

United States Bankruptcy Court

Southern District of Georgia

MICHAEL F. McHUGH

OFFICE OF THE CLERK

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PUBLIC NOTICE

Fees for Amendments

In accordance with the 2003 Bankruptcy Fee Compendium, Section D(1), Amendments to Schedules, List of Creditors, Matrix, or Mailing Lists, "the Clerk must charge a fee to add creditors, delete creditors, change the amount of a debt, or change the classification of a debt."

Accordingly, effective immediately, a fee of \$20 for each amendment will be collected by the Clerk's Office as referenced at item #4 of the Bankruptcy Court Miscellaneous Fee Schedule.

For The Court:
Michael F. McHugh, Clerk

Dated: July 21, 2003

Bankruptcy Fee Compendium II
Revised 2003

D. Amendments to Schedules, List of Creditors, Matrix, or Mailing Lists (Item 4 - Miscellaneous Fee Schedule).¹⁹³ The clerk must collect \$20 for each amendment to a debtor's schedules of creditors or lists of creditors. Nevertheless, the bankruptcy judge may waive the charge for good cause. **(Credit fund 086900.)**

(1) The Fee Is Assessed Per Filing. If an amendment contains more than one change to the list of creditors, the clerk may charge only one \$20 fee. The clerk must charge a fee to add creditors, delete creditors, change the amount of a debt, or change the classification of a debt.

(2) No Fee to Change Addresses. No fee is due to change the address of a listed creditor. Federal Rule of Bankruptcy Procedure 2002(g) provides that creditors may designate the address to which notices must be sent occasionally causing a change to the original schedule. The clerk must amend only the mailing matrix in such circumstances; schedules need no amendments if the only change is an updated address.

(3) No Fee Charged to Add Attorney. No fee is due to add the name and address of an attorney for a creditor already listed on the original schedules so that the attorney can receive copies of notices. The attorney is added as an agent for a creditor already included on the schedule.

(4) Waivers for Good Cause. The Bankruptcy Court Miscellaneous Fee Schedule permits the judge "for good cause [to] waive the charge in any case." This provision requires an individual finding in each case. It provides no authority to a court to "abolish" the fee by granting a blanket waiver by local rule or general order. The court may designate the factors in a local rule that will be considered "good cause" for a waiver, but the burden must remain on the party to make a showing of good cause. A blanket waiver vitiates the debtor's incentive to furnish complete and accurate schedules and lists at the outset of the case, which is the purpose of this fee. Such a blanket waiver also deprives

¹⁹³ The Judicial Conference modified this fee twice. First, effective January 1, 1998, the Conference eliminated the requirement that the clerk ascertain whether notice of the filing was sent to creditors before assessing the fee. The Conference determined that this notice requirement was unduly burdensome. Second, at its March 2001 session, the Conference made clear that the fee applied to the matrices and mailing lists of creditors.