

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE**

**A Local Review of Item (4) of the Bankruptcy Court  
Miscellaneous Fee Schedule (Appendix to 28 U.S.C. § 1930), and of the  
Pro Hac Vice Fee Established in this District**

(4) *For filing an amendment to the debtor's schedules of creditors, lists of creditors, or mailing list, \$30, except:*

\* *The Bankruptcy judge may, for good cause, waive the charge in any case.*

\* *This fee must not be charged if -*

\* *the amendment is to change the address of a creditor or an attorney for a creditor listed on the schedules; or*

\* *the amendment is to add the name and address of an attorney for a creditor listed on the schedules.*

- (a) A \$30.00 filing fee shall be charged for anyone (debtor or creditor) seeking to amend the schedules to add a creditor to Schedule D, E, F, G, or H. No fee shall be charged to amend Schedule A, B, C, I, or J.
- (b) A \$30.00 filing fee shall be charged for anyone (debtor or creditor) seeking to amend the schedules to add a creditor to Schedule D, E, F, G, or H - even if the creditor was previously listed on Schedule A, B, C, I, or J.
- (c) There is no filing fee to amend a schedule if that creditor (or holder of a claim) is already listed within that schedule (for example, change of status by amendment of debtor or motion of any party in interest).
- (d) There is no filing fee to add (that is, transfer) a creditor to Schedule D, E, F, G, or H if that creditor was previously listed on another D, E, F, G, or H Schedule (that is, a change of status by amendment of debtor or motion of any party in interest).
- (e) There is no filing fee to a debtor or creditor to file a postconfirmation motion seeking to modify a plan to include or add a creditor to the chapter 13 plan (as long as the motion does not seek to "add to Schedule D, E, F, G, or H). (A motion seeking to modify the plan to include or add a creditor to a chapter 13 plan is essentially a motion seeking a postconfirmation modification of the plan and all interested parties are notified.)

(\*\*\*Remember - **the official bankruptcy schedules only apply to prepetition debt.** It is not appropriate to add a postpetition debt to a schedule unless the case is later converted to another chapter. If debtor or creditor asks to include a POSTpetition debt to the schedules, although the fee will not be requested by court personnel, it will be accepted if provided. (The judge may notify the attorneys in writing or in court about this matter.)

- (f) If a motion to add or amend the schedule is filed after a case is closed (and is not accompanied by a motion to reopen or to set aside prior case dismissal) and a \$30.00 filing fee is paid - if filed within 30 days of the closing date the money will be refunded upon request to the Financial Deputy. If filed more than 30 days after the closing date, movant must file a motion for return of funds.
- (g) If a motion or notice is received adding a Schedule D, E, F, G, or H creditor, but doesn't specify WHAT it's being added to (that is, the schedules or plan) a filing deficiency notice will be issued by the Clerk's Office. Reference will be made within the notice that if adding to one of those schedules, the fee will be due and owing.

(h) Adding to or amending the matrix:

Upon research by the Clerk's Office, if it is determined that the filing party is correcting the matrix to add a creditor already listed in Schedule D, E, F, G, or H but left off the matrix, amending the address, etc., there is no charge.

If it appears that the filing party is adding a creditor that was not previously listed in Schedule D, E, F, G, or H - a filing deficiency notice will be issued. Reference will be made within the notice that if adding to one of those schedules, the fee will be due and owing. If the \$0.00 filing fee is provided but not required, the fee will be accepted by the Clerk.

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**PRO HAC VICE fees:** Although the fee to file a Pro Hac Vice Motion in the U. S. District Court for the Western District of Tennessee is now \$100.00, the fee in the Bankruptcy Court will remain at \$10.00 until further notice.