

**INSTRUCTIONS FOR PREPARING:
APPLICATION TO WAIVE THE FEE TO REOPEN BANKRUPTCY CASE**

IMPORTANT: This packet may only be used if your case was filed under chapter 7 and you cannot afford the filing fee.

I. General Instructions

- a. The information in this document and the prompts contained in the attached application packet are not legal advice and are not a substitute for legal advice.
- b. An application is a semi-formal request for relief from the Court. These instructions and the prompts contained in the documents will help you prepare the application. An “application package” typically consists of three documents: 1) an Application; 2) a Certification of Service; and 3) a proposed Order.
- c. When you submit your application to the Clerk’s Office, you must provide 1 original set of documents and 1 copy.
 - i. If you file the application in person at the clerk’s office, the copy will be given back to you marked “Filed.”
 - ii. If you mail the application to the Clerk’s Office, you must include a self-addressed, stamped envelope for the return of your filed application. See Clerk’s Office addresses listed under Resources.
- d. Hearings are not held on applications. Rather, the judge will allow interested parties 7 days to file an objection to your application. Upon the expiration of the deadline to file objections, the judge will review your application and any objections or responses that were filed, and make a decision whether to grant your request.
- e. Complete the blank forms in this package by following the prompts.
- f. Signatures: All documents must be signed and dated.
 - i. If your case is a joint case, both debtors must sign the application.
- g. After the judge decides whether to grant your request, you will receive a copy of the order the judge signed in the mail. If the judge denies your request, you will be required to pay the filing fee within 14 days of the date of the order.

II. TERMS RELATED TO YOUR MOTION:

Application: A semi-formal request for relief filed with a court that contains the facts supporting the reason why you believe the court should grant the relief requested.

Service: The act of providing a copy of the application package to all parties who may have an interest in the outcome. See Local Rule 9013-2.

Certification of Service: The filer must set forth in the Certification of Service the name and address of each party served, their relationship to the case, and the manner in which they were served. The Certification must be signed by the person who served the documents. See Local Rule 9013-2.

Proposed Order: The proposed order contains the relief the filer seeks. The judge will decide whether to grant the filer's request for relief. If the relief is granted, the judge will sign the proposed order. See Local Rule 9013-4.

III. RESOURCES:

Clerk's Office Locations:

U. S. Bankruptcy Court
Clerk's Office
U. S. Post Office and Courthouse
401 Market Street
Camden, NJ 08101
609-361-2300

U. S. Bankruptcy Court
Clerk's Office
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, NJ 07102
973-645-4764

U. S. Bankruptcy Court
Clerk's Office
Clarkson S. Fisher U. S. Courthouse
402 East State Street
Trenton, NJ 08608
609-858-9333

United States Bankruptcy Court, District of New Jersey: www.njb.uscourts.gov

Local Rules for the U. S. Bankruptcy Court for the District of New Jersey:

www.njb.uscourts.gov/local-rules-and-orders

Local Forms: <http://www.njb.uscourts.gov/forms>

Pacer (To view documents in the Court's electronic filing system): www.pacer.gov

Glossary of Legal Terms: <http://www.uscourts.gov/glossary>

Bankruptcy Basics: <http://www.uscourts.gov/services-forms/bankruptcy/bankruptcy-basics>

General Resources: <http://www.njb.uscourts.gov/understanding-bankruptcy/resources>

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)
[Enter your name, address and telephone number]

In Re:
[Enter the debtor's name(s)]

Case No.: _____
[Enter the case number]

Chapter: _____
[Enter the chapter; example: 13]

Judge: _____
[Enter the Judge's last name]

APPLICATION TO WAIVE THE FEE TO REOPEN BANKRUPTCY CASE

I, *[Enter the debtor's name]* _____, am the debtor in this case and submit this application in support of my request to waive the reopening fee. I am fully familiar with my case, and certify as follows:

1. I filed for bankruptcy on: *[Enter the date you filed your petition]*

_____.

2. When I filed my petition, my average monthly income was: *[Enter the amount of your average monthly income from Schedule I]* \$_____, and my average monthly expenses were: *[Enter the amount of your average monthly expenses from Schedule J]* \$_____.

3. As a result, I:

- did not request a waiver of the Chapter 7 Filing Fee.
- requested a waiver of the Chapter 7 Filing Fee and the request was GRANTED.
- requested a waiver of the Chapter 7 Filing Fee and the request was DENIED.

4. As of the date of this application, my monthly income is: *[Enter the amount of your current monthly income]* \$_____, and my current monthly expenses are: *[Enter the amount of your current monthly expenses]* \$_____.

5. If the monthly income and/or monthly expenses have changed since the time I filed for bankruptcy, the reason for the change is: _____

_____.

6. I do do not expect the monthly income or expenses to change by more than 10% during the next six (6) months. If you do expect your monthly income or expenses to change by more than 10%, please explain: _____

_____.

7. I do not presently have cash or assets from which I can pay the fee to reopen my case.

I certify under penalty of perjury that the foregoing statements are true.

Date: _____

Signature of Debtor

Date: _____

Signature of Joint Debtor (if any)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)
[Enter your name, address and phone number]

In Re:
[Enter the debtor's name(s)]

Case No.: _____
[Enter the case number]

Chapter: _____
[Enter the chapter of the case]

Judge: _____
[Enter the Judge's last name]

CERTIFICATION OF SERVICE

1. I, *[Enter your name]* _____ am the *[Enter your relationship to the case. For example, debtor, debtor's attorney]* _____ in this case.

2. On *[Enter the date you served the documents]* _____, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below.
[Place a check next to each document you served]
 - Application to Waive the Fee to Reopen Bankruptcy Case
 - Proposed Order Waiving Fee to Reopen Bankruptcy Case
 - Other _____
[Specify the additional document(s) served]

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated below.

Date: _____
[Enter the date you signed this document]

Signature *[Of the person who served the documents]*

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
<i>[Enter the name and address of the party you served]</i>	<i>[Enter the party's relationship to the case]</i>	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other _____ (As authorized by the Court or rule. Cite the rule if applicable.)
<i>[Enter the name and address of the party you served]</i>	<i>[Enter the party's relationship to the case]</i>	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other _____ (As authorized by the Court or rule. Cite the rule if applicable.)
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DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)
[Enter your name, address and phone number]

In Re:
[Enter the debtor's name(s)]

Case No.: _____
[Enter the case number]

Chapter: _____
[Enter the case number]

Judge: _____
[Enter the Judge's last name]

**ORDER CONCERNING APPLICATION TO
WAIVE FEE TO REOPEN BANKRUPTCY CASE**

The relief set forth on the following page is **ORDERED**.

[Leave the rest of this page blank]

The Court having reviewed the debtor's Application to Waive the Fee to Reopen Bankruptcy Case, and any related responses or objections, it is hereby

ORDERED that:

The debtor's request to waive the fee to reopen their case is granted.

The debtor's request to waive the fee to reopen their case is denied, and the fee in the amount of *[Enter the amount of the fee to reopen your case]* \$_____ is due on or before 14 days from the date of this order: _____.