UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

NOTICE OF INCREASE IN FILING AND MISCELLANEOUS FEES EFFECTIVE NOVEMBER 1, 2003

NOTICE IS HEREBY PROVIDED OF THE FOLLOWING BANKRUPTCY FEE CHANGES, EFFECTIVE NOVEMBER 1, 2003:

CASE FILING FEES:

Chapter 7:	**$209.00**
Chapter 13:	**$194.00**
Chapter 11:	**$839.00**

FEE FOR SPLITTING CASE:

Chapter 7:	**$155**
Chapter 13:	**$155**
Chapter 11:	**$800**

MISCELLANEOUS FEES:

Amendment Fee	**$26 per amendment**
Motions:	
*** Relief from Stay**	**$150**
*** Compel Abandonment**	**$150**
*** Withdraw Reference**	**$150**
Notice of Appeal	**$255**
Search of Records	**$26**
Certification	**$9**
Returned Check	**$45**
Record Retrieval	**$45**

October 20, 2003

Susan Thurston
Clerk of Court

ATTACHMENT B

Changes to the Bankruptcy Court Miscellaneous Fee Schedule

Outlined below are changes to the Bankruptcy Court Miscellaneous Fee Schedule that were approved by the Judicial Conference at its September 2003 session. These changes will become effective November 1, 2003.

Item 4 - Amendment Fee.
This item currently requires a fee of $20 for each amendment to the debtor's list of creditors, matrix, or mailing lists – with two exceptions: first, no fee is charged to change the address of a listed creditor; and second, no fee is charged to add the name and address of a listed creditor's attorney. Because there is often confusion regarding application of the exceptions, the Conference approved an amendment to this fee setting forth the two exceptions within the language of the fee item.

Item 11 - Reopening Fee.
This item currently requires a fee for filing a motion to reopen a Bankruptcy Code case but allows the court to defer its payment from trustees pending discovery of additional assets. There is confusion over the applicability of this exception, particularly in the situation where no assets are located. Some courts require the fee to be paid, while others simply waive it. For clarity, as well as to encourage trustees to reopen cases where the possibility of locating additional assets exists, the Conference approved adding language to state that if payment is deferred, the fee shall be waived if no additional assets are discovered.

Item 19 - Fee for Splitting Case.
This item currently provides that when a joint case is divided into two separate cases at the request of the debtor, a fee is charged equal to one-half the applicable filing fee. When a joint case is split, however, an entirely new case is created and is administered separately from the original case. The Conference approved modifying this fee to provide that the fee for splitting a case should be equal to the statutory filing fee for filing a second separate original petition.

Item 20 - Fee for Filing a Motion to Lift Stay.
This item sets forth a fee "for filing a motion to terminate, annul, modify, or condition the automatic stay provided under § 362(a) of title 11, a motion to compel abandonment of property of the estate pursuant to Rule 6007(b) of the Federal Rules of Bankruptcy Procedure, or a motion to withdraw the reference of a case or proceeding under 28 U.S.C. § 157(d)." The 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 motions 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 22 (Docketing and Cross Docketing an Appeal)

Items 15 (fee for docketing an appeal in the bankruptcy court) and 21 (fee for docketing a cross

appeal in the bankruptcy court) of the Bankruptcy Court Miscellaneous Fee Schedule track Item 1 of the Court of Appeals Miscellaneous Fee Schedule, which enumerates the fee for docketing a case on appeal or review. The Conference increased this fee (Item 1 of the Court of Appeals Miscellaneous Fee Schedule) from $100 to $250. Because Items 15 and 21 track this fee, both of these fees will also increase to $250.

eff. 11/01/03

Bankruptcy Court Miscellaneous Fee Schedule*

Following are fees to be charged for services to be performed by clerks of the bankruptcy courts. No fees are to be charged for services rendered on behalf of the United States, with the exception of those specifically prescribed in items 1, 3, and 5, or to bankruptcy administrators appointed under Public Law No. 99-554, § 302(d)(3)(I). No fees under this schedule shall be charged to federal agencies or programs which are funded from judiciary appropriations, including, but not limited to, agencies, organizations, and individuals providing services authorized by the Criminal Justice Act, 18 U.S.C. § 3006A.

(1) For reproducing any record or paper, $.50 per page. This fee shall apply to paper copies made from either: (1) original documents; or (2) microfiche or microfilm reproductions of the original records. This fee shall apply to services rendered on behalf of the United States if the record or paper requested is available through electronic access.

(2) For certification of any document or paper, whether the certification is made directly on the document or by separate instrument, $9. For exemplification of any document or paper, twice the amount of the charge for certification.

(3) For reproduction of recordings of proceedings, regardless of the medium, $26, including the cost of materials. This fee shall apply to services rendered on behalf of the United States, if the reproduction of the recording is available electronically.

(4) For amendments to a debtor's schedules of creditors, lists of creditors, matrix, or mailing lists, $26 for each amendment, provided the bankruptcy judge may, for good cause, waive the charge in any case. No fee is required when the nature of the amendment is to change the address of a creditor or an attorney for a creditor listed on the schedules or to add the name and address of an attorney for a listed creditor.

(5) For every search of the records of the bankruptcy court conducted by the clerk of the bankruptcy court or a deputy clerk, $26 per name or item searched. This fee shall apply to services rendered on behalf of the United States if the information requested is available through electronic access.

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*Issued in accordance with 28 U.S.C. § 1930(b).

(6) For filing a complaint, a fee shall be collected in the same amount as the filing fee prescribed in 28 U.S.C. § 1914(a) for instituting any civil action other than a writ of habeas corpus. If the United States, other than a United States trustee acting as

a trustee in a case under title 11, or a debtor is the plaintiff, no fee is required. If a trustee or debtor in possession is the plaintiff, the fee should be payable only from the estate and to the extent there is any estate realized. If a child support creditor or its representative is the plaintiff, and if such plaintiff files the form required by § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

(7) For filing or indexing any document not in a case or proceeding for which a filing fee has been paid, $39.

(8) In all cases filed under title 11, the clerk shall collect from the debtor or the petitioner a miscellaneous administrative fee of $39. This fee may be paid in installments in the same manner that the filing fee may be paid in installments, consistent with the procedure set forth in Federal Rule of Bankruptcy Procedure 1006.

(9) Upon the filing of a petition under chapter 7 of the Bankruptcy Code, the petitioner shall pay $15 to the clerk of the court for payment to trustees serving in cases as provided in 11 U.S.C. § 330(b)(2). An application to pay the fee in installments may be filed in the manner set forth in Federal Rule of Bankruptcy Procedure 1006(b).

(10) Upon the filing of a motion to convert a case to chapter 7 of the Bankruptcy Code, the movant shall pay $15 to the clerk of court for payment to trustees serving in cases as provided in 11 U.S.C. § 330(b)(2). Upon the filing of a notice of conversion pursuant to section 1208(a) or section 1307(a) of the Code, $15 shall be paid to the clerk of the court for payment to trustees serving in cases as provided in 11 U.S.C. § 330(b)(2). If the trustee serving in the case before the conversion is the movant, the fee shall be payable only from the estate that exists prior to conversion.

(11) For filing a motion to reopen a Bankruptcy Code case, a fee shall be collected in the same amount as the filing fee prescribed by 28 U.S.C. § 1930(a) for commencing a new case on the date of reopening, unless the reopening is to correct an administrative error or for actions related to the debtor's discharge. 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 shall be waived if no additional assets are discovered.

(12) For each microfiche sheet of film or microfilm jacket copy of any court record, where available, $5.

(13) 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.

(14) For a check paid into the court which is returned for lack of funds, $45.

(15) For docketing a proceeding on appeal or review from a final judgment of a bankruptcy judge pursuant to 28 U.S.C. § 158(a) and (b), the fee shall be the same amount as the fee for docketing a case on appeal or review to the appellate court as required by Item 1 of the Courts of Appeals Miscellaneous Fee Schedule. A separate fee shall be paid by each party filing a notice of appeal in the bankruptcy court, but parties filing a joint notice of appeal in the bankruptcy court are required to pay only one fee. If a trustee or debtor in possession is the appellant, the fee should be payable only from the estate and to the extent there is any estate realized.

(16) For filing a petition ancillary to a foreign proceeding under 11 U.S.C. § 304, the fee shall be the same amount as the fee for a case commenced under chapter 11 of title 11 as required by 28 U.S.C. § 1930(a)(3).

(17) 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.

(18) 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.

(19) When a joint case filed under § 302 of title 11 is divided into two separate cases at the request of the debtor(s), a fee shall be charged equal to the current filing fee for the chapter under which the joint case was commenced.

(20) For filing a motion to terminate, annul, modify, or condition the automatic stay provided under § 362(a) of title 11, a motion to compel abandonment of property of the estate pursuant to Rule 6007(b) of the Federal Rules of Bankruptcy Procedure, or a motion to withdraw the reference of a case or proceeding under 28 U.S.C. § 157(d), a fee shall be collected in the amount of the filing fee prescribed in 28 U.S.C. § 1914(a) for instituting any civil action other than a writ of habeas corpus. No fee is required for a motion for relief from the co-debtor stay or for a stipulation for court approval of an agreement for relief from a stay. If a child support creditor or its representative is the movant, and if such movant files the form required by § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

(21) For docketing a cross appeal from a bankruptcy court determination, the fee shall be the same amount as the fee for docketing a case on appeal or review to the appellate court as required by Item 1 of the Courts of Appeals Miscellaneous Fee Schedule. If a trustee or debtor in possession is the appellant, the fee should be payable only from the estate and to the extent there is any estate realized.