

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA**

PUBLIC NOTICE

ADJUSTMENTS TO BANKRUPTCY STATUTORY FILING FEES --CHAPTERS 7 AND 13

The Deficit Reduction Act of 2005 ("Act") (Pub.L. 109-171) was enacted into law on February 8, 2006, and includes several increases to statutory filing fees (Bankruptcy, District and Court of Appeals). Pursuant to the Act, statutory filing fee increases will take effect for all new chapter 7 and chapter 13 cases filed on or after **Sunday, April 9, 2006**. As adjusted, the new total required filing fee amounts due are as follows:

<u>Fee Category</u>	<u>Chapter 7</u>	<u>Chapter 13</u>
Statutory Fee	\$ 245	\$ 235
Miscellaneous		
Administrative Fee	\$ 39	\$ 39
Chapter 7 Trustee		
Surcharge	\$ 15	\$ 0
Total Required Fee Amount	\$ 299	\$274

The chapter 11 case filing fee remains **unchanged**. The statutory fee is \$1,000 and the miscellaneous administrative fee is \$39 for a total fee amount of \$1,039.

The chapter 9 case filing fee also remains **unchanged**. The statutory fee is \$1,000 and the miscellaneous administrative fee is \$39 for a total fee amount of \$1,039.

Section 1930(a)(1)(a) and (a)(1)(B) of title 28, United States Code make provision for the payment of the fee to convert a chapter 7 or chapter 13 case to a chapter 11 case. On or after Sunday, April 9, 2006, the calculation will be based on the **increase** in the chapter 7 and chapter 13 filing fees.

Ordinarily, the statutory filing fee increases applicable to the Court of Appeals and to the District Court, as provided for in the Act, automatically would impact certain fees in the Bankruptcy Court Miscellaneous Fee Schedule ("Fee Schedule"), which are linked to these affected statutory filing fees. That Fee Schedule is prescribed by the Judicial Conference of the United States ("Judicial Conference"). Action taken by the Judicial Conference at its March 14, 2006, session, however, **stayed** the implementation of automatic increases to the following Fee Schedule items so as to provide an opportunity for review and analysis of the merits of such increases:

- Item 6: Adversary filing fee,
- Item 11: Reopening fee,
- Item 15: Docketing an Appeal filing fee,
- Item 16: Chapter 15 filing fee,
- Item 19: Splitting a Joint Case fee, and
- Item 21: Docketing a Cross Appeal fee.

The fees associated with the above six identified items will remain **unchanged** unless and until later action is taken by the Judicial Conference to adjust one or more of these fees.

William C. Redden
Clerk of Court

Date: March 23, 2006