

HOUSE RESEARCH

Bill Summary

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This bill provides that an Application for Discharge of Judgment is exempt from the \$310 civil filing fee that applies to the first paper filed in civil cases in district court. The filing fee that applies is found in section 548.181 and is \$5 for each judgment to be discharged.

Background: Bankruptcy proceedings are held in federal court. To discharge a state court judgment after bankruptcy, the debtor must file the application in state district court. Since the application may be the “first paper” filed in state court, in some cases, both filing fees may be imposed (\$310 + \$5 per judgment).