

complaint in a bankruptcy proceeding, as established in Item 6 of the Bankruptcy Court Miscellaneous Fee Schedule prescribed by the Judicial Conference of the United States pursuant to section 1930(b) of title 28, United States Code, the portion of the fee exceeding \$120 shall be deposited into the special fund of the Treasury established under section 1931 of title 28, United States Code.

“(c) EFFECTIVE DATE.—This section shall take effect 60 days after the date of the enactment of this Act [Oct. 19, 1996].”

COLLECTION AND DEPOSIT OF MISCELLANEOUS  
BANKRUPTCY FEES

Pub. L. 101-162, title IV, §406(b), Nov. 21, 1989, 103 Stat. 1016, as amended by Pub. L. 103-121, title I, §111(a)(3), (b)(4), Oct. 27, 1993, 107 Stat. 1164; Pub. L. 106-113, div. B, §1000(a)(1) [title I, §113], Nov. 29, 1999, 113 Stat. 1535, 1501A-20; Pub. L. 106-518, title II, §209(a), Nov. 13, 2000, 114 Stat. 2415; Pub. L. 109-8, title III, §325(c), Apr. 20, 2005, 119 Stat. 99; Pub. L. 109-13, div. A, title VI, §6058(a), May 11, 2005, 119 Stat. 297, provided that: “All fees as shall be hereafter collected for any service not of a kind described in any of the items enumerated as items 1 through 7 and as items 9 through 18, as in effect on November 21, 1989, of the bankruptcy miscellaneous fee schedule prescribed by the Judicial Conference of the United States under section 1930(b) of title 28, United States Code, 28.87 percent of the fees collected under section 1930(a)(1)(A) of that title, 35.00 percent of the fees collected under section 1930(a)(1)(B) of that title, and 25 percent of the fees collected under section 1930(a)(3) of that title shall be deposited as offsetting receipts to the fund established under section 1931 of that title and shall remain available to the Judiciary until expended to reimburse any appropriation for the amount paid out of such appropriation for expenses of the Courts of Appeals, District Courts, and other Judicial Services and the Administrative Office of the United States Courts. The Judicial Conference shall report to the Committees on Appropriations of the House of Representatives and the Senate on a quarterly basis beginning on the first day of each fiscal year regarding the sums deposited in said fund.”

[For termination, effective May 15, 2000, of provisions relating to a quarterly report to the Committees on Appropriations of the House of Representatives and the Senate in section 406(b) of Pub. L. 101-162, as amended, set out above, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 12 of House Document No. 103-7.]

[Pub. L. 106-518, title II, §209(b), Nov. 13, 2000, 114 Stat. 2415, provided that: “The amendment made by subsection (a) [amending section 406(b) of Pub. L. 101-162, set out above] shall not apply with respect to fees collected before the date of enactment of this Act [Nov. 13, 2000].”]

[Pub. L. 106-113, div. B, §1000(a)(1) [title I, §113], Nov. 29, 1999, 113 Stat. 1535, 1501A-20, provided that the amendment to section 406(b) of Pub. L. 101-162, set out above, is effective 30 days after Nov. 29, 1999.]

[Section 111(a), (b) of Pub. L. 103-121 provided in part that the amendments to section 406(b) of Pub. L. 101-162, set out above, are effective 30 days after Oct. 27, 1993.]

### § 1932.<sup>1</sup> Judicial Panel on Multidistrict Litigation

The Judicial Conference of the United States shall prescribe from time to time the fees and costs to be charged and collected by the Judicial Panel on Multidistrict Litigation.

(Added Pub. L. 104-317, title IV, §403(a)(1), Oct. 19, 1996, 110 Stat. 3854.)

<sup>1</sup> Another section 1932 is set out after this section.

### § 1932.<sup>1</sup> Revocation of earned release credit

In any civil action brought by an adult convicted of a crime and confined in a Federal correctional facility, the court may order the revocation of such earned good time credit under section 3624(b) of title 18, United States Code, that has not yet vested, if, on its own motion or the motion of any party, the court finds that—

- (1) the claim was filed for a malicious purpose;
- (2) the claim was filed solely to harass the party against which it was filed; or
- (3) the claimant testifies falsely or otherwise knowingly presents false evidence or information to the court.

(Added Pub. L. 104-134, title I, §101[(a)] [title VIII, §809(a)], Apr. 26, 1996, 110 Stat. 1321, 1321-76; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.)

## CHAPTER 125—PENDING ACTIONS AND JUDGMENTS

Sec.	
1961.	Interest.
1962.	Lien.
1963.	Registration of judgments for enforcement in other districts.
[1963A.	Repealed.]
1964.	Constructive notice of pending actions.

### AMENDMENTS

1996—Pub. L. 104-317, title II, §203(b), Oct. 19, 1996, 110 Stat. 3850, substituted “for enforcement in other districts” for “of the district courts and the Court of International Trade” in item 1963.

1988—Pub. L. 100-702, title X, §1002(b)(3), Nov. 19, 1988, 102 Stat. 4664, substituted “Registration of judgments of the district courts and the Court of International Trade” for “Registration in other districts” in item 1963 and repealed item 1963A “Registration of judgments of the Court of International Trade”.

1980—Pub. L. 96-417, title V, §511(b), Oct. 10, 1980, 94 Stat. 1743, added item 1963A.

1958—Pub. L. 85-689, §1(b), (c), Aug. 20, 1958, 72 Stat. 683, substituted “CHAPTER 125—PENDING ACTIONS AND JUDGMENTS” for “CHAPTER 125—JUDGMENTS” in chapter heading and added item 1964.

### § 1961. Interest

(a) Interest shall be allowed on any money judgment in a civil case recovered in a district court. Execution therefor may be levied by the marshal, in any case where, by the law of the State in which such court is held, execution may be levied for interest on judgments recovered in the courts of the State. Such interest shall be calculated from the date of the entry of the judgment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding.<sup>1</sup> the date of the judgment. The Director of the Administrative Office of the United States Courts shall distribute notice of that rate and any changes in it to all Federal judges.

(b) Interest shall be computed daily to the date of payment except as provided in section 2516(b) of this title and section 1304(b) of title 31, and shall be compounded annually.

<sup>1</sup> Another section 1932 is set out preceding this section.

<sup>1</sup> So in original. The period probably should not appear.

(c)(1) This section shall not apply in any judgment of any court with respect to any internal revenue tax case. Interest shall be allowed in such cases at the underpayment rate or overpayment rate (whichever is appropriate) established under section 6621 of the Internal Revenue Code of 1986.

(2) Except as otherwise provided in paragraph (1) of this subsection, interest shall be allowed on all final judgments against the United States in the United States Court of Appeals for the Federal circuit,<sup>2</sup> at the rate provided in subsection (a) and as provided in subsection (b).

(3) Interest shall be allowed, computed, and paid on judgments of the United States Court of Federal Claims only as provided in paragraph (1) of this subsection or in any other provision of law.

(4) This section shall not be construed to affect the interest on any judgment of any court not specified in this section.

(June 25, 1948, ch. 646, 62 Stat. 957; Pub. L. 97-164, title III, §302(a), Apr. 2, 1982, 96 Stat. 55; Pub. L. 97-258, §2(m)(1), Sept. 13, 1982, 96 Stat. 1062; Pub. L. 97-452, §2(d)(1), Jan. 12, 1983, 96 Stat. 2478; Pub. L. 99-514, §2, title XV, §1511(c)(17), Oct. 22, 1986, 100 Stat. 2095, 2745; Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516; Pub. L. 106-554, §1(a)(7) [title III, §307(d)(1)], Dec. 21, 2000, 114 Stat. 2763, 2763A-636.)

#### HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §811 (R.S. §966; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167).

Changes were made in phraseology.

#### REFERENCES IN TEXT

Section 6621 of the Internal Revenue Code of 1986, referred to in subsec. (c)(1), is classified to section 6621 of Title 26, Internal Revenue Code.

#### AMENDMENTS

2000—Subsec. (a). Pub. L. 106-554 substituted “the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding.” for “the coupon issue yield equivalent (as determined by the Secretary of the Treasury) of the average accepted auction price for the last auction of fifty-two week United States Treasury bills settled immediately prior to”.

1992—Subsec. (c)(3). Pub. L. 102-572 substituted “United States Court of Federal Claims” for “United States Claims Court”.

1986—Subsec. (c)(1). Pub. L. 99-514, §1511(c)(17), substituted “the underpayment rate or overpayment rate (whichever is appropriate) established” for “a rate established”.

Pub. L. 99-514, §2, substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”.

1983—Subsec. (b). Pub. L. 97-452 substituted “section 1304(b) of title 31” for “section 1302 of the Act of July 27, 1956 (31 U.S.C. 724a)”.

1982—Subsec. (a). Pub. L. 97-164, §302(a)(1), (2), designated existing provisions as subsec. (a), substituted “at a rate equal to the coupon issue yield equivalent (as determined by the Secretary of the Treasury) of the average accepted auction price for the last auction of fifty-two week United States Treasury bills settled immediately prior to the date of the judgment” for “at the rate allowed by State law”, and inserted provision that the Director of the Administrative Office of the

United States Courts distribute notice of the rate and any changes in it to all Federal judges.

Subsec. (b). Pub. L. 97-258 substituted “this title and section 1304(b)(1) of title 31” for “title 28, United States Code, and section 1302 of the Act of July 27, 1956 (31 U.S.C. 724a)”.

Subsecs. (b), (c). Pub. L. 97-164, §302(a)(3), added subsecs. (b) and (c).

#### EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Oct. 29, 1992, see section 911 of Pub. L. 102-572, set out as a note under section 171 of this title.

#### EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by section 1511(c)(17) of Pub. L. 99-514 applicable for purposes of determining interest for periods after Dec. 31, 1986, see section 1511(d) of Pub. L. 99-514, set out as a note under section 6621 of Title 26, Internal Revenue Code.

#### EFFECTIVE DATE OF 1982 AMENDMENTS

Section 2(m) of Pub. L. 97-258 provided that the amendment made by that section is effective Oct. 1, 1982.

Amendment by Pub. L. 97-164 effective Oct. 1, 1982, see section 402 of Pub. L. 97-164, set out as a note under section 171 of this title.

### § 1962. Lien

Every judgment rendered by a district court within a State shall be a lien on the property located in such State in the same manner, to the same extent and under the same conditions as a judgment of a court of general jurisdiction in such State, and shall cease to be a lien in the same manner and time. This section does not apply to judgments entered in favor of the United States. Whenever the law of any State requires a judgment of a State court to be registered, recorded, docketed or indexed, or any other act to be done, in a particular manner, or in a certain office or county or parish before such lien attaches, such requirements shall apply only if the law of such State authorizes the judgment of a court of the United States to be registered, recorded, docketed, indexed or otherwise conformed to rules and requirements relating to judgments of the courts of the State.

(June 25, 1948, ch. 646, 62 Stat. 958; Pub. L. 101-647, title XXXVI, §3627, Nov. 29, 1990, 104 Stat. 4965.)

#### HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §§812 and 814 (R.S. §967; Aug. 1, 1888, ch. 729, §1, 25 Stat. 357; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167; Aug. 17, 1912, ch. 300, 37 Stat. 311).

Section consolidates sections 812 and 814 of title 28, U.S.C., 1940 ed., with changes in phraseology necessary to effect consolidation and to clarify the meaning of such sections.

Omitted words “or decree” after “judgments” as unnecessary inasmuch as Rule 54(a) of the Federal Rules of Civil Procedure by definition of judgment includes a decree.

Words “in the State of Louisiana” after “or parish” were omitted as unnecessary.

A reference to section 813 of title 28, U.S.C., 1940 ed., was omitted, since such section is omitted from this revision as covered by Rule 79(c) of the Federal Rules of Civil Procedure.

#### AMENDMENTS

1990—Pub. L. 101-647 inserted after first sentence “This section does not apply to judgments entered in favor of the United States.”

<sup>2</sup> So in original. Probably should be capitalized.