

Notice of Request for Comments on Proposed Amendments to LBR 2016-1(a)(3) and (c)

The attorney fee awarded a Chapter 13 attorney in an order confirming plan has not changed since 2008 and was not increased when the local rules of the Court were modified on February 1, 2016. As an interim action, the Court proposes a change to local rules to increase this fee from \$3,500 to \$4,000. The proposed amendment is provided below. No other amendments to LBR 2016-1 are proposed.

Rule 2016-1 Approval of Fees

(a) An Application by an Attorney or Accountant. An application by an attorney or an accountant for compensation and reimbursement under § 330 or § 331 must contain the disclosures required by F.R.Bankr.P. 2016(a), must comply with the following subparts (1)-(10), numbered as such, and must include the exhibits described in subparts (11)-(17).

...

(3) Provide a narrative summary explaining the services performed and how the services benefitted the estate. In addition, in a chapter 13 case, a pre-confirmation or post-confirmation fee application that requests approval of fees and expenses totaling more than \$4,000 in that application must specifically identify the circumstances of the case that make the amount requested reasonable.

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(c) Compensation for a Chapter 13 Debtor's Attorney Without a Fee Application. Notwithstanding subpart (a), an order confirming plan in a chapter 13 case may award the debtor's attorney fees and expenses up to \$4,000 in total for pre-confirmation services.

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Comments may be submitted in writing to:

Todd Stickle, Clerk
U.S. Bankruptcy Court
Suite 2100
211 W. Fort Street
Detroit, MI 48226

Comments may also be submitted by email to:

mieb_lrcomments@mieb.uscourts.gov

The deadline for submitting comments is January 31, 2025.

Thank you in advance for reviewing the proposed amendment and your comments on it.



/s/ Daniel S. Opperman

Daniel S. Opperman
Chief Judge
United States Bankruptcy Court
For the Eastern District of Michigan

Signed on December 20, 2024