

**FEE CHANGES AND AMENDMENTS TO THE FEDERAL RULES OF
BANKRUPTCY PROCEDURE EFFECTIVE DECEMBER 1, 2020**

FEE CHANGES:

Description	Miscellaneous Fee Schedule item #	Current fee (through 11-30-20)	New Fee (Effective 12-1-20)
Exemplification	2B	\$22	\$23
Reproduction of an audio recording of a court proceeding	3	\$31	\$32
Amended schedules	4	\$31	\$32
Record search	5	\$31	\$32
Miscellaneous proceeding filing fee	7	\$47	\$49
Chapter 7 filing fee	8	\$335	\$338*
Chapter 9 filing fee	8	\$1717	\$1738*
Chapter 11 filing fee	8	\$1717	\$1738*
Chapter 12 filing fee	8	\$275	\$278*
Chapter 13 filing fee	8	\$310	\$313*
Chapter 15 filing fee	8	\$1717	\$1738*
Motions - to annul, terminate or modify the stay - to compel abandonment - to withdraw reference - To sell property free and clear of liens	19	\$181	\$188
Claim transfer	20	\$25	\$26
Motion to redact	21	\$25	\$26

* These new fees also apply to any motions to sever.

FEDERAL RULE CHANGES:

Rule 2002(f), (h), and (k) (Notices)

The proposed amendments to Rule 2002 would (i) require giving notice of the entry of an order confirming a chapter 13 plan, (ii) limit the need to provide notice to creditors that do not file timely proofs of claim in chapter 12 and chapter 13 cases, and (iii) add cross-reference in response to the relocation of the provision specifying the deadline for objecting to confirmation of a chapter 13 plan.

Subdivision (f)(7) currently requires the clerk, or someone else designated by the clerk, to give notice to the debtor and all creditors of the “entry of an order confirming a chapter 9, 11, or 12 plan.” The proposed amendment would add chapter 13 thereby requiring notice of confirmation order in all cases.

Subdivision (h) is an exception to the general noticing requirements set forth in Rule 2002(a). In a chapter 7 case, the rule eliminates the requirement to provide certain notices to creditors that fail to file a timely proof of claims. The proposed amendment to subdivision (h) would similarly eliminate the requirement to provide such notices to creditors who have not timely filed a proof of claim in chapter 12 or 13 cases. It would also conform the time periods in the subdivision to the respective deadlines for filing proofs of claim under Rule 3002(c).

Subdivision (k) would be amended to add a reference to 2002(a)(9). This change corresponds to the relocation of the deadline for objecting to confirmation of a chapter 13 plan from subdivision (b) to subdivision (a)(9). The rule thereby continues to require transmittal of notice of that deadline to the United States trustee.

Rule 2004 (Examination)

Subdivision (c) would be amended in two respects. First, it would refer expressly to the production of electronically stored information, in addition to the production of documents. This change acknowledges the form in which information now commonly exists and the type of production that is frequently sought in connection with an examination under Rule 2004.

Second, subdivision (c) would be amended to bring its subpoena provision into conformity with the current version of F.R. Civ. P. 45, which Rule 9016 makes applicable in bankruptcy cases. Under Rule 45, a subpoena always issues from the court where the action is pending, even for a deposition in another district, and an attorney admitted to practice in the issuing court may issue and sign it. Under proposed subdivision (c), a subpoena for a Rule 2004 examination would be issued from the court where the

bankruptcy case is pending and by an attorney authorized to practice in that court, even if the examination is to occur in another district.

Rule 8012 (Corporate Disclosure Statement)

Rule 8012 would be amended in three respects to conform to recent amendments to Fed. R. App. P. 26.1:

a. subdivision (a) would be amended to include nongovernmental corporations that seek to intervene on appeal;

b. new subdivision (b) would require disclosure of the name of all debtors in the bankruptcy case, and would apply the subdivision (a) disclosure requirements to corporate debtors; and

c. subdivision (c), previously subdivision (b), would be amended to make clear that all the disclosure requirements in Rule 8012 must be supplemented when the information provided changes.

Rules 8013 (Motions; Intervention), 8015 (Form and Length of Briefs; Form of Appendices and Other Papers), and 8021 (Costs)

Technical amendments are made to these rules to remove or qualify references to “proof of service,” or otherwise conform to amendments made to Appellate Rules 5, 21, 26, 32, and 39.