

Chapter 13 Fee Requests

A. **Attorney Fees.** In all Chapter 13 cases, except as provided in Section D, the court will allow attorney fees for debtor's attorney only under the provisions of this No-Look Compensation Plan ("NLCP"). The NLCP consists of a Standard Allowable Amount ("SAA") and À La Carte ("ALC") fees for additional services.

B. **Standard Allowable Amount.** When the plan is confirmed, the debtor's attorney may be awarded, without filing a fee application, a SAA not to exceed \$4,700 (\$4,400 for fees and \$300 for expenses). The SAA covers all services the debtor's attorney typically performs when representing a Chapter 13 debtor, including:

1. Meet with the debtor to review the debtor's debts, assets, liabilities, income, and expenses; counsel the debtor whether to file a Chapter 7 or Chapter 13 case, discussing both procedures and answering the debtor's questions; and explain what payments the debtor must pay directly and what payments the debtor must pay through the plan, particularly mortgage loan payments and other claims that accrue interest.
2. Advise the debtor how, when, and where to make Chapter 13 plan payments and to pay the first plan payment within 30 days after the petition is filed.
3. Advise the debtor regarding the § 341 meeting of creditors, including its date, time, and place, and provide representation at the meeting.
4. Advise the debtor to maintain liability, collision, and comprehensive insurance on vehicles securing loans or leases.
5. Verify and timely file six months of pay stubs; verify two years of complete tax returns including W-2s and submit them as required under the rules; verify and review six months of bank statements; review relevant documents, including insurance policies, additional bank statements, driver's licenses, Social Security cards, electric/gas/water bills, domestic child support orders, judgments, and purchase agreements; complete and file the certification by debtor in support of confirmation in Appendix M; and complete and file Form B22C.
6. Prepare and timely file the debtor's petition, plan, statements, and schedules. Respond to objections to plan confirmation and, when necessary, prepare an amended plan.
7. Prepare, file, and serve amended statements and schedules and pre-confirmation modifications to the plan.
8. Represent the debtor regarding confirmation hearings. (Participating in affidavit hearings for confirmation is not considered providing an extraordinary service which justifies additional fees).

9. Complete and file the certification by debtor in support of discharge in official bankruptcy form B2830; and help the debtor obtain pre-petition credit counseling and post-petition financial education.

10. Prepare, file, and serve post-confirmation amended statements and schedules.

11. Address the trustee's first notice of default in a Chapter 13 proceeding which results in a stipulation without an amended plan.

12. Represent the debtor in connection with the first motion for relief from the automatic stay.

13. Communicate and provide other services typical for representation of Chapter 13 debtors through the end of the case.

C. ALC (à la carte) Fees. If the debtor's attorney performs services listed in Appendix E-2 the debtor's attorney may file the certification in Appendix E-2 and serve parties in interest. The certification is a motion under Local Rule 9013-1 and the debtor's attorney must serve parties in interest. The debtor's attorney must serve the debtor a paper copy of the certification. ALC fee requests cannot be stacked if the service or services involved one larger transaction, regardless of the number of motions, including amended motions or new motions that amend a prior request. The court will not award ALC fees for cursory, generic, routine, or non-substantive motions, objections or resistances that are later withdrawn or denied for failure to comply with local rules, or for services rendered due to oversight, inexperience, or inefficiency.

D. Exceptions. The debtor may file a fee application in the form of [Appendix E-3](#) in the following extraordinary situations, which the court will closely scrutinize.

1. A business-related case or complex case that requires significantly more legal work than a typical Chapter 13 case.

2. A case that requires a confirmation trial, adversary proceedings, or a trial of a contested matter. Hearings on affidavits are not extraordinary.

3. In a case dismissed before the initial plan is confirmed, the debtor's attorney may file a fee application within seven days after dismissal for actual fees and expenses incurred, not to exceed the SAA.

4. If the debtor retains a new attorney, the new attorney must file a fee application. If the new attorney is retained before the initial plan is confirmed, the original attorney and new attorney must each file a fee application. Post-confirmation, the new attorney may request ALC fees or file a fee application.

E. Miscellaneous Provisions.

1. After an ALC request is filed, the Chapter 13 trustee must, within seven business days, reserve available funds for up to 60 days in anticipation the request will

be approved. The trustee must continue to pay adequate protection payments, which have priority over ALC fee requests.

2. The court will periodically review and adjust the SAA and individual ALC items.

3. The debtor's attorney may receive a pre-petition retainer from the debtor. Post-petition fees will be paid through the plan, except court costs to add creditors post-petition, costs to process the financial management certificate, fees to dismiss or convert the case to another chapter, and as otherwise ordered by the court.