

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**

**NOTICE OF ADJUSTMENTS TO CERTAIN DOLLAR AMOUNTS IN THE  
BANKRUPTCY CODE AND OFFICIAL FORMS**

On 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. The amended dollar amounts will apply to cases filed on or after April 1, 2010.

The amended dollar amounts will affect, among other matters, the eligibility of a debtor to file under chapters 12 and 13 of the Bankruptcy Code, certain maximum values of property that a debtor may claim as exempt, the maximum amount of certain claims entitled to priority, the calculation of the “means test” for chapter 7 debtors, the duration of a chapter 13 plan, the definition of a small business debtor, the minimum aggregate value of claims needed to commence an involuntary bankruptcy, the value of “luxury goods and services” deemed to be nondischargeable, and where the trustee may commence certain proceedings to recover a money judgment or property.

In the Bankruptcy Reform Act of 1994, as amended by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, and Pub. L. No. 110-406, (2008), Congress provided for the automatic adjustment of these dollar amounts at three-year intervals. The relevant provisions are codified in 11 U.S.C. § 104(a).

Seven of the Official Bankruptcy Forms and two of the Director’s Forms contain references to several of the affected dollar amounts.

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)

These forms 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 bankruptcy forms pending amendment page of the Judiciary’s website at:

<http://www.uscourts.gov/bankform/index.html>

The table on the next page compares the current and new dollar amounts.

**COMPARISON OF CURRENT AND NEW DOLLAR AMOUNTS IN  
THE BANKRUPTCY CODE AND FORMS**

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		
(1) - money judgment of or property worth less than	\$1,100.	\$1,175.
(2) - a consumer debt less than	\$16,425.	\$17,575.
(3) - a non consumer debt against a non-insider less than	\$10,950.	\$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) \$1,010,650 (each time it appears)	\$360,475 (each time it appears) \$1,081,400 (each time it appears)
Section 303(b) - minimum aggregate claims needed for the commencement of involuntary chapter 7 or chapter 11 bankruptcy		
(1) - in paragraph (1)	\$13,475.	\$14,425.
(2) - in paragraph (2)	\$13,475.	\$14,425.
Section 507(a) - priority expenses and claims		
(1) - in paragraph (4)	\$10,950.	\$11,725.
(2) - in paragraph (5)	\$10,950.	\$11,725.
(3) - in paragraph (6)	\$5,400.	\$5,775.
(4) - in paragraph (7)	\$2,425.	\$2,600.
Section 522(d) - value of property exemptions allowed to the debtor		
(1) - in paragraph (1)	\$20,200.	\$21,625.
(2) - in paragraph (2)	\$3,225.	\$3,450.
(3) - in paragraph (3)	\$525.	\$550.
(4) - in paragraph (4)	\$10,775.	\$11,525.
(5) - in paragraph (5)	\$1,350.	\$1,450.
(6) - in paragraph (6)	\$1,075.	\$1,150.
(7) - in paragraph (8)	\$10,125.	\$10,825.
(8) - in paragraph (11)(D)	\$2,025.	\$2,175.
	\$10,775.	\$11,525.
	\$20,200.	\$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 in subclause (i)(I) - consumer debts, incurred < 90 days before filing owed to a single creditor in the aggregate in subclause (i)(II) - cash advances incurred < 70 days before filing in the aggregate	\$550. \$825.	\$600. \$875.
541(b)- property of the estate exclusions (1) - in paragraph (5)(C) - education IRA funds in the aggregate (2) - in paragraph (6)(C) - prepurchased tuition credits in the aggregate	\$5,475. \$5,475.	\$5,850. \$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.
707(b) - dismissal of a case or conversion to a case under chapter 11 or 13 (means test) (1) - in paragraph (2)(A)(i)(I) (2) - in paragraph (2)(A)(i)(II) (3) - in paragraph (2)(A)(ii)(IV) (4) - in paragraph (2)(B)(iv)(I) (5) - in paragraph (2)(B)(iv)(II) (6) - in paragraph (5)(B) (7) - in paragraph 6(C) (8) - in paragraph 7(A)	\$6,575. \$10,950. \$1,650. \$6,575. \$10,950. \$1,100. \$575. \$575.	\$7,025. \$11,725. \$1,775. \$7,025. \$11,725. \$1,175. \$625. \$625.
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.