UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS

PUBLIC NOTICE
FEE INCREASES AND CHANGES
Effective November 1, 2003

Notice is given that the Judicial Conference at its September 2003 session, approved changes to the miscellaneous fee schedule. All changes to the fee schedule will become effective November 1, 2003. All increases and changes to the Bankruptcy Court Miscellaneous Fee Schedule are set out below:

Fee Schedule Increases

Chapter 7 (includes $39 administrative fee and $15.00 surchage)		$209
Chapter 9		$839
Chapter 11 (non-railroad)		$839
Chapter 11 (railroad)		$1039
Chapter 12		$239
Chapter 13		$194
Miscellaneous Proceeding		$ 39
Section 304 Petition/Ancillary Foreign		$839
Item (2)	Certification.....	$ 9
	Exemplification.....	$ 18
Item (3)	Reproduction of Recordings of Proceedings.....	$ 26
Item (4)	Amendment to Schedule and/or Matrix.....	$ 26
Item (5)	Search of Records.....	$ 26

Item (7)	Filing or Indexing a Miscellaneous Paper.....	$39
Item (12)	Microfiche Copy.....	$ 5
Item (13)	FRC Record Retrieval....	$ 45
Item (14)	Returned Check.....	$ 45
Item (15)	Notice of Appeal.....	$255
Item (19)	Motion to Split/Sever Ch 7/13....	$155
	Motion to Split/Sever Ch 11	$800
	Motion to Split/Sever Ch 12.....	$200
Item (20)	Motion to Lift Stay.....	$150
	Motion to Compel Abandonment...	$150
	Motion to Withdraw Reference.....	$150
Item (21)	Cross Appeal.....	$250

Fee Schedule Changes

Item 4 - Amendment Fee - This item currently requires a fee for each amendment to the debtor's list of creditors, matrix, or mailing lists -with two exceptions: first, no fee is charged to change the address of a listed creditor; and second, no fee is charged to add the name and address of a listed creditor's attorney. Because there is often confusion regarding application of the exceptions, the Conference approved an amendment to this fee setting forth the two exceptions within the language of the fee item.

Item 11- Reopening Fee - This item currently requires a fee for filing a motion to reopen a Bankruptcy Code case but allows the court to defer its payment from trustees pending discovery of additional assets. There is confusion over the applicability of this exception, particularly in the situation where no assets are located. Some courts require the fee to be paid, while others simply waive it. For clarity, as well as to encourage trustees to reopen cases where the possibility of locating additional assets exists, the Conference approved adding language to state that if payment is deferred, the fee shall be waived if no additional assets are discovered.

Item 19 -Fee for Splitting Case - This item currently provides that when a joint case is divided into two separate cases at the request of the debtor, a fee is charged equal to one-half the applicable filing fee. When a joint case is split, however, an entirely new case is created and is administered separately from the original case. The Conference approved modifying this fee to provide that the fee for splitting a case should be equal to the statutory filing fee for filing a second separate original petition.

Item 20 - Fee for Filing a Motion to Lift Stay - This item sets forth a fee "for filing a motion to terminate, annul, modify , or condition the automatic stay provided under § 362(a) of title 11, a motion to compel abandonment of property of the estate pursuant to Rule 6007(b) of the Federal Rules of Bankruptcy Procedure, or a motion to withdraw the reference of a case or proceeding under 28 U.S.C. § 157(d)." The Conference approved an increase in this fee from $75 to $150. In addition, the Conference approved including two exceptions to this fee in the fee item. These include exemptions for motions to lift a co-debtor stay under 11 U.S.C. §§ 1201 and 1301 and for stipulations for court approval of an agreement regarding relief from a stay.

Item 15 and Item 22 (Docketing and Cross Docketing an Appeal)

Items 15 (fee for docketing an appeal in the bankruptcy court) and 21 (fee for docketing a cross appeal in the bankruptcy court) of the Bankruptcy Court Miscellaneous Fee Schedule track Item 1 of the Court of Appeals Miscellaneous Fee Schedule, which enumerates the fee for docketing a case on appeal or review. The Conference increased this fee (Item 1 of the Court of Appeals Miscellaneous Fee Schedule) from $100 to $250. Because Items 15 and 21 track this fee, both of these fees will also increase to $250