



U.S. Bankruptcy Court, District of Minnesota

Rule 5010-1. Reopening Cases

- (a) REOPENING UNNECESSARY. Reopening a case is not necessary where the debtor or a creditor proposes:
- (1) to request relief that could be granted on application if the case were reopened;
 - (2) to commence an adversary proceeding to determine the dischargeability of a debt under §523 of the Code or to enforce rights under §§524 or 525 of the Code; or
 - (3) to request that the clerk add the name and address of an omitted creditor to the matrix in a closed case, such addition having the effect of merely entitling the added creditor to receive notices if the case is reopened and notices issued but having no effect on the dischargeability of the debt.
- (b) REOPENING NECESSARY. An entity which proposes to request any relief except as provided in paragraph (a) of this rule or to file any document shall obtain an order reopening the case before requesting such relief or filing such document.
- (c) APPLICATION. A request to reopen a case shall be made by application. The application shall be transmitted to the debtor, the debtor's attorney and the United States Trustee. The court may rule on the application without a hearing.
- (d) FILING FEE.
- (1) Payment Required. Unless the fee may be waived or deferred, the applicant shall tender a filing fee to the clerk at the time the application to reopen is filed.
 - (2) Waiver. The filing fee may be waived where opening is requested in order to correct an administrative error by the court or the clerk.
 - (3) Deferral. If the applicant is the former trustee, the filing fee shall be deferred and shall be paid only from the estate and to the extent there is any value realized by the estate.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; October 1, 2019.]