

U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

STANDING PROCEDURAL ORDER RE
PAYMENTS OF COMPLAINT FILING FEES BY TRUSTEES

WHEREAS, Item 6 of the Schedule of Fees adopted by the Judicial Conference of the United States pursuant to authority granted by 28 U.S.C. §1930(b), in pertinent parts, provides for the payment of a fee for filing a complaint in a U.S. Bankruptcy Court in the same amount as the filing fee prescribed in 28 U.S.C. §1914(a) for instituting in a U.S. District Court any civil action other than a writ of habeas corpus; and that if a trustee in a case under the U.S. Bankruptcy Code is the plaintiff, the fee should be payable only from the estate and to the extent there is any estate realized; and

WHEREAS, for orderliness of record-keeping, appropriate procedural mechanisms should be provided to effectuate such pertinent language from said Schedule of Fees; it is

ORDERED that:

1. If, at the time of filing, sufficient funds in a bankruptcy estate are on hand, the trustee shall pay the filing fee in full coincident with the filing of the adversary proceeding;
2. If insufficient liquid funds are available to the trustee upon filing, the trustee shall file a motion alleging such fact and praying for deferment of payment of the filing fee; and
3. Promptly upon the liquidating or obtaining of sufficient estate assets to pay such complaint filing fee, the trustee shall pay to the Clerk of this Court the adversary proceeding filing fee in full.

Entered 5/20/92 at 4:30 ^{AM} P.M.
United States Bankruptcy Court
Northern District of Mississippi
Joseph E. Wrotan, Clerk
By: P. Bartlett D.C.



DAVID W. HOUSTON, III
JUDGE, UNITED STATES BANKRUPTCY COURT

DATED: May 20, 1992