

ATTORNEY FILING FEE INSTALLMENT AND FILING FEE WAIVER INSTRUCTIONS

(10/17/2005)

1. Pursuant to Interim Rule of Bankruptcy Procedure 1006 (applicable to cases file 10/17/2005 or later), an individual (not a corporation, partnership, limited liability company, trust or other artificial entity) may pay the filing fee in installments. If you are filing a petition for an individual or joint debtors who are unable to pay the filing fee in full and are going to file an application to pay the filing fee in installments, you may file the petition and open the case without having the full filing fee charged to your credit card. Only the 50.00 or a larger amount if you desire will be charged to your credit card.

The new Act also permits the debtor to apply for a waiver of a Chapter 7 filing fee (only chapter 7 fees may be waived.) If you do have occasion to file a chapter 7 case where the debtor may be eligible for waiver of the filing fee, you also can open the case on ECF with no charges to your credit card and then file an Application for Waiver of the Chapter 7 Filing Fee (an official form, which is available at www.uscourts.gov must be used.)

2. Please also be advised that under General Order No. 91, a debtor who is filing a petition without paying the full filing fee, and is filing an application to pay the filing fee in installments, is required to pay an initial installment of \$50.00 at the time the petition is filed. The debtor may then apply to pay the balance of the filing fee in installments.
3. To open a case and file a petition without paying the full filing fee, when the statistical screen is displayed, change the Fee status from the paid default to installment.

Type of debtor	<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Corporate (include partnerships)
	<input type="checkbox"/> Partnership	<input type="checkbox"/> Stock
Fee status	Installment	
Nature of debt	consumer	
Voluntary	voluntary	
Origin	Zero	
Date split/transfer		
Next		
Clear		

4. You will then be able to change the amount of the fee to the amount that you will be paying when filing the petition (50.00 minimum or more) if filing an Application to Pay the Filing Fee in Installments. If filing an Application for Waiver of the Chapter 7 Filing fee change the amount to 0.00.

The screenshot shows a web form titled "Open New Bankruptcy Case". Below the title, it says "Electronic Filing Declaration due date 01/10/2005". There is a text input field labeled "Fee: \$" containing the value "50". Below the input field are two buttons: "Next" and "Clear".

At the conclusion of the filing, you will be prompted to pay this amount online using your credit card. If you have input 0.00 for an amount, the following screen will not appear.

The screenshot shows a table titled "Summary of current charges:" with three columns: "Date Incurred", "Description", and "Amount". The table contains one row of data and a total row. Below the table are two buttons: "Pay Now" and "Continue Filing".

Date Incurred	Description	Amount
2004-12-21 09:09:22	Voluntary Petition (Chapter 7)(2:04-bk-00419) [other,volp7] (50.00)	\$ 50.00
		Total: \$ 50.00

5. After filing the petition (and any schedules and statements) and opening the case, you need to file the debtor's application to pay the filing fee in installments or the application for waiver of the chapter 7 filing fee. An order will then be entered providing for the dates and amounts the installments are to be paid or granting or denying the waiver application. Those installment payments, if made by the attorney must be by check and if made directly by the debtor must either be by cash in person or by money order or cashier's check if made by mail.