FEES CHARGED BY THE NEW YORK WESTERN BANKRUPTCY COURT

Effective June 1, 2016

New Petitions	Chapter 7	$ 335.00
	Chapter 9	$1,717.00
	Chapter 11 (non-railroad)	$1,717.00
	Chapter 11 (railroad)	$1,550.00
	Chapter 12	$ 275.00
	Chapter 13	$ 310.00
	Chapter 15	$1,717.00
Reopening Cases *(See Note 1.)*	Chapter 7	$ 260.00
	Chapter 9	$1,167.00
	Chapter 11 (non-railroad)	$1,167.00
	Chapter 11 (railroad)	$1,000.00
	Chapter 12	$ 200.00
	Chapter 13	$ 235.00
	Chapter 15	$1,167.00
Case Conversions	Chapter 11 *to* Chapter 7	$ 15.00
	Chapter 12 *to* Chapter 7	$ 60.00
	Chapter 13 *to* Chapter 7	$ 25.00
	Chapter 7 *to* Chapter 11 (non-railroad)	$ 922.00
	Chapter 7 *to* Chapter 11 (railroad)	$ 755.00
	Chapter 13 *to* Chapter 11 (non-railroad)	$ 932.00
	Chapter 13 *to* Chapter 11 (railroad)	$ 765.00
	Any Chapter *to* Chapter 12	None
	Chapter 7 or Chapter 11 *to* Chapter 13	None
	Chapter 12 *to* Chapter 11 or Chapter 13	None
Dividing Joint Cases	Chapter 7	$ 335.00
	Chapter 11	$1,717.00
	Chapter 12	$ 275.00
	Chapter 13	$ 310.00
Motions	Motion to Compel Abandonment of Property	$ 176.00
	Motion to Terminate, Annul, Modify, or Condition the Automatic Stay	$ 176.00
	Motion to Withdraw Reference	$ 176.00
	Motion to Sell Estate Property that is Free and Clear of Liens - Fee is due upon the filing of the motion, no fee deferrals	$ 176.00
	Motion to Redact a Record *(See Note 2.)*	$ 25.00
	Other Motions	None
Amendments	Schedule D, E, or F	$ 30.00
	Master Address List *(See Note 3.)*	$ 30.00
Other Documents and Services	Appeal *(See Note 4.)*	$ 298.00
	Audio Recording	$ 30.00
	Authorization of Direct Appeal (or Cross Appeal) from Bankruptcy Court to Court of Appeals *(See Note 5.)*	$ 207.00
	Certification of Document	$ 11.00
	Complaint *(See Note 6.)*	$ 350.00
	Cross-Appeal *(See Note 7.)*	$ 298.00
	Exemplification of Document	$ 21.00
	Filing Any Document Not Related to a Pending Case or Proceeding	$ 46.00
	Photocopies Made by Court Personnel (per page)	$ .50
	Printing Documents From Public Terminal in Courthouse (per page)	$ .10
	Removal of Action Pending in Another Court to Bankruptcy Court *(See Note 8.)*	$ 350.00
	Registration of Judgment from Another District	$ 46.00
	Retrieval of Record (1 Box) from Federal Records Center *(See Note 9.)*	$ 64.00
	Electronic Record Retrieval from Federal Records Center using SmartScan (See Note 10.)	Min. $ 19.90
	Returned Payment in Any Form	$ 53.00
	Search of Court Records by Court Personnel (per name or item)	$ 30.00
	Transfer of Claim	$ 25.00

OFFICE OF THE CLERK
UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

FEES CHARGED BY THE BANKRUPTCY COURT [1]

The Bankruptcy Court for the Western District of New York will accept cash (in the Buffalo Office only and exact change only), money orders, cashier's checks, credit cards (except from current debtors) and attorney or law firm checks payable to ***Clerk, U.S. Bankruptcy Court,*** for payment of fees. The Court does not accept personal checks, checks drawn on a debtor's account while their case is open prior to discharge, second or third party checks, and checks or money orders for more than the amount due. ***Please do not send cash through the mail.***

NOTES

1. The reopening fee should be charged when a case is closed without a discharge being entered. The reopening fee will not be charged if the reopening is necessary: (1) to permit a party to file a complaint to obtain a determination under Rule 4007(b); or (2) when a creditor is violating the terms of the discharge under 11 U.S.C. § 524. The Court may waive this fee under appropriate circumstances or may defer payment of the fee from trustees pending discovery of additional assets. If payment is deferred, the fee shall be waived if no additional assets are discovered. See *Bankruptcy Court Miscellaneous Fee Schedule (Effective December 1, 2014)* Item 11.

2. The $25 fee is collected per case affected. See *Bankruptcy Court Miscellaneous Fee Schedule (Effective December 1, 2014)* Item 21.

3. No fee is required when the nature of the amendment is to: change the address of a creditor or an attorney for a creditor listed on the schedules or to add the name and address of an attorney for a listed creditor. See *Bankruptcy Court Miscellaneous Fee Schedule (Effective December 1, 2014)* Item 4.

4. The Clerk of Court must collect both a notice of appeal fee of $5, and an appeal docketing fee of $293 when a party files an appeal in a bankruptcy case or proceeding. If a trustee or debtor in possession is the appellant, the $293 appeal docketing fee is payable only from the estate and to the extent there is any estate realized. See *Bankruptcy Court Miscellaneous Fee Schedule (Effective December 1, 2014)* Item 14. This exception does not apply to the $5.00 notice of appeal fee authorized by 28 U.S.C.§ 1930(c).

5. This fee is in addition to the $293 due upon the filing of an appeal or cross appeal, and shall be payable to the Bankruptcy Court when the Court of Appeals authorizes a direct appeal or a direct cross appeal.

6. If a debtor is the plaintiff, the fee must not be charged. If a child support creditor or its representative files the complaint and submits the form required by § 304(g) of the Bankruptcy Reform Act of 1994, the fee must not be charged. If a trustee or debtor-in-possession is the plaintiff, the fee should be paid by the estate if there is an estate. See *Bankruptcy Court Miscellaneous Fee Schedule (Effective December 1, 2014.)* Item 6.

7. For cross appeals, the Clerk of Court must collect both a notice of appeal fee of $5, and an appeal docketing fee of $293. If a trustee or debtor in possession is the appellant, the $293 appeal docketing fee is payable only from the estate and to the extent there is any estate realized. See *Bankruptcy Court Miscellaneous Fee Schedule (Effective December 1, 2014)* Item 14. This exception does not apply to the $5.00 notice of appeal fee authorized by 28 U.S.C.§ 1930(c).

8. The fee for filing an adversary proceeding is due whether a party files the action in Bankruptcy Court originally or a party removes the action to bankruptcy court from another forum. Thus, when a party files a notice of removal, the Clerk of Court must collect the prescribed fee for filing an adversary proceeding, and the exceptions to payment accorded a plaintiff shall apply to a removing party. Consequently, if a debtor files the notice of removal, the fee must not be charged. If a child support creditor or its representative files the notice of removal and submits the form required by § 304(g) of the Bankruptcy Reform Act of 1994, the fee must not be charged. If a trustee or debtor-in-possession files the notice of removal, the fee should be paid by the estate if there is an estate. See *Bankruptcy Court Miscellaneous Fee Schedule (Effective December 1, 2014)* Item 6.

9. The fee for retrieval of one box of records from the Federal Records Center is $64. There will be a $39.fee for the retrieval of each additional box. See *Bankruptcy Court Miscellaneous Fee Schedule (Effective December 1, 2014)* Item 12.

10. The fee for electronic retrievals of records from the Federal Records Center is $19.90 plus $0.65 per PDF page. This fee is charged for use of the FRC's SmartScan Service. This service can only be requested when each of the following 5 circumstances apply: 1) Requester knows exactly what document they are looking for, 2) Requester can provide the Court with sufficient information to help the FRC locate the file (ie, case #, and docket entry # & filing date), 3) Requested document will not exceed 100 pages, 4) Requester can provide the Court with an appropriate email address capable of receiving a PDF file containing up to 100 electronic pages, and 5) The requested document is not sealed or restricted.

[1] Includes fees prescribed by 28 U.S.C. §1930 and the fee schedules issued by the Judicial Conference of the United States in accordance with 28 U.S.C. §1930(b). For additional fees, see the *Bankruptcy Court Miscellaneous Fee Schedule.*