

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF LOUISIANA**

| | | |
|-------------------------|---|------------------------------|
| IN THE MATTER OF | § | |
| | § | AMENDED GENERAL ORDER 2011-1 |
| CHAPTER 13 NO-LOOK FEES | § | |

AMENDED GENERAL ORDER 2011-1¹

For the reasons set forth in the Reasons for General Order No. 2011-1 issued by Judge Elizabeth W. Magner,

IT IS ORDERED that the no-look fee for Chapter 13 cases filed before June 1, 2020 will be \$2,500.00.²

IT IS FURTHER ORDERED that the no-look fee covers the services set forth in the attached **Exhibit A**.

IT IS FURTHER ORDERED counsel requesting compensation under the no-look fee will also receive \$300.00 in additional compensation payable in months 24, 36, 48, and 60 of confirmed plans. Debtor's counsel will receive an annual \$300.00 payment as an administrative expense claim if the case is still pending under chapter 13 at the end of the applicable year. That administrative expense claim may be paid as funds become available.³

¹ Substantive amendments to this General Order are underlined or footnoted for ease of identification.

² General Order 2011-1 provides the presumptive compensation structure applicable to chapter 13 cases filed in this District before June 1, 2020. Amended General Order 2020-8 provides the presumptive compensation structure applicable to chapter 13 cases filed in this District on or after June 1, 2020.

³ The requirements that the Trustee withhold from distribution \$25.00 per month beginning in month 13 of the plan for each month thereafter and that the case be "in good standing" in order for the attorney to receive an annual \$300.00 payment have been removed.

IT IS FURTHER ORDERED that the standard fee for filing a successful motion not contemplated by the no-look fee will be \$350.00, plus costs. However, successful objections to a motion to dismiss or for relief from the automatic stay when followed by a request for plan modification shall be compensable at the standard rate of \$650.00 for the combined representation of objection and subsequent plan modification.

IT IS FURTHER ORDERED that no fees will be awarded to counsel if a plan is not confirmed, except on separate application with the Court. A fee request may be made after the denial of confirmation but must be filed prior to dismissal of the case. The granting of a fee will be at the discretion of the judge who may consider the reasons for the case's failure.

IT IS FURTHER ORDERED that the Trustee may request reduction of the no-look fee for failure to provide information to the Trustee's office timely via an objection to confirmation.⁴

IT IS FURTHER ORDERED that counsel opting to receive a no-look fee must sign and file the Bankruptcy Rule 2016(B) Disclosure of Fixed Fee Agreement attached to this Opinion as **Exhibit A**.

DATED: January 23, 2023.

FOR THE COURT:



MEREDITH S. GRABILL
UNITED STATES BANKRUPTCY JUDGE

⁴ The option to dismiss the case by *ex parte* motion if schedules, a mailing matrix, the statement of financial affairs, a proposed plan, and sixty days of pay advices are not filed into the record within the later of fourteen days after the filing of the petition or the expiration of any Court-authorized extension has been removed. Automatic fee reduction for failure to provide information has also been removed.

EXHIBIT A

Bankruptcy Rule 2016(b) Disclosure of Fixed Fee Agreement

1. I, [Name of Attorney], have agreed to provide the following services to the Debtor(s) on a fixed fee basis for a period ending not less than 120 days after confirmation of Debtor(s)' Chapter 13 plan:
 - A. Counsel with the debtor(s) on an as-needed basis;
 - B. Prepare and timely file a proposed Chapter 13 plan and any required amendments to the plan;
 - C. Prepare and timely file the required petition, schedules, statement of financial affairs, and all other required documents;
 - D. Prepare and file miscellaneous motions required to protect the debtor(s)' interests in the case;
 - E. Prepare and file responses to motions filed against debtor(s)—even if the response is a statement that the debtor(s) have no opposition to the relief requested;⁵
 - F. Attend the § 341(a) meeting of creditors;
 - G. Review all proofs of claim filed; file proofs of claim for secured or priority claimants provided for under the plan if the claimant does not timely file a proof of claim; and modify the plan after confirmation or object should a timely filed proof of claim require greater distributions than provided for by the confirmed plan;
 - H. Prepare and file objections to claims necessary to confirm, implement, or enforce the terms of a plan which could have been brought within 120 days of confirmation;
 - I. Attend the confirmation hearing, if required under the circumstances, including, but not limited to, if an Objection is filed; and
 - J. Advise the debtor(s) concerning their obligations and duties pursuant to the Bankruptcy Code, Bankruptcy Rules, applicable court orders and the provisions of their chapter 13 plan.
2. The fixed-fee agreement does not include the following services:
 - A. Representation of the debtor(s) in an adversary proceeding, either as a plaintiff or a defendant;
 - B. Representation of the debtor(s) in a contested matter, the subject of which is

⁵ The requirement to attend scheduled hearings has been removed and is superseded by this Court's Amended General Order 2021-2 governing conduct of hearings.

extraordinary in the context of chapter 13 cases in the United States Bankruptcy Court for the Eastern District of Louisiana;

- C. Representation of the debtor(s) in any matter in which the Court orders fee-shifting pursuant to which fees are to be paid by a person other than the debtor(s); and
 - D. Representation on matters for which the first hearing is set more than 120 days following confirmation.
3. I have not shared or agreed to share any of the compensation paid or to be paid. The following sets forth all compensation that is being paid by any person or entity other than the Debtor(s).
4. As of the filing of the petition, I have received \$ _____ in compensation and \$ _____ will be paid under the chapter 13 plan.

Dated: _____

Counsel to the Debtor(s)