

Local Rule and Fee Changes Take Effect

The following amendments and additions to the Local Rules of Bankruptcy Procedure took effect April 1, 2013:

RULE 7054-1. COSTS - TAXATION/PAYMENT

~~Seven~~ **Fifteen** days after the prevailing party has served and filed a verified bill of costs under 28 U.S.C. §§1920 and 1924, the clerk shall tax costs under Federal Rule of Bankruptcy Procedure 7054(b), Federal Rule of Bankruptcy Procedure 8014, or Fed. R. App. P. 39 only if the court allows costs to the prevailing party. On motion of any party served and filed within seven days after the clerk enters judgment taxing costs, the action of the clerk may be reviewed by the court.

RULE 8006-1. DESIGNATION OF RECORD - APPEAL

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(c) SEPARATE APPENDICES. In lieu of a designated record, the appellant and other parties may file, within 14 days after the filing of the notice of appeal or entry of an order granting leave to appeal, a stipulation providing that the parties shall file with the clerk of the district court separate appendices ~~prepared in the manner provided in Eighth Circuit Rule 30A(b)(3)~~. Unless the district court orders otherwise, the parties shall serve and file with the clerk of the district court their separate appendices along with their respective briefs. The parties also shall arrange for the clerk of the bankruptcy court to transmit transcripts or exhibits separately to the clerk of the district court ~~in the manner provided in Eighth Circuit Rule 30A(b)(5)~~.

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NOTE: This rule is promulgated by the district court.

RULE 9010-3. ATTORNEYS

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(f) FORMER JUDGES. An attorney who has served as a judge of the court, for a period of one year after termination from service as a judge, shall not: 1) appear before the court; 2) allow that attorney's name to appear on any pleading or memorandum; or 3) allow that attorney's name to appear on any petition.

RULE 9013-2. MOTION DOCUMENTS

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(h) WAIVER OF DISCHARGE. Motions seeking an order approving the waiver of discharge pursuant to Section 727(a)(10) shall comply only with paragraph (a) (1), (4), and (5) of Local Rule 9013-2. The motion shall be served upon 1) the debtor; 2) the attorney for the debtor; 3) the trustee; 4) the United States Trustee; and 5) each entity that has filed a request for notice or notice of appearance under Federal Rule of Bankruptcy Procedure 2002(i) or 9010(b).

PLEASE NOTE: A *Motion to waive discharge* event has been added to the Motions menu in CM/ECF to facilitate the filing of these motions pursuant to new paragraph (h) of Local Rule 9013-2.

New Claims Transfer Fee to Take Effect May 1, 2013

Effective May 1, 2013, the bankruptcy courts will begin charging a new fee of \$25 for each claim transferred. This fee was approved by the Judicial Conference of the United States at its September 2012 session.

In considering this fee, the Judicial Conference Committees with jurisdiction over bankruptcy fees recognized the impact a transfer of claim has on the workload of the bankruptcy courts, including the impact on court time and resources. Bankruptcy Rule 3001(e) requires the clerk of court to notice a transferred claim, and provides additional notice and hearing requirements if an objection to a transfer is made.

The fee will be assessed by the court upon the filing of the claim transfer, whether filed by a transferee or transferor. It will apply to partial claims transfers as well.

Upon the filing of the claim transfer in CM/ECF, the fee must be paid by credit card using Pay.gov. An entity that electronically handles claims transfers must ensure that the individual filing a transfer is authorized to pay the fee by credit card. If the claim transfer is not filed electronically, the claim transfer fee may be paid with cash, cash equivalents or by credit card.

Entities that transfer claims should be aware that the court may review user accounts, account access, and the number of accounts authorized for a particular entity in anticipation of or in response to the imposition of this fee.

For question regarding this fee, please contact Financial Administrator Martha Franco at 612-664-5235.

Fee Increases Effective May 1, 2013

The following fee changes will take effect May 1, 2013:

Fee for reopening a Chapter 9 Case will increase to \$1167.00
Fee for reopening a Chapter 15 case will increase to \$1167.00