

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

PUBLIC NOTICE

**IMPLEMENTATION OF FEE FOR AMENDMENTS TO SCHEDULES, LIST OF
CREDITORS, MATRIX, OR MAILING LIST
(Bankruptcy Court Miscellaneous Fee Schedule – Item 4)**

Effective **January 1, 2007**, the Clerk's Office will begin collecting **\$26.00 for each amendment to a debtor's schedules of creditors or lists of creditors, matrix or mailing lists, as set forth more specifically below.**

Item 4, Bankruptcy Court Miscellaneous Fee Schedule – Amendments to Debtor's Schedules of Creditors, List of Creditors, Matrix or Mailing Lists

Pursuant to Item 4 of the Bankruptcy Court Miscellaneous Fee Schedule, promulgated by the Judicial Conference of the United States, the amendment fee is to be assessed per filing for amendments to a debtor's schedules of creditors, lists of creditors, matrix, or mailing list when the debtor is adding a creditor, deleting a creditor, changing the amount of debt, or changing the classification of a debt. If an amendment contains more than one change to a list of creditors, the clerk may charge only one \$26.00 fee.

Exceptions to the Amendments Fee

No fee is due when a debtor files a schedule of post-petition debts after converting from chapter 13 to chapter 7. In addition, 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 schedule or to add the name and address of an attorney for a listed creditor.

Placement of Amendment Instructions, Amendment Cover Sheet and Amendment Docketing Instructions on Eastern District of Virginia Bankruptcy Court Internet Web Site

Consistent with the information set forth above, the amendment instructions and the Amendment Cover Sheet, required pursuant to Local Bankruptcy Rule 1009-1, will be updated and made available on the Bankruptcy Forms page (Version **1/07**), on December 29, 2006, at the court's web site: www.vaeb.uscourts.gov. The amendment instructions and instructions regarding how to docket amended schedules in the ECF component of CM/ECF have been placed as a link at the top of the "CM/ECF Users' Guides" page. The linked document, which is titled "AMENDED VOLUNTARY PETITION, SCHEDULES, STATEMENTS, LISTS", can be accessed at the court's CM/ECF web site home page, <http://www.vaeb.uscourts.gov/ecfnew/ecf.htm>, by clicking the "Users' Guides" link located on that page. That document is appended to this Notice as an attachment.

William C. Redden
Clerk of Court

Date: December 19, 2006

Attachment

Show

AMENDED VOLUNTARY PETITION, SCHEDULES, STATEMENTS, LISTS

The clerk must collect \$26.00 for each amendment to a debtor's schedules of creditors or lists of creditors.

1. **The Fee is Assessed Per Filing** - If an amendment contains more than one change to the list of creditors, the clerk may charge only one \$26.00 fee. The clerk must charge a fee to add creditors, delete creditors, change the amount of a debt, or change the classification of a debt.
2. **No Fee to Change Address** - No fee is due to change the address of a listed creditor. FRBP 2002(g) provides that creditors may designate the address to which notices must be sent occasionally causing a change to the original schedule. The clerk must amend only the mailing matrix in such circumstances; schedules need no amendments if the only change is an updated address.
3. **No Fee Charged to Add Attorney** - No fee is due to add the name and address of an attorney for a creditor already listed on the original schedules, so that the attorney can receive copies of notices. The attorney is added as an agent for a creditor already included on the schedule.
4. **Waivers for Good Cause** - The Bankruptcy Court Miscellaneous Fee Schedule permits the judge "for good cause [to] waive the charge in any case." This provision requires an individual finding in each case...
5. **Exception for Converted Cases** - LBR 1017-1 requires the filing of a Schedule of Unpaid Debts incurred after commencement of the original bankruptcy case OR certification that no unpaid debts have been incurred since the commencement of the case. No fee is due when a debtor files a schedule of post-petition debts after converting.

General Requirements of Amended Petition, Lists, Schedules, Statements (Local Bankruptcy Rule 1009-1)

- Amendments may be filed at any time before the case is closed.

Exceptions:

- a. Additional creditors may be added in a closed no asset chapter 7 case (*see Certificate and Affidavit for Adding Creditors to Schedules in a Closed Case*).
- b. Statement of Intention must be amended before expiration of 45-day period after filing of statement of intention.

- Social Security number or tax identification number changes or corrections require the filing of an amended petition and should not be submitted in letter format.
- Debtor address changes do not require an amendment. (see Change of Address form).
- Creditor address changes do not require an amendment if debtor uses Change of Address form.
- Pleading must be amended in its entirety; substitution of pages or partial pleading is not appropriate, (e.g., you cannot submit page 2 of Statement of Financial Affairs to correct question 4, but you must file an entire Amended Statement of Financial Affairs. Individual Schedules may be filed without submitting A through J).
- Amendment coversheet required.
- Amended petition, list(s), schedule(s), statement(s), must be accompanied by a declaration signed by debtor(s) under penalty of perjury.
- Notice to Creditor(s) Re: Amendment required if adding additional or deleting creditors.

Events for Amended Petition, Schedules, Statements, Lists*

Amended Pleading being filed	Category Hypertext Link	Event Selection	Utility/Function
Amended Voluntary Petition /Exhibit A or B (Official Form 1)	Miscellaneous	Amended Voluntary Petition	Use text box to add additional descriptive text, if needed (ex.: to correct social security number of joint debtor)
Amended Exhibit A to voluntary petition	Miscellaneous	Exhibit A to Voluntary Petition	Use prefix box to select Amended
Amended Schedules, Amended Statement of Financial Affairs, and /or Amended Statement of Intention	Miscellaneous	Amended Schedule (s) and/or Statement (s). Lists	Select all documents being filed from the checkbox display. Selection of Schedule D, E, or F will require payment fee of \$26.00
Amended Attorney Fee Disclosure	Miscellaneous	Attorney Fee Disclosure	Use prefix box to select Amended
Amended Declaration of Divisional Venue	Miscellaneous	Declaration of Divisional Venue	Use prefix box to select Amended
Amended List of Creditors Holding 20 Largest Unsecured Claims	Miscellaneous	List of Creditors Holding 20 Largest Unsecured Claims	Use prefix box to select Amended
Amended List of Equity Security Holders	Miscellaneous	List of Equity Security Holders (Filed)	Use prefix box to select Amended

*The Amendment Coversheet and/or Notice Re: Amendment need to be separate entries. You may do any of the following:

1. Make as an attachment to the Amended Schedule(s) and/or Statement(s), lists event

2. Amendment Coversheet and/or Notice Re: Amendment event selected at the same time as the Amended Schedule(s) and/or Statement(s), lists event
3. Make as a separate entry from the Amended Schedule(s) and/or Statement(s), lists event