

Changes to Bankruptcy Forms, Fees and Rules Effective December 1, 2014

The Judicial Conference of the United States approved changes to the Bankruptcy Court Miscellaneous Fee Schedule, Official Bankruptcy Forms, and Federal Rules of Bankruptcy Procedures effective December 1, 2014.

Fee changes:

- The additional fee for a direct appeal or direct cross-appeal fee increases to **\$207** (previously \$157).
- A new fee of **\$25 per affected case** will be charged when a person files a Motion to Redact a document. The Court may waive this fee under appropriate circumstances if the movant files a contemporaneous motion stating good cause why the fee should be waived. In a closed case, if redaction is the only reason for the Motion to Redact, the case need not be reopened (and a reopening fee need not be paid).
- The filing fees summary (effective December 1, 2014) can be viewed at http://www.ksb.uscourts.gov/images/ksb_pdfs/FilingFees20141201.pdf

Form changes:

- **Official Forms 3A** (Application for Individuals to Pay the Filing Fee in Installments) and **3B** (Application to Have the Chapter 7 Filing Fee Waived) are revised to remove references to fee amounts.
- **Official Form B6Sum** (Summary) is revised to update line number cross references to the revised means test forms (Official Forms 22A-1, 22A-1 Supp, 22A-2, 22B, 22C-1 and 22C-2).
- **Official Forms 17A** (Notice of Appeal and Statement of Election), **17B** (Optional Appellee Statement of Election to Proceed in District Court) and **17C** (Certificate of Compliance with Rule 8015(a)(7)(B) or 8016(d)(2)) **are new forms** set to go into effect with the revised bankruptcy appellate rules.
- REVISED Means Test Forms--**Official Forms 22A-1, 22A-1 Supp, 22A-2, 22B, 22C-1 and 22C-2**. These forms are revised to accommodate changes in the law as a result of Supreme Court precedent and as part of the Bankruptcy Rules Advisory Committee's ongoing Forms Modernization Project.
- To see the pending form changes visit the <http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms/BankruptcyFormsPendingChanges.aspx> for more information.

Key Changes to the Federal Rules of Bankruptcy Procedure:

- **Rule 1014(b)** – Amended Rule 1014(b) provides that proceedings in subsequently filed cases are stayed only upon order of the court in which the first-filed petition is pending, and expands the list of persons entitled to receive notice of a motion in the first court for a determination of where the related cases should proceed.
- **Rule 7004(e)** – Amended Rule 7004(e) alters the period of time during which service of the summons and complaint must be made, reducing the period from 14 days to **7 days** after issuance of the summons.
- **Rules 7008(b) and 7054** – Amendments modify the procedure for seeking attorney's fees in bankruptcy proceedings. Rule 7008(b) is deleted. Amended Rule 7054 defines the

procedures for seeking an award of attorney's fees, unless the governing substantive law requires the fees to be provided at trial as an element of damages.

- **Rules 8001-8028** – Rules Governing Appeals. Amendments (1) bring the bankruptcy appellate rules into closer alignment with the Federal Rules of Appellate Procedure; (2) incorporate a presumption favoring electronic transmission, filing and service of court documents; and (3) adopt a clearer and simpler style.

Proposed Local Bankruptcy Rule Changes Published for Public Comment:

The United States Bankruptcy for the District of Kansas invites comments on proposed local rules that are published at

http://www.ksb.uscourts.gov/images/local_rules/LocalRulesForPublicComment20141124.pdf.

Interested persons, whether or not members of the bar, may submit comments on the Proposed Local Rules addressed to the Clerk of the United States Bankruptcy Court for the District of Kansas at 401 N. Market, Room 167, Wichita, Kansas 67202. All comments must be in writing and must be received by the Clerk no later than December 26, 2014, to receive consideration by the Court.