

**OFFICE OF THE CLERK  
UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA**

**NOTICE CONCERNING INCREASED BANKRUPTCY FEES**

Revised October 14, 2003

The Judicial Conference, at its September 2003 session, increased certain miscellaneous fees for all court units to account for inflation and rising court costs and approved changes to the miscellaneous fee schedules for the courts of appeals, the district courts, the Court of Federal Claims, the bankruptcy courts and the Judicial Panel on Multidistrict Litigation. As a result of these actions, the following bankruptcy fees will increase ***effective November 1, 2003***:

- ~ The miscellaneous administrative fee collected from the debtor or petitioner in all cases filed under title 11 will increase from \$30.00 to **\$39.00**, *causing the fees due upon the filing of a bankruptcy petition to increase \$9.00 from \$200.00 to **\$209.00 for a chapter 7 petition**, from \$830.00 to **\$839.00 for a chapter 11 petition**, from \$230.00 to **\$239.00 for a chapter 12 petition**, and from \$185.00 to **\$194.00 for a chapter 13 petition**.*
- ~ The fee for filing a motion to terminate, annul, modify, or condition the automatic stay, a motion to compel abandonment of property of the estate, or a motion to withdraw the reference of a case or proceeding will increase from \$75.00 to **\$150.00**;
- ~ The fee for amendments to a debtor's schedules of creditors, lists of creditors, matrix or mailing lists will increase from \$20.00 to **\$26.00**;
- ~ The fee for dividing a joint case filed under § 302 of title 11 will increase from one-half the amount to the full amount of the current filing fee for the chapter under which the joint case was commenced. *The fee will be **\$155.00 for dividing a joint chapter 7 case**, **\$800.00 for dividing a joint chapter 11 case**, **\$200.00 for dividing a joint chapter 12 case**, and **\$155.00 for dividing a joint chapter 13 case**;*
- ~ The fees for docketing a proceeding on appeal or review from a final judgment of a bankruptcy judge and for docketing a cross appeal from a bankruptcy court determination will increase from \$100 to **\$250.00**. Because the \$5.00 fee for a notice of appeal required by 28 U.S.C. §1930(c) will not change, the total amount due upon the filing of an appeal or cross appeal will increase from \$105.00 to **\$255.00** (\$5 for the notice of appeal and \$250 for docketing of the appeal or cross appeal).
- ~ The fee for every search of the records of the bankruptcy court conducted by the clerk of the bankruptcy court or a deputy clerk will increase from \$20.00 per name or item searched to **\$26.00** per name or item searched;

- ~ The fee for certification of any document or paper will increase from \$7.00 to **\$9.00**;
- ~ The fee for exemplification of any document or paper will increase from \$14.00 to **\$18.00**;
- ~ The fee for filing or indexing any paper not in a case or proceeding for which a filing fee has been paid (including registering a judgment from another district) will increase from \$30.00 to **\$39.00**;
- ~ The fee for a check paid into the court which is returned for lack of funds will increase from \$35.00 to **\$45.00**;
- ~ The fee for reproduction of magnetic tape recordings will increase from \$20.00 to **\$26.00**; and
- ~ The fee for each microfiche sheet of film or microfilm jacket copy of any court record, where available, will increase from \$4.00 to **\$5.00**. (Microfiche sheets and microfilm jacket copies are not available from the U.S. Bankruptcy Court for the Eastern District of California.)

Additionally, clarifying language has been added to the following items of the Bankruptcy Miscellaneous Fee Schedule:

Item 4 - Amendment fee. Language is added to set forth the two exceptions to this fee within the language of the fee item. First, no fee is required to change the address of a **previously listed** creditor; and second, no fee is required to add the name and address of a **previously listed** creditor's attorney.

Item 11 - Reopening fee. Language is added to clarify that if the payment of the reopening fee is deferred for a motion to reopen by a trustee in anticipation of discovering additional assets, the fee will be waived if no additional assets are ultimately discovered.

Item 19 - Fee for dividing a joint case. When a joint case is split, an entirely new case is created and is administered separately from the original case. The Judicial Conference approved modifying this fee to provide that the fee for splitting a case should be equal to the statutory fee for filing a second, separate original petition.

Item 20 - Fee for filing a motion to lift stay. The Judicial Conference approved an increase in this fee from \$75 to \$150. In addition, the Conference approved including two exceptions to this fee in the fee item – these include exemptions for a motion to lift a co-debtor stay under 11 U.S.C. §§ 1201 and 1301 and for stipulations for court approval of an agreement regarding relief from a stay.

Item 15 and Item 21 - Fees for docketing appeals and cross appeals. The Judicial Conference increased Item 1 of the Court of Appeals Miscellaneous Fee Schedule from \$100 to \$250. Because Items 15 and 21 of the Bankruptcy Miscellaneous Fee Schedule track Item 2 of the

Court of Appeals Miscellaneous Fee Schedule, which enumerates the fee for docketing a case on appeal or review, both of these fees were increased to \$250.

To view the Bankruptcy Court Miscellaneous Fee Schedule effective November 1, 2003, click [here](#). Questions concerning bankruptcy fees should be directed to the Operations Coordinator in the appropriate divisional office.