IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

Notice 14-10

Notice to the Bar and the Public

In Re: AMENDMENTS TO THE BANKRUPTCY COURT MISCELLANEOUS FEE SCHEDULE

EFFECTIVE DECEMBER 1, 2014

At its September 2014 session, the Judicial Conference approved amendments to the Bankruptcy Court Miscellaneous Fee Schedule, effective December 1, 2014.

First, the Judicial Conference approved an increase of $50.00 to the fee assessed under item 14 of the schedule (from $157 to $207) when a direct bankruptcy appeal is accepted by a court of appeals. This adjustment brings parity to the fees for appealing a bankruptcy court order in a court of appeals.

Second, the Conference approved two amendments that were developed in connection with a new national policy establishing filing and notice procedures for requests to redact personal identifiers from large volumes of court filings in multiple cases, including closed cases. The Judicial Conference established a $25.00 fee (item 21) to file a motion to make redactions to previously filed records in a bankruptcy case. The fee is intended to be charged for each affected case, but courts may waive the fee under appropriate circumstances. The Judicial Conference also endorsed a new exception to the reopening fee for a closed bankruptcy case (item 11) to clarify that the reopening fee does not apply if redaction is the only purpose for reopening the case.

A redlined version of the revised fee schedule incorporating the changes discussed above is attached.

In San Juan, Puerto Rico, this 26th day of November, 2014

Maria de los Angeles Gonzalez, Esq.
Clerk of the Court

Effective December ~~June~~ 1, 2014

Bankruptcy Court Miscellaneous Fee Schedule[1]

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.

(6) For filing a complaint, $350, except:

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

- 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; or
- to redact a record already filed in a case, pursuant to Fed. R. Bankr. P. 9037, if redaction is the only reason for reopening.

(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~~ 207 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.

(21) For filing a motion to redact a record, $25 per affected case. The court may waive this fee under appropriate circumstances.