

UNITED STATES BANKRUPTCY COURT
District of Connecticut

Gary M. Gfeller
Clerk of Court

Abraham Ribicoff Federal Building and
United States Courthouse
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To: Members of the Bar and Public
From: Gary M. Gfeller
Date: May 2, 2014
Re: Fee and Form Changes Effective June 1, 2014

**CLERK'S
ANNOUNCEMENT**

14-02

Please note that there will be fee and form changes taking effect on June 1, 2014 as discussed below.

First, the Judicial Conference approved an increase to the adversary filing fee in bankruptcy proceedings. The new fee will be equivalent to the filing fee for civil cases in the district courts, \$350, an increase of \$57 from the current bankruptcy adversary filing fee of \$293. Second, the Conference approved increases to the administrative fee (currently \$46) assessed at filing in every bankruptcy case. As revised, separate administrative fees will apply to cases filed under the six different chapters of the Bankruptcy Code: a \$75 fee for Chapter 7, 12, and 13 cases, and a \$550 fee for Chapter 9, 11, and 15 cases.

The Conference also approved applying the new administrative fee structure to "divided" bankruptcy cases. Currently, married couples are permitted to file a "joint" bankruptcy case under Chapters 7, 11, 12, and 13, and pay a single administrative fee. In some instances, however, couples who file for bankruptcy jointly may later decide to divide their case into two separate cases (e.g., because of separation or divorce during the pendency of their bankruptcy case). The amended fee schedule will require that the administrative fee be paid when a case is divided (which will be the same fee as that charged for initial cases filed under that chapter).

A synopsis of the fee changes is attached and can also be viewed on the Fees page of our website at:

<http://www.ctb.uscourts.gov/filingfees.htm>

Clean and redlined versions of the revised fee schedule incorporating the changes discussed above are attached. Updated accounting fee charts will be provided shortly. In addition, Official Forms B 3A (Application for Individuals to Pay the Filing Fee in Installments) and B 3B (Application to Have the Chapter 7 Filing Fee Waived), which include specific references to the

Clerk's Announcement 14-02, Fee and Form Changes Effective June 1, 2014

dollar amounts of the fees due upon bankruptcy filing, will be updated to reflect the revised administrative fees.

Revised forms incorporating the changes are posted on the bankruptcy forms pending amendment page of the Judiciary's website at:

<http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms/BankruptcyFormsPendingChanges.aspx>

Finally, beginning August 1, 2014, the Court will no longer accept Debtors' personal checks or credit cards when paying for filing fees.

If you have any questions concerning the changes, please contact Myrna Atwater, Chief Deputy at 203-579-5809.

Attachments

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT

BANKRUPTCY COURT FEES¹ QUICK REFERENCE
EFFECTIVE JUNE 1, 2014

FILING FEES

Petitions²

Chapter 7	\$335.00
Chapter 9	\$1,717.00
Chapter 11 (non-railroad)	\$1,717.00
Chapter 12	\$275.00
Chapter 13	\$310.00
Chapter 15 (formerly known as "ancillary proceeding")	\$1,717.00
Adversary Proceeding	\$350.00
Notice of Removal	\$350.00

Appeals

Appeal (must also pay Notice of Appeal fee)	\$293.00
Cross Appeal (must also pay Notice of Appeal fee)	\$293.00
Notice of Appeal ³	\$5.00
Direct Bankruptcy Appeal to Court of Appeals ⁴ : (must also pay Notice of Appeal fee)	\$450.00

Motions

Relief From Stay	\$176.00
Sale of Property Free & Clear of Liens	\$176.00
Withdraw the Reference Under 28 U.S.C. 157(d)	\$176.00
Compel Abandonment	\$176.00

Split a Case:

Chapter 7	\$335.00
Chapter 11	\$1,717.00
Chapter 12	\$275.00
Chapter 13	\$310.00

¹ The Court accepts cash, checks, money orders, American Express, VISA, MasterCard, Discover/Novus, and Diners Club International. Debtors' personal checks and credit cards are not accepted when filing a petition. We do not accept party checks. A voluntary petition by an individual or an individual and spouse may be paid in no more than four (4) installments, upon application to the Court.

² The fee for filing a petition consists of a filing fee, an administrative fee, and, for chapter 7 petitions, a trustee surcharge, combined here for simplicity.

³ This is a mandatory fee in addition to the fee for appeals and cross appeals. It is due upon filing and may not be waived or deferred.

⁴ The fee for requesting a direct appeal or cross appeal from a bankruptcy court decision to the Court of Appeals is \$298 (\$293 appeal fee + \$5 notice of appeal fee). If the Court of Appeals authorizes the direct appeal, an additional fee of \$157 is due to the Bankruptcy Court.

Conversions⁵:

Convert Chapter 9 to Chapter 7	\$15.00
Convert Chapter 11 to Chapter 7	\$15.00
Convert Chapter 13 to Chapter 7	\$25.00
Convert Chapter 12 to Chapter 7	\$60.00
Convert Chapter 12 to Chapter 13	\$35.00
Convert Chapter 7 to Chapter 11	\$922.00
Convert Chapter 12 to Chapter 11	\$800.00
Convert Chapter 13 to Chapter 11	\$932.00

Reopen a Case:⁶

Chapter 7	\$260.00
Chapter 9	\$1,167.00
Chapter 11	\$1,167.00
Chapter 12	\$200.00
Chapter 13	\$235.00
Chapter 15	\$1,167.00

Miscellaneous Fees

Amendments to a Petition

Schedules D, E, F, and/or Mailing List/Matrix ⁷	\$30.00
Other Schedules	No Fee

Audio Recording (CD)

\$30.00

Certification

\$11.00

Exemplifications

\$21.00

Any Payment Returned/Denied for Insufficient Funds

\$53.00

Photocopies (per page)

\$0.50

Record Retrieval from Federal Records Center⁸

Contact Clerk's Office for
Fees and Instructions

\$30.00

Record Search

(No fee charged if the requested item can be found
via the computerized docket (CM/ECF))

Filing or Indexing of Miscellaneous Paper

\$46.00

Pro Hac Vice Admission

\$150.00

PACER Fees

\$0.10/page⁹

\$3.00/audio recording

Transfer Claim

\$25.00

⁵ No fee is charged when the conversion order is made on its own by the court (i.e., *sua sponte*), in the absence of a notice or request of a party. The fee to convert to Chapter 11 is payable upon **conversion**, rather than upon filing.

⁶ The exemption from paying the fee to reopen a case applies in only two situations: (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. The court may defer payment of the fee from trustees pending discovery of additional assets. The court will waive a deferred fee when no additional assets are discovered.

⁷ There is no fee to change the address of a listed creditor, or to add/change the name and address of a listed creditor's attorney.

⁸ Generally, \$64 fee for the retrieval of one box of records, \$39 for the retrieval of each additional box.

⁹ \$3.00 maximum charge per document.

Effective June 1, 2014

Bankruptcy Court Miscellaneous Fee Schedule¹

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, \$11.
For exemplification of any document, \$21.
- (3) For reproduction of an audio recording of a court proceeding, \$30. 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 of creditors, lists of creditors, or mailing list, \$30, 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, \$30 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.

¹ Issued in accordance with 28 U.S.C. § 1930.

- (6) For filing a complaint, \$350, except:
- If the trustee or debtor-in-possession files the complaint, the fee must be paid only by the estate, to the extent 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, \$46.
- (8) Administrative fee:
- For filing a petition under Chapter 7, 12, or 13, \$75.
 - For filing a petition under Chapter 9, 11, or 15, \$550.
 - When a motion to divide a joint case under Chapter 7, 12, or 13 is filed, \$75.
 - When a motion to divide a joint case under Chapter 11 is filed, \$550.
- (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, \$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 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; or
- when the reopening is to correct an administrative error.

- (12) For retrieval of one box of records from a Federal Records Center, National Archives, or other storage location removed from the place of business of the court, \$64. For retrievals involving multiple boxes, \$39 for each additional box.
- (13) For any payment returned or denied for insufficient funds, \$53.
- (14) For filing an appeal or cross appeal from a judgment, order, or decree, \$293.

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 paid only by the estate, to the extent there is an estate.

Upon notice from the court of appeals that a direct appeal or direct cross-appeal has been authorized, an additional fee of \$157 must be collected.

- (15) For filing a case under Chapter 15 of the Bankruptcy Code, \$1167.

This fee is derived from and equal to the fee prescribed in 28 U.S.C. § 1930(a)(3) 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.

For management of registry funds invested through the Court Registry Investment System, a fee at a rate of 2.5 basis points shall be assessed from interest earnings.

- (18) For a motion filed by the debtor 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, \$1167.
 - 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, \$176:
 - 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;
 - To withdraw the reference of a case or proceeding under 28 U.S.C. § 157(d); or
 - To sell property of the estate free and clear of liens under 11 U.S.C. § 363(f).

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.

- (20) For filing a transfer of claim, \$25 per claim transferred.

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- (7) For filing any document that is not related to a pending case or proceeding, \$46.
- (8) ~~Administrative fee for filing a case under title 11 or when a motion to divide a joint case under Title 11 is filed, \$46:~~
- **For filing a petition under Chapter 7, 12, or 13, \$75.**
 - **For filing a petition under Chapter 9, 11, or 15, \$550.**
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