

Appendix E-2

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:	)	Case No. BK_____
	)	
_____,	)	Chapter 13
	)	
Debtor(s).	)	

**Certification of À La Carte (“ALC”) Fees and Expenses**

The undersigned attorney for the debtor requests the ALC fees and expenses identified below and certifies, under penalty of perjury the following is true and correct:

1. I provided the debtor legal services that qualify as ALC fees and expenses in Appendix E-1 of the Nebraska Rules of Bankruptcy Procedure.
2. I reviewed and fully complied with the requirements in Appendix E-1 and Appendix E-2 to recover ALC fees. This request does not violate any limitations on ALC fees and does not stack ALC fees.
3. The expenses I request are itemized in an attachment to this application and are the actual expenses I incurred in providing services that qualify for ALC fees.

	Service	Fee Allowed	Related CM/ECF Docket Number	Select Service with an “X”	Fee Request
1.	Motion to shorten time filed with an underlying motion that qualifies for ALC fees (if not included in another service)	\$100			\$___
2.	Motion to extend the automatic stay	\$300			\$___
3.	Motion to borrow to purchase or refinance real or personal property, or motion to sell property of the bankruptcy estate, including related motion to shorten or expedite time.	\$400			\$___
4.	Motion to allow filing claim out of time	\$250			\$___
5.	Motion to alter, amend, or reconsider judgment	\$250			\$___
6.	Motion to reinstate Chapter 13 case	\$250			\$___
7.	Motion to pay off Chapter 13 plan early	\$350			\$___

8.	Amended plan post confirmation	\$500			\$__
9.	Motion to avoid liens on real or personal property	\$350			\$__
10.	Objection to claim	\$250			\$__
11.	Prepare and file late claims.	\$250			\$__
12.	Motion to employ, approve settlement, or compromise controversy	\$350			\$__
13.	Objection to motion for relief from the automatic stay or co-debtor stay	\$400			\$__
14.	Resistance to motion to dismiss	\$400			\$__
15.	Resistance to motion to reconcile plan payments	\$250			\$__
16.	Motion for turnover not associated with an adversary proceeding	\$350			\$__
17.	Motion to assume or reject lease	\$150			\$__
18.	Limited motion to modify the Chapter 13 plan after confirmation	\$400			\$__
19.	Motion to withdraw funds or borrow from 401(k), retirement or other similar plan or account. An attorney may not request ALC fees to shorten time under Item #1.	\$300			\$__
20.	Other necessary motions not provided in another category	\$250			\$__
	Actual Expenses Incurred Related To ALC Action (attach itemized statement)				\$__
	<b>Total Fees and Expenses</b>				\$__

Dated: \_\_\_\_\_

[SIGNATURE BLOCK]

*Appendix E-2 Instructions and Comments*

A. The request for ALC fees must state the specific docket entry or entries on the CM/ECF system relating to the service. ALC expenses must be itemized in an attachment to the request. The debtor's attorney must file the request within three months after the service is completed.

B. To be compensated for a listed service, the debtor's attorney must perform all related work including, without limitation, amending schedules, communicating with the client, counsel, and third parties, reviewing documents and claims, verifying funding, addressing objections, and responding to document requests.

C. The debtor's attorney may only file ALC fee requests for services that are reasonable, customary, and necessary in representing a Chapter 13 debtor, utilizing best practices, and considering the totality of the circumstances of the case.

D. The debtor's attorney may only request fees for motions, resistances, responses, and objections that include specific factual and legal basis under Neb. R. Bankr. P. 9013-1, and not for generic motions or resistances.

E. The debtor's attorney is not permitted to request ALC fees if the services were due to oversight, inexperience, or inefficiency of counsel, for example a motion to alter, amend, or reconsider due to failure to timely file a resistance.

F. The debtor's attorney is not permitted to request ALC fees when the primary reason for filing an objection, motion, resistance, or response is to enlarge the time to file additional pleadings regarding substantially the same matter or issue

G. The debtor's attorney may request multiple ALC fees on one form. Each fee must be for a separate substantive matter. The debtor's attorney is not permitted to stack ALC fees for one substantive matter. For example, each of the following is a single ALC matter:

1. A motion to sell or transfer a vehicle filed with a motion to purchase another vehicle;
2. A motion to withdraw funds or sell assets to pay off a plan and a motion to pay plan early;
3. Defending a motion for relief from stay and a motion for relief from co-debtor stay on the same property; and
4. Motions to avoid multiple liens on one item of property.