

ECF *iler Update*

November 2013

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 **Unavailability of CM/ECF**

Due to maintenance work by O G & E, CM/ECF will be unavailable on Sunday, December 8, 2013. We regret any inconvenience to you.

 **Federal Rule and Form Revisions**

Several federal rules and form changes become effective 12/1/2013. For detailed information regarding the changes, please refer to the August 2013 ECFiler or to the Court's website at www.okwb.uscourts.gov or

For a narrated explanation of the changes visit:
http://www.okwb.uscourts.gov/PDFs/2013_rule_changes.swf

For documentation visit:
http://www.okwb.uscourts.gov/PDFs/2013_rule_changes_packet.pdf

Although the revised Schedule I includes a check box for "A supplement showing post-petition chapter 13 income," this will not be used in the Western District at present.

 **Filing Fee Increases**

A copy of the Revised Fee Schedule is attached.

The Judicial Conference for the United States has authorized the following modifications to the Bankruptcy Fee Schedule effective 12/1/2013:

- For filing the following motions: **To sell property of the estate free and clear of liens under 11 U.S.C. § 363(f)**, \$176;
- For retrieval of **one box** of a records from a Federal Records Center, National Archives, or other storage location removed from the place of business of the court, **\$64. For retrievals involving multiple boxes; \$39 for each additional box.**
- For a check paid into the court which is returned for lack of funds **any payment returned or denied for insufficient funds**, \$53.

Filing Financial Management Course Certificates

Effective December 1, 2013, approved financial management course providers will be permitted to file certificates of completion of a course in personal financial management on behalf of debtors. Certificates may be filed electronically.

Attorneys may also file financial management course certificates using the event, Bankruptcy > Other > Financial Management Course.

ePOC

The Electronic Proof of Claims (ePOC) is a program designed to streamline claims processing for all chapters by allowing creditors to file or amend a claim electronically. The ePOC program will automatically prepare the official Bankruptcy Proof of Claim (B10) form based on the information entered into the program. The program is now available in the Western District Bankruptcy Court. The Notice to File Claims has been modified to include information about ePOC.

A login and password are not required to use this service. ePOC may be accessed at <https://ecf.okwb.uscourts.gov/cgi-bin/autoFilingClaims.pl> or from the ePOC link on the Court's website, www.okwb.uscourts.gov.

The name and complete address of the creditor must appear on the claim form. If an attorney is filing the claim on behalf of a creditor, the attorney should also enter his/her name and address. The name and title, if any, of the person authorized to file the claim is required to appear on the claim form.

The penalty for filing a fraudulent claim is a fine of up to \$500,000 or imprisonment for up to 5 years, or both. 11 U.S.C. §§ 152 and 3571.

Corrective Entry Reminders

Please remember that all filings must be signed personally or electronically by the filing attorney. The signature must match the login used to file the document.

Also, please review your signature block to ensure that it complies with Local Rule 9004-1 D which states:

D. Attorney Signature Block. When a Document is signed by an attorney, the attorney's full name, state bar number, address, email address, telephone number, facsimile number (if applicable), and name of party or parties represented shall be shown on the Document beneath the signature line.

Holiday Closing Reminder

The Bankruptcy Court will be closed on the following holidays:

November 28 and 29	Thanksgiving
December 24 and 25	Christmas
January 1	New Year's Day
January 20	Martin Luther King Day

CM/ECF will be available for electronic filing. McVCIS, Voice Case Information System, (866 222-8029), will be available for obtaining case information.



U. S. BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA
NEW AND REVISED FILING FEES¹
Pursuant to 28 U.S.C. § 1930

The following are fees to be charged for services provided by the bankruptcy courts and are effective on December 1, 2013:

New Petitions

Chapter 7 (Voluntary or Involuntary)	\$ 306.00
Chapter 9	\$ 1,213.00
Chapter 11 (Voluntary or Involuntary)	\$ 1,213.00
Chapter 11 Railroad	\$ 1,046.00
Chapter 12	\$ 246.00
Chapter 13	\$ 281.00
Chapter 15 (Ancillary and other Cross-Border cases)	\$ 1,213.00

Amendments

Amendment to Debtor's Schedules, Lists of Creditors, or Mailing List	\$ 30.00
The fee may be waived by judge for good cause. The fee is not charged if the amendment is to:	
<ul style="list-style-type: none">• Change the address of a creditor or an attorney for a creditor listed on the schedules; or,• Add the name and address of an attorney for a creditor listed on the schedules.	
Amending a Caption	\$ 26.00

Motions

Motion to Appear Pro Hac Vice (due at filing of motion)	\$ 50.00
Motion to Compel Abandonment of Property	\$ 176.00
Motion to Sell Property of the Estate free of liens 11§363(f)	\$ 176.00
Motion to Convert Chapter 7 to Chapter 11	\$ 922.00
Motion to Convert Chapter 7 to Chapter 12	NO FEE
Motion to Convert Chapter 7 to Chapter 13	NO FEE
Motion to Convert Chapter 9 to Chapter 7	\$ 15.00
Motion to Convert Chapter 11 to Chapter 7	\$ 15.00
Motion to Convert Chapter 7 to Chapter 11 Railroad	\$ 755.00
Motion to Convert Chapter 11 to Any Other Chapter	NO FEE

Notice of Conversion Chapter 12 to Chapter 7	\$ 60.00
Motion to Convert Chapter 12 to Chapter 13	\$ 35.00
Notice of Conversion Chapter 13 to Chapter 7	\$ 25.00
Motion to Convert Chapter 13 to Chapter 11 Railroad	\$ 765.00
Motion to Convert Chapter 13 to Chapter 11	\$ 932.00
Motion to Deconsolidate/Split a Joint Case Under Ch. 7	\$ 306.00
Motion to Deconsolidate/Split a Joint Case Under Ch. 11	\$ 1,213.00
Motion to Deconsolidate/Split a Joint Case Under Ch. 12	\$ 246.00
Motion to Deconsolidate/Split a Joint Case Under Ch. 13	\$ 281.00
Motion to Lift, Terminate, Vacate, Annul, Modify, or Condition the Automatic Stay ²	\$ 176.00
Motion to Reopen ³ Ch. 7 case	\$ 260.00
Motion to Reopen Ch. 9 case	\$ 1,167.00
Motion to Reopen Ch. 11 case	\$ 1,167.00
Motion to Reopen Ch. 11 Railroad case	\$ 1,000.00
Motion to Reopen Ch. 12 case	\$ 200.00
Motion to Reopen Ch. 13 case	\$ 235.00
Motion to Reopen Ch. 15 case	\$ 1,167.00
Motion to Withdraw the Reference	\$ 176.00

Appeals

Appeal to District Court or Bankruptcy Appellate Panel ⁴	\$ 298.00 ⁵
Cross Appeal to District Court or Bankruptcy Appellate Panel	\$ 298.00 ⁶
Direct Appeal to Court of Appeals	
1. Request for Direct Appeal or Direct Cross Appeal	\$ 298.00 ⁷
2. Additional Fee Payable AFTER Direct Appeal is Authorized by Court of Appeals	\$ 157.00
Notice of Appeal	\$ 5.00

Adversary

Complaints in Adversary Proceedings	\$ 293.00
<ul style="list-style-type: none"> • Fee is paid from the estate if filed by trustee or debtor in possession and an estate is available • Fee is not charged if the debtor is the plaintiff • Fee is not charged if a child support creditor or representative files the complaint and required form 	

Miscellaneous

Returned or Denied Check for Insufficient Funds	\$ 53.00
Certification of any Document	\$ 11.00
Exemplification of any Document	\$ 21.00
Filing a Miscellaneous Proceeding	\$ 46.00
Reproducing Documents ⁸	\$.50
Reproduction of an Audio Recording of a Court Proceeding ⁹	\$ 30.00
Printing Copies from CM/ECF in Clerk's Office	\$.10
Conducting a Search of Bankruptcy Court Records, per name or item searched ¹⁰	\$ 30.00
Registration of Judgment from Another District	\$ 46.00
PACER (Per CM/ECF page as assessed by PACER)	\$.10
PACER electronic access to audio file	\$ 2.40
PACER conducted search, per name or item	\$ 30.00
Record Retrieval from Federal Records Center, National Archives or other storage location (one box)	\$ 64.00
Additional boxes retrieved	\$ 39.00
Transfer of Claim	\$ 25.00
Handling of Registry Funds deposited with Court	Per Fee
Fee Schedule issued by Director, Administrative Office of U.S. Courts	Schedule

¹ No fees are to be charged for services rendered on behalf of the United States, with the exception of those specifically prescribed when the information requested is available through remote electronic access, or to bankruptcy administrators appointed under Public Law No. 99-554, § 302(d)(3)(I). No fees under this schedule shall be charged to federal agencies or programs which are funded from judiciary appropriations, including, but not limited to, agencies, organizations, and individuals provided services authorized by the Criminal Justice Act, 18 U.S.C. § 3006A.

² No Filing Fee is required for a motion for relief from co-debtor stay; for a stipulation for court approval of an agreement for relief from stay; or, for a motion filed by a child support creditor or its representative, if the appropriate form is filed.

³ A Reopen Fee is not charged in the following circumstances: To permit a party to file a complaint to obtain a determination under Rule 4007(b); when a debtor files a motion to reopen a case based upon an alleged violation of the terms of the discharge under 11 U.S.C. § 524; or to correct an administrative error. Additionally, the court may waive the reopening fee under appropriate circumstances or may defer a reopening fee pending discovery of additional assets.

⁴ Parties filing a joint appeal are charged only one filing fee.

⁵ Includes filing fee of \$ 5.00 for Notice of Appeal.

⁶ Includes filing fee of \$ 5.00 for Notice of Appeal.

⁷ Includes filing fee of \$ 5.00 for Notice of Appeal.

⁸ This fee applies to services rendered on behalf of the United States if the document or recording requested is available through electronic access.

⁹ This fee applies to services rendered on behalf of the United States if the document or recording requested is available through electronic access.

¹⁰ This fee applies to services rendered on behalf of the United States if the documents requested for search are available through electronic access.