



UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK

Robert A. Gavin, Jr.
Clerk of Court

Brooklyn (347) 394-1700
Central Islip (631) 712-6200

October 28, 2011

PUBLIC SERVICE ANNOUNCEMENT

Re: FEE SCHEDULE EFFECTIVE AS OF NOVEMBER 1, 2011

The following highlighted areas reflect all fee increases effective as of November 1, 2011:

PAYMENT OPTIONS

All filing fees must be paid by one of the following options: attorney's check; money order; certified bank check; cash or credit card (Visa, MasterCard, American Express or Discover) - *pro-se debtors must make all payments in cash or money orders made payable to the "CLERK, U.S. BANKRUPTCY COURT." Personal and Third Party Checks cannot be accepted. Do NOT send cash through the mail.

New Case Filings - Fee Schedule	Total Fees
Chapter 7 Voluntary - Liquidation	\$306.00
Chapter 7 Involuntary	\$306.00
Chapter 9 Municipality Bankruptcy	\$1,046.00
Chapter 11 Corporation ; Partnership or Individual	\$1,046.00
Chapter 11 Involuntary	\$1,046.00
Chapter 12 Family Farmer or Family Fisherman Bankruptcy	\$246.00
Chapter 13 Individual Debt Adjustment	\$281.00
Chapter 15 Ancillary and Other Cross-Border Cases	\$1,046.00

Miscellaneous Filing Fees	Total Fees
Complaints and Removal Actions [If the United States or a debtor is the plaintiff, no fee is required]	\$293.00
Notice of Appeal or Cross Appeal from a Final Judgment [\$5.00 notice of appeal fee + \$293.00 docket fee]	\$298.00
Notice of Appeal from Interlocutory Order	\$5.00
Amendment to Bankruptcy Schedules or List of Creditors [Fees apply to add or delete a creditor from schedules D, E or F] NOTE: The bankruptcy judge may, for good cause waive the charge in any case.	\$30.00
Certification	\$11.00
Exemplification of documents	\$21.00
Record Search	\$30.00
Abstract of Judgment [Fees include certification fees]	\$30.00
Document Filing/Indexing [Filing any document that is not related to a pending case or proceeding, this includes registering a judgment from another district]	\$46.00
Record Retrieval	\$53.00

Notice of Voluntary Conversion	\$25.00
Returned Check Fee	\$53.00
Audio Recording	\$30.00
Photocopies – per page	\$0.50
Electronic Printouts	\$0.10

Motion Fees	Total Fees
Motion to Terminate, Annul, Modify or Condition the Automatic Stay	\$176.00
Motion to Compel Abandonment pursuant to Rule 6007(b)	\$176.00
Motion to Withdraw Reference under 28 U.S.C. § 157(d)	\$176.00
Motion to Sever (Split/Divide a Joint Case) Chapter 7	\$306.00
Motion to Sever (Split/Divide a Joint Case) Chapter 13	\$281.00
Motion to Sever (Split/Divide a Joint Case) Chapter 11	\$1,046.00
Motion to Sever (Split/Divide a Joint Case) Chapter 12	\$246.00
Motion to Appear Pro Hac Vice [\$25.00 attorney admission fee payable to the CLERK, U.S. DISTRICT COURT, is due within 10 business days after the order granting admission is signed.]	\$25.00
Motion to Reopen Case - Ch7	\$260.00
Motion to Reopen Case - Ch9	\$1000.00
Motion to Reopen Case - Ch11	\$1,000.00
Motion to Reopen Case - Ch12	\$200.00
Motion to Reopen Case - Ch13	\$235.00
Motion to Reopen Case - Ch15	\$1,000.00
Motion to Convert Case - Ch7 to Ch11	\$755.00
Motion to Convert Case - Ch13 to Ch11	\$765.00
Motion to Convert Case - Ch11 to Ch7	\$15.00
Motion to Convert Case - Ch13 to Ch7	\$25.00
Motion to Convert Case - Ch12 to Ch7	\$60.00
Motion to Convert Case - Ch12 to Ch13	\$35.00
Motion to Convert Case - Ch12 to Ch11	\$800.00
Motion to Convert IFP Case - Ch7 to Ch13	\$274.00

Motion(s) – Fee Exemptions
<p>Motion for Relief From Stay - filed by the following:</p> <ul style="list-style-type: none"> • Child Support Creditor or its Representative, if Form B281 (<i>Appearance of Child Support Creditor or Representative</i>) required by § 304(g) of the Bankruptcy Reform Act of 1994 is filed. • Stipulation for Court Approval of an Agreement for Relief From a Stay • Motion filed a Co-debtor
<p>Motion to Reopen – filed for the following reasons:</p> <ul style="list-style-type: none"> • To permit a party to file a complaint to obtain a determination under Rule 4007(b) • Filed by debtor to reopen based upon an alleged violation of the terms of the discharge under 11 U.S.C. § 324. • To correct an administrative error
<p>NOTE:</p> <ul style="list-style-type: none"> • The fee is DUE upon filing a request to reopen a case in which the court did not enter a discharge due to the debtor’s failure to file a “Certificate of completion of a Financial Management Course.” • The court may waive the filing fee under appropriate circumstances or defer payment of the fee from trustees pending discovery of additional assets – [If the payment is deferred, the fee should be waived if no additional assets are discovered.] • IFP Applicants – Debtor’s previously awarded approval to waive the court’s initial filing fee; when filing a motion to reopen must file with the court a NEW application to waive the reopening fee.

FEE ASSESSMENTS	Court Fees
Administrative Fees - For filing a case under Title 11 <i>or</i> when a motion to divide a joint case under Title 11 is filed.	\$46.00
Trustee's Fee - Pursuant to 11 U.S.C. § 330(b)(2) a trustee fee applies to the following: <ul style="list-style-type: none"> • 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 	\$15.00
Amendments – The filing fee does NOT apply in any of the following instances: <ul style="list-style-type: none"> • Changing the address of a creditor or the attorney for the creditor • Adding the Name and Address of an Attorney for a creditor listed on the schedules. 	\$30.00
Appeals – All fees are NOT due at the time of filing in certain instances: <ul style="list-style-type: none"> • Fees on Appeals or Cross Appeal filed by the Bankruptcy Trustee and/or Chapter 11 Debtor-in-possession are payable only from the estate (if applicable). • This pertains to the \$293.00 docketing fee ONLY; the \$5.00 Notice of Appeal Fee authorized under 28 U.S.C. § 1930 (c) must be paid at the time of filing by any party filing a Notice of Appeal or Cross Appeal. 	
NOTE: A separate fee is to be paid by each party filing a Notice of Appeal <i>or</i> Cross Appeal. [Exceptions: Parties filing a Joint Notice of Appeal are required to pay ONLY ONE FEE.]	\$298.00
Direct Appeals – Upon notice from the Court of Appeals that a direct appeal from the bankruptcy court has been authorized; the Appellant shall pay an additional fee.	\$157.00
Complaint (Adversary Proceedings) – The filing fee is NOT due if any of the following apply: <ul style="list-style-type: none"> • If the trustee or debtor-in-possession files the complaint, the fee should be paid by the estate (if applicable) • If the debtor is the Plaintiff • If the Plaintiff is a Child Support Creditor or Representative; parties must file with the court Form B281(Appearance of Child Support Creditor or Representative) required by § 304(g) of the Bankruptcy Reform Act of 1994 	\$293.00
Conversions (Motion to Convert or Notice of Conversion) - If the filing fee for the chapter to which the case is requested to be converted exceeds that of the initial filing fee of the original chapter a fee will be assessed to ensure that all debtors pay the same amount. <ul style="list-style-type: none"> • Ch. 11 to Ch. 7: \$15.00 (Trustee Fee) • Ch. 13 to Ch. 7: \$25.00 (\$15.00 Trustee Fee + \$10.00 filing fee differential) • Ch. 12 to Ch. 7: \$60.00 (\$15.00 Trustee Fee + \$60.00 filing fee differential) • Ch.12 to Ch. 13: \$35.00 (filing fee differential) 	
Exceptions: Fees assessed for converting to a chapter 11 from either a chapter 7 or 13 are pursuant to 28 U.S.C § 1930(a).	
Motion to Split (Severe/Divide a Joint Case under 11 U.S.C. § 302) – The fee to Split – Severe/Divide a joint case into two separate cases at the request of the debtor(s) is the same as the filing fee for the Chapter under which the joint case was commenced, plus the \$46.00 administrative; plus the \$15.00 trustee fee. <ul style="list-style-type: none"> • Ch. 7: \$306.00 • Ch. 13: \$281.00 • Ch. 11: \$1046.00 	
Motion to Reopen: Applicable filing fees due upon filing a Motion to Reopen Case: <ul style="list-style-type: none"> • Chapter 7 Trustee Fee – Payment pursuant to 11 U.S.C. § 330(b)(2) • Chapter 7: \$245.00 + \$15.00 Trustee Fee = \$260.00 • Chapter 9: \$1000.00 • Chapter 11: \$1000.00 • Chapter 12: \$200.00 • Chapter 13: \$235.00 • Chapter 15: \$1,000.00 	
NOTE: <ul style="list-style-type: none"> • The \$46.00 administrative fee due upon filing a petition is NOT due upon reopening. 	

<p>Retrieval Fee – For retrieval of records removed from the place of business of the court and stored at the Federal Records Center, National Archives.</p> <p>NOTE:</p> <ul style="list-style-type: none">• An additional “Retrieval Fee” may be applied to motions filed to reopen the case; if the file is no longer available at the court.• A waiver or deferment of filing fee for motion reopen a case for trustee’s discovery of assets does not apply to a waiver of “Retrieval Fee.”	<p>\$53.00</p>
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