complaint and submits the form required by § 304(g) of the Bankruptcy Reform Act of 1994.
- (7) For filing any document that is not related to a pending case or proceeding, \$39.
- (8) Administrative fee for filing a case under Title 11 or when a motion to divide a joint case under Title 11 is filed, \$39.
- (9) For payment to trustees pursuant to 11 U.S.C. § 330(b)(2), a \$15 fee applies in the following circumstances:
- For filing a petition under Chapter 7.
  - For filing a motion to reopen a Chapter 7 case.
  - For filing a motion to divide a joint Chapter 7 case.
  - For filing a motion to convert a case to a Chapter 7 case.
  - For filing a notice of conversion to a Chapter 7 case.
- (10) In addition to any fees imposed under Item 9, above, the following fees must be collected:
- For filing a motion to convert a Chapter 12 case to a Chapter 7 case or a notice of conversion pursuant to 11 U.S.C. § 1208(a), \$45.
  - For filing a motion to convert a Chapter 13 case to a Chapter 7 case or a notice of conversion pursuant to 11 U.S.C. § 1307(a), \$10.

The fee amounts in this item are derived from the fees prescribed in 28 U.S.C. § 1930(a).

If the trustee files the motion to convert, the fee is payable only from the estate that exists prior to conversion.

If the filing fee for the chapter to which the case is requested to be converted is less than the fee paid at the commencement of the case, no refund may be provided.

- (11) For filing a motion to reopen, the following fees apply:
- For filing a motion to reopen a Chapter 7 case, \$245.
  - For filing a motion to reopen a Chapter 9 case, \$1000.
  - For filing a motion to reopen a Chapter 11 case, \$1000.
  - For filing a motion to reopen a Chapter 12 case, \$200.
  - For filing a motion to reopen a Chapter 13 case, \$235.
  - For filing a motion to reopen a Chapter 15 case, \$1000.

The fee amounts in this item are derived from the fees prescribed in 28 U.S.C. § 1930(a).

The reopening fee must be charged when a case has been closed without a discharge being entered.

The court may waive this fee under appropriate circumstances or may defer payment of the fee from trustees pending discovery of additional assets. If payment is deferred, the fee should be waived if no additional assets are discovered.

The reopening fee must not be charged in the following situations:

- to permit a party to file a complaint to obtain a determination under Rule 4007(b); or
  - when a debtor files a motion to reopen a case based upon an alleged violation of the terms of the discharge under 11 U.S.C. § 524.
- (12) For retrieval of a record from a Federal Records Center, National Archives, or other storage location removed from the place of business of the court, \$45.
- (13) For a check paid into the court which is returned for lack of funds, \$45.
- (14) For filing an appeal or cross appeal from a final judgment, \$250.

This fee is collected in addition to the statutory fee of \$5 that is collected under 28 U.S.C. § 1930(c) when a notice of appeal is filed.

Parties filing a joint notice of appeal should pay only one fee.

If a trustee or debtor in possession is the appellant, the fee must be payable only from the estate and to the extent there is any estate realized.

Upon notice from the court of appeals that a direct appeal or direct cross appeal has been authorized, an additional fee of \$200 must be collected.

(15) For filing a case under Chapter 15 of the Bankruptcy Code, \$1000.

This fee is derived from and equal to the fee prescribed in 28 U.S.C. § 1930(a)(4) for filing a case commenced under Chapter 11 of Title 11.

(16) The court may charge and collect fees commensurate with the cost of providing copies of the local rules of court. The court may also distribute copies of the local rules without charge.

(17) The clerk shall assess a charge for the handling of registry funds deposited with the court, to be assessed from interest earnings and in accordance with the detailed fee schedule issued by the Director of the Administrative Office of the United States Courts.

(18) For filing a motion to divide a joint case filed under 11 U.S.C. § 302, the following fees apply:

- For filing a motion to divide a joint Chapter 7 case, \$245.
- For filing a motion to divide a joint Chapter 11 case, \$1000.
- For filing a motion to divide a joint Chapter 12 case, \$200.
- For filing a motion to divide a joint Chapter 13 case, \$235.

These fees are derived from and equal to the filing fees prescribed in 28 U.S.C. § 1930(a).

(19) For filing the following motions, \$150:

- To terminate, annul, modify or condition the automatic stay;
- To compel abandonment of property of the estate pursuant to Rule 6007(b) of the Federal Rules of Bankruptcy Procedure; or
- To withdraw the reference of a case or proceeding under 28 U.S.C. § 157(d).

This fee must not be collected in the following situations:

- For a motion for relief from the co-debtor stay;
- For a stipulation for court approval of an agreement for relief from a stay; or
- For a motion filed by a child support creditor or its representative, if the form required by § 304(g) of the Bankruptcy Reform Act of 1994 is filed.

## Frequently Asked Questions Changes to Bankruptcy Fees

### Item 6 - Adversary Filing Fee

1. *What is the fee for filing an adversary proceeding in a bankruptcy court?* \$250.
2. *Will the adversary filing fee change if the civil action filing fee in District Court changes in the future?*

No, the two fees are no longer linked.

### Item 10 - Fee for Conversions

#### Original Case Is a Chapter 7

3. *What is the fee for filing a motion to convert a Chapter 7 case to a Chapter 13?*

No fee is charged. The Judicial Conference agreed that in the event that a case is converted to a chapter with a lower filing fee, no additional fee is charged and no refund will be allowed. The Chapter 7 statutory filing fee is \$245 while the Chapter 13 statutory filing fee is \$235, thus no fee is charged.

4. *What is the fee for filing a motion to convert a Chapter 7 case to a Chapter 11?*

The fee for filing a motion to convert a Chapter 7 case to a Chapter 11 will be \$755 - the difference between the statutory filing fee for a Chapter 11 (\$1,000) and the statutory fee for filing a Chapter 7 case (\$245).

5. *What is the fee for filing a motion to convert a Chapter 7 case to a Chapter 12?*

No fee is charged. The Judicial Conference agreed that in the event that a case is converted to a chapter with a lower filing fee, no additional fee will be charged and no refund will be allowed. The Chapter 7 statutory filing fee is \$245 while the Chapter 12 statutory filing fee is \$200, thus no fee is charged.

#### Original Case is a Chapter 11

6. *What is the fee for filing a motion to convert a Chapter 11 case to a Chapter 7?*

The fee for filing a motion to convert a Chapter 11 case to a Chapter 7 is \$15 pursuant to Item 10.

*7. What is the fee for filing a motion to convert a chapter 11 case to any chapter other than Chapter 7?*

No fee is charged. The Judicial Conference agreed that in the event that a case is converted to a chapter with a lower filing fee, no additional fee will be charged and no refund will be allowed. The Chapter 11 filing fee is greater than or equal to all other fees.

Original Case is a Chapter 12

*8. What is the fee for filing a motion to convert a Chapter 12 case to a Chapter 7 case?*

The total fee for filing a motion to convert a Chapter 12 case to a Chapter 7 case is \$60. This \$60 fee includes: the \$15 fee currently required in Item 10 for converting to a Chapter 7, plus an additional \$45 - the difference between the Chapter 7 statutory filing fee (\$245) and the Chapter 12 statutory filing fee (\$200).

*9. What is the fee for filing a motion to convert a Chapter 12 case to a Chapter 13 case?*

The total fee for filing a motion to convert a Chapter 12 case to a Chapter 13 is \$35 - the difference between the Chapter 13 statutory filing fee (\$235) and the Chapter 12 statutory filing fee (\$200).

*10. What is the fee for filing a motion to convert a Chapter 12 case to a Chapter 11 case?*

The total fee for filing a motion to convert a Chapter 12 case to a Chapter 11 case is \$800 - the difference between the statutory filing fee for a Chapter 11 (\$1,000) and the statutory filing fee for filing a Chapter 12 (\$200).

Original Case is a Chapter 13

*11. What is the fee for filing a motion to convert a Chapter 13 case to a Chapter 7?*

The total fee for filing a motion to convert a Chapter 13 case to a Chapter 7 case is \$25. This fee of \$25 includes: the \$15 fee for converting to a Chapter 7 currently required by item 10, plus an additional \$10 - the difference between the Chapter 7 statutory filing fee (\$245) and the Chapter 13 statutory filing fee (\$235).

*12. What is the fee for filing a motion to convert a Chapter 13 case to a Chapter 12?*

No fee is charged. The Judicial Conference agreed that in the event that a case is converted to a chapter with a lower filing fee, no additional fee is charged and no refund will be given. The Chapter 12 statutory filing fee is \$200 while the Chapter 13 statutory filing fee is \$235, thus no fee is charged.

*13. What is the fee for filing a motion to convert a Chapter 13 case to a Chapter 11?*

The fee for filing a motion to convert a Chapter 13 case to a Chapter 11 case will be \$765 - the difference between the statutory filing fee for a Chapter 11 case (\$1,000) and the statutory fee for filing a Chapter 13 case (\$235).

Sua Sponte Conversions by the Court

*14. What is the fee when the court orders a conversion of a case to another chapter under the Bankruptcy Code?*

No fee is charged when the conversion order is made sua sponte (i.e., on its own) by the court, in the absence of a notice or request of a party.

**Item 11 -Reopening Fee**

*15. What is the fee to reopen a Chapter 7 case?*

The total fee for filing a motion to reopen a Chapter 7 case will be \$260. This amount includes the reopening fee of \$245 plus the \$15 fee required by Item 11 to be paid to case trustees pursuant to statutory directive under 11 U.S.C. § 330(b)(2).

*16. What is the fee to reopen a Chapter 11 case?*

The total fee for filing a motion to reopen a Chapter 11 case is \$1,000.

*17. What is the fee to reopen a Chapter 12 case?*

The total fee for filing a motion to reopen a Chapter 12 case is \$200.

*18. What is the fee to reopen a Chapter 13 case?*

The total fee for filing a motion to reopen a Chapter 13 case is \$235.

*19. What is the fee to reopen a Chapter 15 case?*

The total fee for filing a motion to reopen a Chapter 15 case is \$1,000.

*20. What situations trigger the exemption from the fee for a motion to reopen a case?*

The exemption from paying the fee to reopen a case can be applied in only two situations. These two situations are: (1) reopening a case to permit a party to file a complaint to obtain a determination under Rule 4007(b), or, (2) reopening a case when a creditor is

violating the terms of the discharge under 11 U.S.C. § 524.

*21. A debtor fails to complete a financial management course in order to be eligible for discharge as required by BAPCPA. The case is closed without a discharge being granted. The debtor files a motion to reopen the case for the purpose of filing the financial management certificate. Can the debtor assert that the filing is related to the discharge and be exempt from paying the fee?*

No. In order to resolve any ambiguity with regard to the exemption from the reopening fee, the Judicial Conference amended Item 11 of the Bankruptcy Court Miscellaneous Court Fee Schedule to expressly state that the fee applies to a request to reopen a case in which the court did not enter a discharge. Therefore, a debtor seeking to reopen a case to file the certificate of completion of a financial management course must pay the reopening fee, as no discharge has been granted in the case.

### **Item 19 - Splitting a Joint Case**

*22. What is the fee for filing a motion to divide a joint Chapter 7 case into two separate cases at the request of the debtor(s)?*

The total fee for filing a motion to split a joint Chapter 7 case will be \$260. This amount includes the fee for splitting a Chapter 7 case of \$245 plus the \$15 fee required by Item 19 to be paid to case trustees pursuant to statutory directive under 11 U.S.C. § 330(b)(2).

*23. What is the fee for filing a motion to divide a joint Chapter 11 case into two separate cases at the request of the debtor(s)?*

The fee for filing a motion to split a joint Chapter 11 case is \$1,000.

*24. What is the fee for filing a motion to divide a joint Chapter 12 case into two separate cases at the request of the debtor(s)?*

The fee for filing a motion to split a joint Chapter 12 case is \$200.

*25. What is the fee for filing a motion to divide a joint Chapter 13 case into two separate cases at the request of the debtor(s)?*

The fee for filing a motion to split a joint Chapter 13 case is \$235.

### **Items 15 and 21 - Filing Fees for Appeals and Fee for Direct Appeals**

*26. What is the fee for filing an appeal from a bankruptcy court decision to the district court or Bankruptcy Appellate Panel (BAP)?*

The total fee for filing an appeal to the district court or the BAP is \$255. This amount includes the \$250 fee required by Item 15 plus the \$5 notice of appeal fee required by 28 U.S.C. §1930(c).

*27. What is the fee for filing a cross appeal from a bankruptcy court decision to the District Court or Bankruptcy Appellate Panel(BAP)?*

The total fee for filing a cross appeal to the district court or the BAP is \$255. This amount includes the \$250 fee required by Item 21 plus the \$5 notice of appeal fee required by 28 U.S.C. §1930(c).

*28. What is the fee for filing a direct appeal from a bankruptcy court decision to the Court of Appeals?*

The fee for **requesting** a direct appeal from a bankruptcy court decision to the Court of Appeals is \$255. This amount includes the \$250 fee required by Item 15 plus the \$5 notice of appeal fee required by 28 U.S.C. §1930(c). If the court of appeals **authorizes** the direct appeal, an **additional** fee of \$200 will be collected by the bankruptcy clerk, as required by Item 15 of the Bankruptcy Court Miscellaneous Fee Schedule.

*29. What is the fee for filing a direct cross appeal from a bankruptcy court decision to the Court of Appeals?*

The fee for **requesting** a direct cross appeal from a bankruptcy court decision to the Court of Appeals is \$255. This amount includes the \$250 fee required by Item 21 plus the \$5 notice of appeal fee required by 28 U.S.C. §1930(c). If the court of appeals **authorizes** the direct cross appeal, an **additional** fee of \$200 will be collected by the bankruptcy clerk as required by Item 21 of the Bankruptcy Court Miscellaneous Fee Schedule.