**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**

* 1. 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.
  2. 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.
  3. When you submit your application to the Clerk’s Office, you must provide 1 original set of documents and 1 copy.
     1. If you file the application in person at the clerk’s office, the copy will be given back to you marked “Filed.”
     2. 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.
  4. 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.
  5. Complete the blank forms in this package by following the prompts.
  6. Signatures: All documents must be signed and dated.
     1. If your case is a joint case, both debtors must sign the application.
  7. 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 U. S. Bankruptcy Court

Clerk’s Office Clerk’s Office

U. S. Post Office and Courthouse Martin Luther King, Jr. Federal Building

401 Market Street 50 Walnut Street

Camden, NJ 08101 Newark, NJ 07102

609-361-2300 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](http://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](file:///\\njbdfst.njb.circ3.dcn\home\jl0023\JWAM%20-%20Judge%20Inconsistencies\Pro%20Se%20Motion%20Documents\Motion%20(Generic)\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](file:///\\njbdfst.njb.circ3.dcn\home\jl0023\JWAM%20-%20Judge%20Inconsistencies\Pro%20Se%20Motion%20Documents\Motion%20(Generic)\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>

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| 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)

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| 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.

*[Pace 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]*

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| **Name and Address of Party Served** | **Relationship of**  **Party to the Case** | **Mode of Service** |
| *[Enter the name and address of the party you served]* | *[Enter the party’s relationship to the case]* | Hand-delivered  Regular mail  Certified mail/Return receipt requested  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (As authorized by the Court or rule. Cite the rule if applicable.) |
| *[Enter the name and address of the party you served]* | *[Enter the party’s relationship to the case]* | Hand-delivered  Regular mail  Certified mail/Return receipt requested  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (As authorized by the Court or rule. Cite the rule if applicable.) |
| *[Enter the name and address of the party you served]* | *[Enter the party’s relationship to the case]* | Hand-delivered  Regular mail  Certified mail/Return receipt requested  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (As authorized by the Court or rule. Cite the rule if applicable.) |
| *[Enter the name and address of the party you served]* | *[Enter the party’s relationship to the case]* | Hand-delivered  Regular mail  Certified mail/ Return receipt requested  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (As authorized by the Court or rule. Cite the rule if applicable.) |
| *[Enter the name and address of the party you served]* | *[Enter the party’s relationship to the case]* | Hand-delivered  Regular mail  Certified mail/ Return receipt requested  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (As authorized by the Court or rule. Cite the rule if applicable.) |
| **Name and Address of Party Served** | **Relationship of**  **Party to the Case** | **Mode of Service** |
| *[Enter the name and address of the party you served]* | *[Enter the party’s relationship to the case]* | Hand-delivered  Regular mail  Certified mail/ Return receipt requested  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (As authorized by the Court or rule. Cite the rule if applicable.) |
| *[Enter the name and address of the party you served]* | *[Enter the party’s relationship to the case]* | Hand-delivered  Regular mail  Certified mail/ Return receipt requested  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (As authorized by the Court or rule. Cite the rule if applicable.) |
| *[Enter the name and address of the party you served]* | *[Enter the party’s relationship to the case]* | Hand-delivered  Regular mail  Certified mail/ Return receipt requested  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (As authorized by the Court or rule. Cite the rule if applicable.) |
| *[Enter the name and address of the party you served]* | *[Enter the party’s relationship to the case]* | Hand-delivered  Regular mail  Certified mail/ Return receipt requested  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (As authorized by the Court or rule. Cite the rule if applicable.) |
| *[Enter the name and address of the party you served]* | *[Enter the party’s relationship to the case]* | Hand-delivered  Regular mail  Certified mail/ Return receipt requested  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  (As authorized by the Court or rule. Cite the rule if applicable.) |

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| 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 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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.