

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

NOTICE RE:  
ADJUSTMENTS TO CERTAIN DOLLAR AMOUNTS IN THE BANKRUPTCY  
CODE & OFFICIAL FORMS EFFECTIVE APRIL 1, 2010

Automatic adjustments to the dollar amounts stated in various provisions of the Bankruptcy Code and one provision in Title 28 of the United States Code will become effective for all cases filed on or after April 1, 2010. A chart reflecting these adjustments is attached hereto.

The following Official Bankruptcy Forms and Director's Forms containing references to the affected dollar amounts will be amended April 1, 2010 and will apply to cases filed on or after that date. The revised forms incorporating the changes will be posted on the [U.S. Courts Website](#).

- Official Form 1, Voluntary Petition
- Official Form 6C, Schedule of Property Claimed as Exempt
- Official Form 6E, Schedule of Creditors Holding Claims Entitled to Priority
- Official Form 7, Statement of Financial Affairs
- Official Form 10, Proof of Claim
- Official Form 22A, Statement of Current Monthly Income and Means Test Calculation (Chapter 7)
- Official Form 22C, Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Chapter 13)
- Director's Form 200, Required Lists, Schedules, Statements and Fees
- Director's Form 283, Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q)

| Affected Sections of Title 28 U.S.C. and the Bankruptcy Code  | Dollar Amount to be Adjusted   | New (Adjusted) Dollar Amount   |
|---|--|--|
| <b>28 U.S.C.</b>  |  |  |
| 1409(b) - a trustee may commence a proceeding arising in or related to a case to recover<br><br>(1) - money judgment of or property worth less than<br><br>(2) - a consumer debt less than<br><br>(3) - a non consumer debt against a non insider less than | \$1,100<br><br>\$16,425<br><br>\$10,950                                | \$1,175<br><br>\$17,575<br><br>\$11,725                                |
| <b>11 U.S.C.</b>  |  |  |
| Section 101(3) - definition of assisted person  | \$164,250  | \$175,750  |
| Section 101(18) - definition of family farmer   | \$3,544,525 (each time it appears)                                     | \$3,792,650 (each time it appears)                                     |
| 101(19A) - definition of family fisherman   | \$1,642,500 (each time it appears)                                     | \$1,757,475 (each time it appears)                                     |
| 101(51D) - definition of small business debtor  | \$2,190,000 (each time it appears)                                     | \$2,343,300 (each time it appears)                                     |
| Section 109(e) - allowable debt limits for individual filing bankruptcy under chapter 13  | \$336,900 (each time it appears)<br>\$1,010,650 (each time it appears) | \$360,475 (each time it appears)<br>\$1,081,400 (each time it appears) |

| Affected Sections of Title 28 U.S.C. and the Bankruptcy Code  | Dollar Amount to be Adjusted  | New (Adjusted) Dollar Amount  |
|---|---|---|
| <b>11 U.S.C. (Continued)</b>  |   |   |
| Section 303(b) - minimum aggregate claims needed for the commencement of involuntary chapter 7 or chapter 11 bankruptcy<br><br>(1) - in paragraph (1)<br><br>(2) - in paragraph (2)   | \$13,475<br><br>\$13,475  | \$14,425<br><br>\$14,425  |
| Section 507(a) - priority expenses and claims<br><br>(1) - in paragraph (4)<br><br>(2) - in paragraph (5)<br><br>(3) - in paragraph (6)<br><br>(4) - in paragraph (7)   | \$10,950<br><br>\$10,950<br><br>\$5,400<br><br>\$2,425  | \$11,725<br><br>\$11,725<br><br>\$5,775<br><br>\$2,600  |
| Section 522(d) - value of property exemptions allowed to the debtor<br><br>(1) - in paragraph (1)<br><br>(2) - in paragraph (2)<br><br>(3) - in paragraph (3)<br><br>(4) - in paragraph (4)<br><br>(5) - in paragraph (5)<br><br>(6) - in paragraph (6)<br><br>(7) - in paragraph (8)<br><br>(8) - in paragraph (11)(D) | \$20,200<br><br>\$3,225<br><br>\$525<br>\$10,775<br><br>\$1,350<br><br>\$1,075<br>\$10,125<br><br>\$2,025<br><br>\$10,775<br><br>\$20,200 | \$21,625<br><br>\$3,450<br><br>\$550<br>\$11,525<br><br>\$1,450<br><br>\$1,150<br>\$10,825<br><br>\$2,175<br><br>\$11,525<br><br>\$21,625 |

| Affected Sections of Title 28 U.S.C. and the Bankruptcy Code  | Dollar Amount to be Adjusted   | New (Adjusted) Dollar Amount   |
|---|--------------------------------|--------------------------------|
| <b>11 U.S.C. (Continued)</b>  |                                |                                |
| 522(f)(3) - exception to lien avoidance under certain state laws  | \$5,475                        | \$5,850                        |
| 522(f)(4)- items excluded from definition of household goods for lien avoidance purposes  | \$550 (each time it appears)   | \$600 (each time it appears)   |
| 522(n) - maximum aggregate value of assets in individual retirement accounts exempted   | \$1,095,000                    | \$1,171,650                    |
| 522(p) - qualified homestead exemption  | \$136,875                      | \$146,450                      |
| 522(q) - state homestead exemption  | \$136,875                      | \$146,450                      |
| 523(a)(2)(C) - exceptions to discharge<br><br>in subclause (i)(I) - consumer debts, incurred $\leq$ 90 days before filing owed to a single creditor in the aggregate<br><br>in subclause (i)(II) - cash advances incurred $\leq$ 70 days before filing in the aggregate | <br><br>\$550<br><br>\$825     | <br><br>\$600<br><br>\$875     |
| 541(b)- property of the estate exclusions<br><br>(1) - in paragraph (5)(C) - education IRA funds in the aggregate<br><br>(2) - in paragraph (6)(C) - pre-purchased tuition credits in the aggregate   | <br><br>\$5,475<br><br>\$5,475 | <br><br>\$5,850<br><br>\$5,850 |
| 547(c)(9) - preferences, trustee may not avoid a transfer if, in a case filed by a debtor whose debts are not primarily consumer debts, the aggregate value of property is less than  | \$5,475                        | \$5,850                        |

| Affected Sections of Title 28 U.S.C. and the Bankruptcy Code  | Dollar Amount to be Adjusted   | New (Adjusted) Dollar Amount   |
|---|--|--|
| <b>11 U.S.C. (Continued)</b>  |  |  |
| 707(b) - dismissal of a case or conversion to a case under chapter 11 or 13 (means test) <ul style="list-style-type: none"> <li>(1) - in paragraph (2)(A)(i)(I)</li> <li>(2) - in paragraph (2)(A)(i)(II)</li> <li>(3) - in paragraph (2)(A)(ii)(IV)</li> <li>(4) - in paragraph (2)(B)(iv)(I)</li> <li>(5) - in paragraph (2)(B)(iv)(II)</li> <li>(6) - in paragraph (5)(B)</li> <li>(7) - in paragraph 6(C)</li> <li>(8) - in paragraph 7(A)</li> </ul> | <ul style="list-style-type: none"> <li>\$6,575</li> <li>\$10,950</li> <li>\$1,650</li> <li>\$6,575</li> <li>\$10,950</li> <li>\$1,100</li> <li>\$575</li> <li>\$575</li> </ul> | <ul style="list-style-type: none"> <li>\$7,025</li> <li>\$11,725</li> <li>\$1,775</li> <li>\$7,025</li> <li>\$11,725</li> <li>\$1,175</li> <li>\$625</li> <li>\$625</li> </ul> |
| 1322(d) - contents of chapter 13 plan, monthly income   | \$575 (each time it appears)   | \$625 (each time it appears)   |
| 1325(b) - chapter 13 confirmation of plan, disposable income  | \$575 (each time it appears)   | \$625 (each time it appears)   |
| 1326(b)(3) - payments to former chapter 7 trustee   | \$25   | \$25   |