

APPENDIX “N”
CERTIFICATION OF A LA CARTE (“ALC”) FEES/EXPENSES
BY COUNSEL FOR DEBTOR
Revised 9/24/2014

See attached Certification of A La Carte (“ALC”) Fees/Expenses by Counsel for the Debtor(s):

APPENDIX "N"
 IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF: _____) CASE NO. _____
 _____)
 Debtor(s).) Chapter 13

CERTIFICATION OF A LA CARTE ("ALC") FEES/EXPENSES
BY COUNSEL FOR THE DEBTOR(S)

COMES NOW _____, counsel for the Debtor(s) and hereby certifies, under oath, that:

1. I have provided valuable legal services to the Debtor(s) that qualify for ALC fees and/or expenses above and beyond the Standard Allowable Amount ("SAA") provided for in [Appendix "K"](#) of the Nebraska Rules of Bankruptcy Procedure.

2. I have abided by the restrictions set forth regarding ALC fees and, in particular, about the prohibition of "stacking" fee requests pursuant to paragraph 3(d) of [Appendix "K."](#) I have also read and adhered to the "Instructions and Comments" attached to [Appendix "N"](#) of the Nebraska Rules of Bankruptcy Procedure.

3. That if additional expenses are requested herein, I certify that the actual expenses incurred are itemized and attached to this certification of fees.

4. I hereby request ALC fees and/or expenses as set forth in the chart below:

	Service	Scheduled Fee	Related CM/ECF Docket Entry Numbers	Select Service With an "X"	Selected Amount
1.	Motion to shorten time filed in conjunction with an underlying separate substantive motion.	\$100			\$__
2.	Motion to extend the automatic stay.	\$300			\$__

	Service	Scheduled Fee	Related CM/ECF Docket Entry Numbers	Select Service With an "X"	Selected Amount
3.	Motion to borrow, sell or refinance personal or real property. Services to include amending necessary schedules, communications with various parties prior to filing motion, obtaining and reviewing all available documents which the debtor proposes to execute upon approval of the motion and any other related work.	\$400			\$___
4.	Motion to allow filing claim out of time.	\$250			\$___
5.	Motion to alter, amend, or reconsider judgments (except where the motion to alter, amend, or reconsider was necessitated by counsel's own oversight, inexperience, inefficiency, or failure to follow proper procedure).	\$250			\$___
6.	Motion to reinstate Chapter 13 proceeding.	\$250			\$___
7.	Motion to pay off Chapter 13 plan early.	\$350			\$___
8.	Preparation, filing and service of amended plan post confirmation. Services provided shall include amending necessary schedules, reviewing past stipulations, if any, reviewing claims, verifying adequate funding, filing of DSO, addressing all objections and responding to any request for production of documents.	\$500			\$___
9.	Motion to avoid liens on real or personal property.	\$350			\$___
10.	Objection to improper or invalid claims.	\$250			\$___
11.	Preparing and filing late claims.	\$250			\$___
12.	Motion to employ, approve settlement, or compromise controversy.	\$350			\$___
13.	Objection to motions for relief from the automatic stay, including motions for relief under the co-debtor stay.	\$400			\$___

Appendix “N” Instructions and Comments:

- a. All ALC fee and expense requests should be made with due consideration to *related* events that culminate into a larger transaction. Counsel for the debtor shall, to the extent reasonably possible, only submit ALC requests that are just and reasonable under the totality of circumstances involving services rendered.
- b. Counsel for the debtor shall only submit ALC fee requests pursuant to services that are customary and necessary in representing a Chapter 13 debtor utilizing *best practices*. Debtor’s counsel is expected not to request ALC fees when the services rendered were due to an oversight, inexperience, or inefficiency of counsel.
- c. Multiple selections for ALC fees may be made on one ALC request form but each such ALC fee requested must be for separate substantive matters. Counsel shall not “stack” ALC fees for one substantive matter.

Examples:

Generally, a separate ALC selection for a motion to shorten time may be combined (selected on the form) with another underlying pleading or motion.

Stacking fees shall not be allowed in the following scenarios:

1. A motion to sell/transfer a vehicle filed concurrently with a motion to purchase a new vehicle is one ALC matter
 2. A motion to withdraw funds or sell assets to pay off a plan and a motion to pay plan early is one ALC matter.
 3. Defending a motion for relief from stay and a motion for relief from co-debtor stay on the same property are collectively one ALC matter.
 4. Multiple motions to avoid lien on the same item of property (for example, where there are multiple judgment liens on a homestead) are collectively one ALC matter.
- d. ALC fee requests may be filed at the time of the service. As a best practice, ALC fee requests should be made within three months of completing the underlying service(s).
 - e. ALC fee requests need to refer to a specific docket entry or entries on the CM/ECF system relating to the services performed.

- f. All ALC expenses must be itemized and attached to the certification of fees.
- g. ALC fees shall not be requested when the primary reason for filing an objection, motion, resistance, or response is to *increase or enlarge the time available* to file further pleadings regarding substantially the same matter or issue.
- h. ALC fees shall not be requested for filings due to oversight, inexperience, or inefficiency of counsel. Debtor's counsel may only request fees for motions, resistances, responses, and objections that include specific factual and legal basis as required under [Neb. R. Bankr. P. 9013-1\(C\)](#).

Examples:

1. Generic objections, responses, and resistances filed to delay an order on a motion for relief or motion to dismiss.
2. Motions to alter, amend, or reconsider rulings due to counsel's failure to file a timely response, resistance or objection.