

Important Notice Regarding Changes to the Payment of Filing Fees in Installments and Notices of Deadlines to Correct Filing Deficiencies

On Tuesday February 19, 2013, the Court will institute procedural changes associated with filing fees for voluntary petitions and regarding the administration of deficiency notices issued for new case filings. These changes were initially outlined at a public meeting with the Clerk on November 2, 2012. **The changes detailed below are substantive and apply to cases filed on or after Tuesday, February 19, 2013. Please read carefully.**

Overview of Changes Regarding Filing Fees for New Cases

Regarding Orders on Applications to Pay in Installments for individuals or joint debtors in chapters 7, 11, 12 or 13:

- All such cases will be handled in a uniform manner. Specifically, orders granting installment applications will provide for a minimum initial payment and no more than two (2) additional installment payments. The filing fee must be paid in full not later than 60 days from the date the petition is filed. Previously, orders granting installment applications for chapter 7 cases allowed for a minimum initial payment and three additional installments. Also, chapter 7 debtors were allowed up to 120 days from the petition file date to pay the filing fee in full.
- Notices of Deficiency will continue to be issued if a debtor defaults on an installment payment allowed under the terms of the order mentioned above. Previously, debtors were allowed 10 days to cure the default. Going forward, debtors will be allowed seven (7) days to cure such defaults. Failure to cure the default will result in dismissal of the case without opportunity for hearing.
- If records show that the debtor has been a debtor in a prior case and a balance is still due on the filing fee for that case, the debtor will not be permitted to pay the filing fee in installments for any subsequent filing. Previously, individual chapter 7 filers were not subject to this provision.
- Should an individual fail to file an Application to Pay in Installments in a chapter 7, 11, 12 or 13, an *Order Regarding Unpaid Filing Fees* will be issued. In such instances, the debtor will have seven (7) days to either: pay the fee in full; file the appropriate application to pay in installments; or file for waiver of the filing fee (IFP) (this applies only to chapter 7 debtors and only if specific conditions apply).

[General Order 16-2013](#), which replaces General Order 4-2005 for cases filed on or after February 19, 2013, is available on the Court's website at www.ganb.uscourts.gov.

Overview of Changes Regarding Notices of Deadlines to Correct Filing Deficiencies

Historically, the Court has issued deficiency notices for new case filings. The revised deficiency notice is similar to the one presently used; however, going forward, the Court will without further notice or opportunity for hearing dismiss cases for failure to correct new case deficiencies.

Therefore, it is important that you read this material carefully. The New Case Deficiency Notice will include the following:

To be filed no later than 7 days from filing date of the petition

Names and addresses of all Creditors of the debtor

Signed Official Form B21 (Statement of Social Security Number or Individual Taxpayer Identification Number)

Chapter 11 Small Business case - Balance Sheet

Chapter 11 Small Business case - Statement of Operations

Chapter 11 Small Business case - Cash Flow Statement

Chapter 11 Small Business case - Most Recent Federal Income Tax Return

To be filed no later than 14 days from filing date of the petition

Schedules A - J (Official Forms B6A - B6J)

Summary of Schedules (Official Form B6)

Statistical Summary of Certain Liabilities (Official Form B6)

Declaration Concerning Debtor's Schedules (Official Form B6)

Statement of Financial Affairs (Official Form B7)

Attorney Disclosure of Compensation Form (Official Form B203)

Certification of Notice to Individual Consumer Debtor under 342(b) (Official Form B201B)

Statement of Current Monthly Income (Official Form 22A)(Ch 7)

Statement of Current Monthly Income (Official Form 22B)(Ch 11)

Statement of Current Monthly Income (Official Form 22C)(Ch 13)

Chapter 13 Plan, with signatures

Exhibit D (see Official Form B1)

Certificate of Credit Counseling [see Bankruptcy Rule 1007-1(b)(3)]

Pay Advices

Corporate Resolution

To be filed no later than 30 days from filing date of the petition

Statement of Intention

Chapter 11 specific events to be filed no later than 14 days from filing date of petition

20 Largest Unsecured Creditors

Equity Security Holders

Any dismissal orders issued for failure to cure a new case deficiency will be effective on the entry date of the order.