

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
OFFICE OF THE CLERK



PUBLIC NOTICE

September 24, 2012

SUBJECT: FEE CHANGES EFFECTIVE NOVEMBER 21

Congress recently passed the Temporary Bankruptcy Judgeships Extension Act of 2012 (Pub. L. No. 112-121) which was signed into law by the President on May 25, 2012. This law includes a provision that increases the fee for filing a bankruptcy case under Chapter 11 of the Bankruptcy Code.

This fee increase will apply to all new Chapter 11 cases filed on or after November 21, 2012. On that date, the statutory filing fee for a Chapter 11 case will increase to \$1,167.

The total fee for filing a Chapter 11 case will increase to **\$1,213** (statutory fee of \$1,167 under 28 U.S.C. § 1930(a)(3) plus the administrative fee of \$46 under Item 8 of the Bankruptcy Court Miscellaneous Fee Schedule).

The Judicial Conference recently approved a recommendation to increase three miscellaneous fees that are derived from the Chapter 11 filing fee; to correspond with an increase in the Chapter 11 filing fee under the Temporary Bankruptcy Judgeships Extension Act of 2012 (Pub.L.No.112-121):

- the fee for splitting a joint Chapter 11 case (Item 18 of the Fee Schedule)
- the fee for reopening a Chapter 11 case (Item 11 of the Fee Schedule) and
- the fee for filing a Chapter 15 case (Item 15 of the Fee Schedule)

The new amount for each of these fees will be **\$1,167**, and these fee increases will also take effect on November 21, 2012.

In addition, the fee for filing a Chapter 9 case will increase because under 28 U.S.C. §1930 (a)(2), the Chapter 9 filing fee is "equal to the fee specified in paragraph (3) for filing a case under Chapter 11 of Title 11." (Paragraph 3 is the Chapter 11 filing fee). Therefore, the fee for filing a Chapter 9 will increase to \$1,167. The total fee for filing a Chapter 9 case will increase to **\$1,213** (statutory fee of \$1,167 plus the administrative fee of \$46).

The fees for converting a Chapter 7 and a Chapter 13 to a Chapter 11 will also increase. 28 U.S.C. §1930(a) states that "for converting, on the request of the debtor, a case under Chapter 7, or 13 of Title 11, to a case under Chapter 11 of title 11, the debtor shall pay to the clerk ...a fee of the amount equal to the difference between" the fee for filing a Chapter 11 and the fee for filing either a Chapter 7 or Chapter 13. Because the statutory fee for filing a Chapter 11 is increasing to \$1,167, the fee for converting a Chapter 7 (statutory fee of \$245) to a Chapter 11 will increase to **\$922**. The fee for converting a Chapter 13 (statutory fee of \$235) to a Chapter 11 will increase to **\$932**.

Information regarding filing fees can be found on the Clerk's Office website at www.txnb.uscourts.gov.

FOR THE COURT
Tawana C. Marshall
Clerk of Court