

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN**

**NOTICE REGARDING CHANGE IN PROCESSING
APPLICATIONS TO WAIVE CHAPTER 7 FILING FEE**

Federal Rule of Bankruptcy Procedure 1006(c) provides that a voluntary Chapter 7 petition filed by an individual shall be accepted for filing if accompanied by an application requesting a waiver of the filing fee under 28 U.S.C. § 1930(f) prepared on the prescribed official form. On July 13, 2012, the Court issued a notice stating that no application to waive the Chapter 7 filing fee would be granted until seven days after the conclusion of the § 341 meeting of creditors. The notice further explained that after such date, the Court would either grant the application, deny it, or set it for hearing. Based upon the past year's experience, the Court has found that this procedure creates an undue administrative burden. Therefore, the Court has determined to change this procedure.

PLEASE TAKE NOTICE that effective immediately, the Court will no longer wait seven days after the conclusion of the § 341 meeting of creditors to act upon an application to waive the Chapter 7 filing fee. Instead, the Court will promptly process the application by either granting it, denying it, or setting it for hearing. If the Court sets a hearing, the Court will provide notice of the hearing to all parties. The Chapter 7 Trustee will not be required to attend the hearing, but may choose to

appear in person or by telephone. Telephonic appearances must be arranged with the chambers of the bankruptcy judge assigned to the case, but the Court will not require the Trustee to use Court Call for the appearance.

If the Court grants an application to waive the filing fee, but the Chapter 7 Trustee believes that there are grounds for the Court to reconsider its decision, the Trustee must file a motion for reconsideration. The Trustee must serve the motion upon the debtor, but need not send a notice and opportunity to be heard, nor follow any of the other requirements of L.B.R. 9014-1. The Court will promptly schedule a hearing on the motion and provide notice of the hearing to the Trustee and the debtor. The Trustee will not be required to attend the hearing, but may choose to appear in person or by telephone. Again, appearances by telephone must be arranged with the chambers of the bankruptcy judge assigned to the case, but the Court will not require the Trustee to use Court Call for the appearance.

Dated: August 12, 2013

Katherine B. Gullo
Clerk of Court