

United States Bankruptcy Court, Northern District of Georgia

INCREASE IN DOLLAR AMOUNTS STATED IN CERTAIN PROVISIONS OF THE BANKRUPTCY CODE AND IN CERTAIN BANKRUPTCY FORMS

The following changes have been announced by the Administrative Office of the United States Courts. **All of the changes will take effect on April 1, 2013 and will apply to cases filed on or after April 1, 2013:**

I. Changes Concerning Dollar Amounts

The dollar amounts are increased in certain sections in Title 11 and Title 28 of the United States Code. These adjustments are prescribed by Section 104(a) of the Bankruptcy Code and reflect the change in the *Consumer Price Index for All Urban Consumers* for the most recent three-year period ending December 31, 2012, and rounded to the nearest \$25. Certain Official Bankruptcy Forms and Director's Forms contain references to affected dollar amounts and will be amended to reflect the adjusted dollar amounts. The affected Code provisions and affected forms are presented below.

A. Affected Code Provisions

- **Title 11:** §101(3), §101(18), §101(19A), §101(51D), §109(e), §303(b), § 507(a), §522(d), §522(f)(3), §522(f)(4), §522(n), § 522(p), § 522(q), § 523(a)(2)(C), §541(b), §547(c)(9), §707(b), §1322(d), §1325(b) and §1326(b)(3);
- **Title 28:** §1409(b).

B. Affected Bankruptcy Forms and Director's Forms

- **Official Form 1, Voluntary Petition**
- **Official Form 6C, Schedule of Property Claimed as Exempt**
- **Official Form 6E, Schedule of Creditors Holding Claims Entitled to Priority**
- **Official Form 7, Statement of Financial Affairs**
- **Official Form 10, Proof of Claim**
- **Official Form 22A, Statement of Current Monthly Income and Means Test Calculation (Chapter 7)**
- **Official Form 22C, Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Chapter 13)**
- **Director's Form 200, Required Lists, Schedules, Statements and Fees**
- **Director's Form 283, Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q).¹**

¹In the United States Bankruptcy Court, Northern District of Georgia, debtors must file local form *Debtor's 11 U.S.C. § 1328 Certificate* (to provide information about domestic support obligations) and local form *Statement of Chapter 13 Debtor Regarding 11 U.S.C. § 522(q) Exemption* (to provide information about exemptions under 11 U.S.C. § 522(q)). **Do not file Official Bankruptcy Form 283.**

The next three-year automatic adjustments of these dollar amounts will be published before March 1, 2016, and will take effect April 1, 2016.

Each of the revised forms discussed in this Notice, when published, will be available on the Court's website at www.ganb.uscourts.gov.

Affected Sections of Title 28 U.S.C. and the Bankruptcy Code	Dollar Amount to be Adjusted	New (Adjusted) Dollar Amount
28 U.S.C.		
1409(b) - a trustee may commence a proceeding arising in or related to a case to recover		
(1) - money judgment of or property worth less than	\$1,175	\$1,250
(2) - a consumer debt less than	\$17,575	\$18,675
(3) - a non consumer debt against a non insider less than	\$11,725	\$12,475
28 U.S.C.		
Section 101(3) - definition of assisted person	\$175,750	\$186,825
Section 101(18) - definition of family farmer	\$3,792,650 (each time it appears)	\$4,031,575 (each time it appears)
101(19A) - definition of family fisherman	\$1,757,475 (each time it appears)	\$1,868,200 (each time it appears)
101(51D) - definition of small business debtor	\$2,343,300 (each time it appears)	\$2,490,925 (each time it appears)
Section 109(e) - allowable debt limits for individual filing bankruptcy under chapter 13	\$360,475 (each time it appears) \$1,081,400 (each time it appears)	\$383,175 (each time it appears) \$1,149,525 (each time it appears)
Section 303(b) - minimum aggregate claims needed for the commencement of involuntary chapter 7 or chapter 11 bankruptcy		
(1) - in paragraph (1)	\$14,425	\$15,325
(2) - in paragraph (2)	\$14,425	\$15,325
Section 507(a) - priority expenses and claims		
(1) - in paragraph (4)	\$11,725	\$12,475
(2) - in paragraph (5)	\$11,725	\$12,475
(3) - in paragraph (6)	\$5,775	\$6,150
(4) - in paragraph (7)	\$2,600	\$2,775

Section 522(d) - value of property exemptions allowed to the debtor		
(1) - in paragraph (1)	\$21,625	\$22,975
(2) - in paragraph (2)	\$3,450	\$3,675
(3) - in paragraph (3)	\$550 \$11,525	\$575 \$12,250
(4) - in paragraph (4)	\$1,450	\$1,550
(5) - in paragraph (5)	\$1,150 \$10,825	\$1,225 \$11,500
(6) - in paragraph (6)	\$2,175	\$2,300
(7) - in paragraph (8)	\$11,525	\$12,250
(8) - in paragraph (11)(D)	\$21,625	\$22,975
522(f)(3) - exception to lien avoidance under certain state laws	\$5,850	\$6,225
522(f)(4)- items excluded from definition of household goods for lien avoidance purposes	\$600 (each time it appears)	\$650 (each time it appears)
522(n) - maximum aggregate value of assets in individual retirement accounts exempted	\$1,171,650	\$1,245,475
522(p) - qualified homestead exemption	\$146,450	\$155,675
522(q) - state homestead exemption	\$146,450	\$155,675
523(a)(2)(C) - exceptions to discharge		
in subclause (i)(I) - consumer debts, incurred \leq 90 days before filing owed to a single creditor in the aggregate	\$600	\$650
in subclause (i)(II) - cash advances incurred \leq 70 days before filing in the aggregate	\$875	\$925
541(b)- property of the estate exclusions		
(1) - in paragraph (5)(C) - education IRA funds in the aggregate	\$5,850	\$6,225
(2) - in paragraph (6)(C) - pre-purchased tuition credits in the aggregate	\$5,850	\$6,225

547(c)(9) - preferences, trustee may not avoid a transfer if, in a case filed by a debtor whose debts are not primarily consumer debts, the aggregate value of property is less than	\$5,850	\$6,225
707(b) - dismissal of a case or conversion to a case under chapter 11 or 13 (means test)		
(1) - in paragraph (2)(A)(i)(I)	\$7,025	\$7,475
(2) - in paragraph (2)(A)(i)(II)	\$11,725	\$12,475
(3) - in paragraph (2)(A)(ii)(IV)	\$1,775	\$1,875
(4) - in paragraph (2)(B)(iv)(I)	\$7,025	\$7,475
(5) - in paragraph (2)(B)(iv)(II)	\$11,725	\$12,475
(6) - in paragraph (5)(B)	\$1,175	\$1,250
(7) - in paragraph 6(C)	\$625	\$675
(8) - in paragraph 7(A) (iii)	\$625	\$675
1322(d) - contents of chapter 13 plan, monthly income	\$625 (each time it appears)	\$675 (each time it appears)
1325(b) - chapter 13 confirmation of plan, disposable income	\$625 (each time it appears)	\$675 (each time it appears)
1326(b)(3) - payments to former chapter 7 trustee	\$25	\$25