

UNITED STATES DISTRICT & BANKRUPTCY COURTS
DISTRICT OF IDAHO

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**NOTICE OF DISTRICT AND BANKRUPTCY
FEE CHANGES EFFECTIVE DECEMBER 1, 2020**

District Court Miscellaneous Fee Schedule (28 U.S.C. § 1914)

Item No.	Description of Fee	Current Fee	Approved New Fee
1	For filing any document that is not related to a pending case or proceeding.	\$47	\$49
2	Search Fee	\$31	\$32
3	Exemplification	\$22	\$23
5	For reproduction of an audio recording of a court proceeding...	\$31	\$32
9	Misdemeanor Appeal	\$38	\$39
10	For original admission of attorney to practice, including a certificate of admission	\$181	\$188
10	For a duplicate certificate of admission or certificate of good standing	\$19	\$20
13	Cuban Liberation Civil Filing Fee	\$6,548	\$6,800
14	Administrative Fee for Filing a Civil Action, Suit or Proceeding in a District Court	\$50	\$52

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

Item No.	Description	Current Fee	Approved New Fee
2	Exemplification	\$22	\$23
3	For reproduction of an audio recording of a court proceeding	\$31	\$32
4	For filing an amendment to the debtor's schedules...	\$31	\$32
5	Search Fee	\$31	\$32
7	For filing any document that is not related to a pending case or proceeding	\$47	\$49
8	Administrative fee	<p>For filing a petition under Chapter 7, 12, or 13, \$75.</p> <p>For filing a petition under Chapter 9, 11, or 15, \$550.</p> <p>When a motion to divide a joint case under Chapter 7, 12, or 13 is filed, \$75.</p> <p>When a motion to divide a joint case under Chapter 11 is filed, \$550.</p>	<p>For filing a petition under Chapter 7, 12, or 13, \$78.</p> <p>For filing a petition under Chapter 9, 11, or 15, \$571.</p> <p>When a motion to divide a joint case under Chapter 7, 12, or 13 is filed, \$78.</p> <p>When a motion to divide a joint case under Chapter 11 is filed, \$571.</p>
19	<p>For filing the following motions:</p> <ul style="list-style-type: none"> • To terminate, annul, modify or condition the automatic stay; • To compel the abandonment of property of the estate • To withdraw the reference of a case or proceeding • To sell property of the estate free and clear of liens under sec. 363(f) 	\$181	\$188
20	Claims Transfer	\$25	\$26
21	Motion to Redact	\$25	\$26

By statute, the Judicial Conference may prescribe miscellaneous fees for the bankruptcy courts. At its September 2020 session, the Judicial Conference approved an amendment to Item 11 of the Bankruptcy Court Miscellaneous Fee Schedule to add an additional exception to this fee. This change will be effective **December 1, 2020**.

Item 11 sets forth the fees for filing a motion to reopen a bankruptcy case, states that the court may waive the fee in appropriate circumstances, and sets forth certain specific situations in which the reopening fee must not be charged. Some bankruptcy courts currently require creditors to reopen a bankruptcy case in order to file an application to withdraw unclaimed funds. In December 2017, the Committee on the Administration of the Bankruptcy System (Bankruptcy Committee) established an Unclaimed Funds Task Force (Task Force) to explore options for improving the judiciary's management of unclaimed funds attributable to bankruptcy courts. To provide clarity and promote uniformity among the bankruptcy courts, the Task Force recommended amending Item 11 to add the filing of a request to withdraw unclaimed funds from a closed case to the list of situations in which the reopening fee must not be charged, unless the court orders otherwise. The exception would not bar courts from charging the reopening fee and gives courts discretion to do so in unusual circumstances, as the language allows a court to charge the fee if the court so orders.

At their June 2020 meetings, the Committee on Court Administration and Case Management recommended that the Judicial Conference approve amending Item 11 and the Bankruptcy Committee endorsed the recommendation. At its September 2020 session, the Judicial Conference approved the amendment to Item 11.

Item 11, as amended, will state as follows (new language underlined, deleted language struck through):

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, \$1167.
- For filing a motion to reopen a Chapter 11 case, \$1167.
- 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, \$1167.

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 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; ~~or~~
- when the reopening is to correct an administrative error;
- to redact a record already filed in a case, pursuant to Fed. R. Bankr. P. 9037, if redaction is the only reason for reopening; or
- when a party files a motion to reopen a case to request to withdraw unclaimed funds, unless the court orders otherwise.