

The Bankruptcy Administration Improvement Act (BAIA) was enacted on January 12, 2021. (Pub. L. No. 116-325). The BAIA amends 11 U.S.C. §330 to include a new subsection (e) that establishes a new payment for eligible chapter 7 trustees in applicable chapter 7 cases, to be paid in addition to the existing payment prescribed by subsection (b).

The Interim Regulations for Trustee Payments Under 11 U.S.C. § 330(e) require that the chapter 7 trustee file a certification with the court that the trustee has rendered service and is eligible to receive the section 330(e) payments. New dictionary events were created for a chapter 7 trustee to certify eligibility to receive the section 330(e) payment for each applicable case and will be available for your use on May 6, 2022. Chapter 7 trustees are required to use these events to complete their certification and receive payment. Only one certification may be filed per case. The CM/ECF public release notes (located on PACER) related to these events are available to the chapter 7 trustees for guidance on filing these events. The Interim Regulations are also available publicly and provide a blueprint for filing these certifications of payment eligibility.

The new section 330(e) payments for cases filed or converted during fiscal year 2021 will likely commence the second quarter of 2022. The judiciary will post an annual notice that payments can commence for the prior fiscal year on uscourts.gov.