

Fill in this information to identify your case:

Debtor 1 Lisa Sandra Reyes
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: Western District of Kentucky

Case number _____
(If known)

☐ Check if this is an amended filing

Official Form 103B

Application to Have the Chapter 7 Filing Fee Waived

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

Part 1: Tell the Court About Your Family and Your Family's Income

1. What is the size of your family?

Your family includes you, your spouse, and any dependents listed on Schedule J: Your Expenses (Official Form 106J).

Check all that apply:

- ☒ You
☐ Your spouse
☒ Your dependents

2

How many dependents?

3

Total number of people

2. Fill in your family's average monthly income.

Include your spouse's income if your spouse is living with you, even if your spouse is not filing.

Do not include your spouse's income if you are separated and your spouse is not filing with you.

Add your income and your spouse's income. Include the value (if known) of any non-cash governmental assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies.

If you have already filled out Schedule I: Your Income, see line 10 of that schedule.

That person's average monthly net income (take-home pay)

You \$ 2,007.32

Your spouse + \$ _____

Subtotal \$ 2,007.32

Subtract any non-cash governmental assistance that you included above.

— \$ 626.00

Your family's average monthly net income

Total \$ 1,381.32

3. Do you receive non-cash governmental assistance?

- ☐ No
☒ Yes. Describe

Type of assistance

SNAP benefits (\$241); Child Care assistance (\$385)

4. Do you expect your family's average monthly net income to increase or decrease by more than 10% during the next 6 months?

- ☒ No
☐ Yes. Explain

5. Tell the court why you are unable to pay the filing fee in installments within 120 days. If you have some additional circumstances that cause you to not be able to pay your filing fee in installments, explain them.

My income is not enough to cover my expenses. The EITC, CTC and tax refund I hope to get is needed for car repairs, clothes for my children, and other necessary expenses.

Part 2: Tell the Court About Your Monthly Expenses**6. Estimate your average monthly expenses.**

Include amounts paid by any government assistance that you reported on line 2. \$ 2,190.00 **(5)**

If you have already filled out *Schedule J, Your Expenses*, copy line 22 from that form.

7. Do these expenses cover anyone who is not included in your family as reported in line 1?☒

No

☐

Yes. Identify who.....

8. Does anyone other than you regularly pay any of these expenses?☒

No

☐

Yes. How much do you regularly receive as contributions? \$ _____ monthly

If you have already filled out *Schedule I: Your Income*, copy the total from line 11.

9. Do you expect your average monthly expenses to increase or decrease by more than 10% during the next 6 months?☐

No

☒

Yes. Explain

If I get a public housing apartment, there could be a slight decrease.

(6)**Part 3: Tell the Court About Your Property**

If you have already filled out *Schedule A/B: Property (Official Form 106A/B)* attach copies to this application and go to Part 4.

10. How much cash do you have?

Examples: Money you have in your wallet, in your home, and on hand when you file this application

Cash:

\$ 20.00**11. Bank accounts and other deposits of money?**

Examples: Checking, savings, money market, or other financial accounts; certificates of deposit; shares in banks, credit unions, brokerage houses, and other similar institutions. If you have more than one account with the same institution, list each. Do not include 401(k) and IRA accounts.

Checking account:

Institution name: _____

First Kentucky Bank

Amount: _____

\$ 143.14

Savings account:

\$ _____

Other financial accounts:

SNAP EBT account\$ 121.35

Other financial accounts:

\$ _____

12. Your home? (if you own it outright or are purchasing it)

Examples: House, condominium, manufactured home, or mobile home

Number

Street

Current value:

\$ _____

City

State

ZIP Code

Amount you owe on mortgage and liens:

\$ _____

13. Other real estate?

Number

Street

Current value:

\$ _____

City

State

ZIP Code

Amount you owe on mortgage and liens:

\$ _____

14. The vehicles you own?

Examples: Cars, vans, trucks, sports utility vehicles, motorcycles, tractors, boats

Make:

Ford

Model:

Focus ZX4

Year:

2012

Mileage

134,500

Current value:

\$ 1,600.00

Amount you owe on liens:

\$ 3,124.89

Make:

Model:

Year:

Mileage

Current value:

\$ _____

Amount you owe on liens:

\$ _____

15. Other assets?

Do not include household items and clothing.

Describe the other assets:

Current value: \$ _____

Amount you owe on liens: \$ _____

16. Money or property due you?

Examples: Tax refunds, past due or lump sum alimony, spousal support, child support, maintenance, divorce or property settlements, Social Security benefits, workers' compensation, personal injury recovery

Who owes you the money or property?

Child support arrearage

EITC, Child Tax Credit, tax refund

How much is owed?

\$ 2,500.00

\$ 8,965.00

Do you believe you will likely receive payment in the next 180 days?

☐ No☐ Yes. Explain:**7**

No as to child support; yes as to EITC, CTC.

Part 4: Answer These Additional Questions**17. Have you paid anyone for services for this case, including filling out this application, the bankruptcy filing package, or the schedules?**☒ No **8**☐ Yes. **Whom did you pay?** Check all that apply:☐ An attorney☐ A bankruptcy petition preparer, paralegal, or typing service☐ Someone else _____**How much did you pay?**

\$ _____

18. Have you promised to pay or do you expect to pay someone for services for your bankruptcy case?☒ No☐ Yes. **Whom do you expect to pay?** Check all that apply:☐ An attorney☐ A bankruptcy petition preparer, paralegal, or typing service☐ Someone else _____**How much do you expect to pay?**

\$ _____

19. Has anyone paid someone on your behalf for services for this case?☒ No☐ Yes. **Who was paid on your behalf?** Check all that apply:☐ An attorney☐ A bankruptcy petition preparer, paralegal, or typing service☐ Someone else _____**Who paid?** Check all that apply:☐ Parent☐ Brother or sister☐ Friend☐ Pastor or clergy☐ Someone else _____**How much did someone else pay?**

\$ _____

20. Have you filed for bankruptcy within the last 8 years?☒ No☐ Yes. District _____ When _____ Case number _____
MM/ DD/ YYYYDistrict _____ When _____ Case number _____
MM/ DD/ YYYYDistrict _____ When _____ Case number _____
MM/ DD/ YYYY**Part 5: Sign Below**

By signing here under penalty of perjury, I declare that I cannot afford to pay the filing fee either in full or in installments. I also declare that the information I provided in this application is true and correct.

✕ /s/ Lisa S. Reyes

Signature of Debtor 1

✕

Signature of Debtor 2

Date 12/04/2022
MM / DD / YYYYDate _____
MM / DD / YYYY

Fill in this information to identify the case:

Debtor 1 Lisa Sandra Reyes
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) _____
First Name Middle Name Last Name

United States Bankruptcy Court for the: Western District of Kentucky

Case number _____
(If known)

Order on the Application to Have the Chapter 7 Filing Fee Waived

After considering the debtor's *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B), the court orders that the application is:

☐ **Granted.** However, the court may order the debtor to pay the fee in the future if developments in administering the bankruptcy case show that the waiver was unwarranted.

☐ **Denied.** The debtor must pay the filing fee according to the following terms:

<u>You must pay...</u>	<u>On or before this date...</u>
\$ _____	_____ Month / day / year
\$ _____	_____ Month / day / year
\$ _____	_____ Month / day / year
+ \$ _____	_____ Month / day / year
Total	<div></div>

If the debtor would like to propose a different payment timetable, the debtor must file a motion promptly with a payment proposal. The debtor may use *Application for Individuals to Pay the Filing Fee in Installments* (Official Form 103A) for this purpose. The court will consider it.

The debtor must pay the entire filing fee before making any more payments or transferring any more property to an attorney, bankruptcy petition preparer, or anyone else in connection with the bankruptcy case. The debtor must also pay the entire filing fee to receive a discharge. If the debtor does not make any payment when it is due, the bankruptcy case may be dismissed and the debtor's rights in future bankruptcy cases may be affected.

☐ **Scheduled for hearing.**

A hearing to consider the debtor's application will be held

on _____ at _____ AM / PM at _____.
Month / day / year Address of courthouse

If the debtor does not appear at this hearing, the court may deny the application.

Month / day / year

By the court: _____
United States Bankruptcy Judge

Annotations to Completed Sample Form 103B

1. All dependents the debtor has listed or intends to list on Schedule J should be counted here in listing the debtor's family size. A non-filing spouse is counted under family size, and their income must be included in the average monthly income calculation, unless the spouses are separated. [BACK](#)
2. In determining income eligibility, the debtor's income for comparison with the poverty figures is the average monthly net income that is or will be reported by the debtor in line 10 of Schedule I (Official Form 106I), less any non-cash governmental assistance, such as food stamps or housing subsidies. In the sample case, Ms. Reyes has deducted the SNAP benefits and childcare assistance she receives on Line 2 of Official Form 103B from the income she reported on line 10 of Schedule I. Contributions the debtor receives on a regular basis from others to pay expenses, which are listed on line 11 of Schedule I and on line 8 of Form 103B, may be considered by the court in determining the ability to pay the filing fee in installments. However, they are not included in the debtor's income for comparison with the poverty figures for purposes of income eligibility, because they are not included in the line 10, Schedule I calculation. See Judicial Conference of the United States Bankruptcy Case Policies, Chapter 7 Fee Waiver Procedures, § 820, reproduced in Appendix C.1, *infra*.

If the debtor is filing Form 103B as part of an emergency filing before preparing Schedule I, an estimate should be made of the debtor's average monthly net income based on the calculation on Schedule I and a deduction for non-cash governmental assistance.

However, some courts are reluctant to grant a fee waiver application if Schedule I, as well as Schedules A/B and J, are not filed with the petition. To avoid delay in consideration of the application, or the possible scheduling of a hearing on the application, debtor's counsel should attempt to file these documents with petition and fee waiver application.

[BACK](#)

3. Any non-cash governmental assistance that the debtor has deducted on line 2 should be described here. [BACK](#)
4. Line 5 of Part 1 provides space for the debtor to explain any additional circumstances related to the inability to pay the filing fee in installments. The debtor's attorney should list any factors that make the debtor's waiver request more compelling or help to explain why potential income and assets may not be immediately available to the debtor or are needed for essential expenses. An explanation provided here may address anticipated concerns of the court and avoid the scheduling of a hearing on the application. In the sample case, Ms. Reyes attempts to do this by explaining that the Earned Income Tax Credit and Child Tax Credit she expects to receive in the following year is needed to make car repairs and pay for her children's clothing and other necessary expenses. [BACK](#)

5. If Schedules A/B and J are submitted with the petition and attached to Official Form 103B, designated portions of Form 103B requesting duplicative information about expenses and assets need not be completed. If these schedules are not attached, the debtor must provide an estimate of average monthly expenses and answer the questions concerning assets on Form 103B. [BACK](#)
6. To be consistent with Schedule J, Ms. Reyes is reporting here that her monthly expenses may decrease if she obtains a public housing apartment. Unlike line 24 of Schedule J, however, the debtor reports here only an anticipated change in expenses by more than ten percent during the six months following the filing of the case. [BACK](#)
7. Ms. Reyes has reported on line 16 that she is owed a child support arrearage and tax refunds, including an Earned Income Tax Credit. Because she has checked both boxes (“yes” and no”) in response to the question about whether she expects to receive these funds within 180 days after filing her case, she has explained that she does not intend to receive the child support arrearage. [BACK](#)
8. The fee waiver provision does not rule out the possibility that a court could grant a waiver if the attorney representing the debtor is being paid. See Judicial Conference of the United States Bankruptcy Case Policies, Chapter 7 Fee Waiver Procedures, § 820, reproduced in Appendix C.1, *infra*; § 14.5.2.1, *supra*. [BACK](#)