

Rule 2084-3: Attorney Fees

(a) Plan Application for Payment. Unless the attorney files or will file a separate fee application, a chapter 13 plan (original, amended, modified) or a motion for a moratorium (collectively the “plan”) shall contain an application for payment of compensation for services rendered or to be rendered by the attorney representing the debtor. ~~The plan shall include in its title “Application for Payment of Administrative Expenses” or similar language.~~

~~**(b) Amount Sought and Services Provided.** Any application in the plan for payment of attorney fees separately shall disclose the amount of compensation sought, whether the compensation is a flat, hourly or a contingent fee, and is to include a comprehensive statement of the legal services provided and to be provided. The application also may include a list of flat fee services which may be performed by debtor’s counsel post confirmation where additional compensation is sought. The application must state the amount of the flat fee and specify what service is to be rendered for the debtor. The application need not state the actual time expended or to be expended, but shall provide generally the services performed, promised or contemplated.~~

~~**(c) Payment Upon Dismissal.** When the court dismisses the case before confirming a plan, and the deadline for creditor and case trustee objections have passed, the dismissal order may include approval of the attorney fees or debtor’s counsel may upload an order approving the fees.~~

~~**(d)(b) Amount Sought.** If the amount is less than or equal to the No Look amount set forth in Local Form 9010-13A, the plan shall state such amount. If the amount sought is greater than the No Look amount and a separate application is to be filed, then the plan shall provide a reasonable estimate of the amount to be sought.~~

(c) Attorney Disclosure. The fees sought in the plan must be consistent in amount and description with the attorney’s Rule 2016(b) disclosure statement. The disclosure statement shall have a comprehensive narrative explanation of the services rendered or to be rendered, and the expenses incurred and to be incurred.

~~**(e) Additional Fees.** Absent disclosure of additional attorney fees post confirmation in the debtor’s plan as specified in paragraph (b), or except for payment for fees without obtaining a court order authorizing the fees and specifically permitting direct payment of those fees, the debtor’s attorney must file an amended Rule 2016(b) statement within 14 days of receipt of any additional funds paid post petition.~~

~~**(f)(d) Separate Application.** Nothing in this Local Rule prohibits~~If a debtor’s attorney from filing a separate fee application or for payment of fees in excess of the court from ordering No Look amount set forth in Local Form 9010-13A, then the attorney to file a separate fee application pursuant to must comply with Local Rule 2016(a9010-13A(d)(3).

~~Committee Notes 2009: Time deadlines have been amended to be consistent with amendments to the Federal Rules of Bankruptcy Procedure, effective December 1, 2009.~~

(e) Payment Upon Dismissal. When the court dismisses the case before confirming a plan, and the deadline for creditor and trustee objections have passed, the dismissal order may include approval of the attorney fees or debtor's counsel may file a Certificate of No Objection and lodge an order approving the fees within seven days after entry of the Dismissal Order.