

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF KENTUCKY**

STANDING ORDER 2016.1 (11-04)

Effective January 1, 2012, Local Rule 2016-1 [E.D. Ky. LBR 2016.1] is adopted as follows:

Rule 2016-1. COMPENSATION OF ATTORNEYS IN CHAPTER 13 CASES

In all chapter 13 cases filed on or after January 1, 2012,

1. The debtor's attorney in a chapter 13 case may accept, in lieu of filing an itemized application for compensation, a presumptively reasonable fee in an amount up to and including \$3,500, provided a plan is confirmed and:

(a) Debtor(s) and counsel for debtors agree to and execute the *Rights and Responsibilities of Chapter 13 Debtors and Their Attorneys* set forth in Local Form 14 and;

(b) Within 14 days of the filing of the petition, counsel for the debtor(s) files a Certification in the form prescribed by Local Form 15.

The presumptively reasonable fee includes:

- all services rendered up to and including confirmation of a plan as set forth in the *Rights and Responsibilities of Chapter 13 Debtors and Their Attorneys*;
 - services rendered in post-confirmation matters referenced in the *Rights and Responsibilities of Chapter 13 Debtors and Their Attorneys*; and
 - representation in any two (2) post-confirmation matters from the following list:
 - Responding to a motion to dismiss the case for failure to make plan payments;
 - Responding to a motion for relief from stay;
 - Filing a motion to modify the plan to address a delinquency (including a motion to suspend plan payments);
 - Addressing a trustee's motion to modify the plan;
 - Filing an application to incur debt; or
 - Filing a motion to sell property.
 - All expenses incurred in connection with the above, including filing fees.
2. The presumptively reasonable fee does not include:
 - Defense of any adversary proceeding;
 - Representation in any unanticipated litigation or contested proceedings arising from the debtor's failure to provide complete and accurate information to the attorney;
 - Representation in any matter not otherwise addressed in the *Rights and Responsibilities of Chapter 13 Debtors and Their Attorneys*.

3. The presumptively reasonable fee may be allowed in the order confirming the plan without further order of court.
4. Any compensation or reimbursement of expenses, sought in excess of the presumptively reasonable fee of \$3,500 must be requested by filing an itemized application for compensation pursuant to applicable Federal Rules of Bankruptcy Procedure and Local Rules.
5. An attorney seeking compensation for services rendered in a case dismissed prior to confirmation of a plan may file an itemized application for compensation within fourteen (14) days after entry of the order of dismissal pursuant to applicable Federal Rules of Bankruptcy Procedures and Local Rules. The trustee shall pay any allowed fee to the attorney to the extent funds are available after payment of pre-confirmation adequate protection payments, prior to returning any remaining funds to the debtor.

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***The affixing of this Court's electronic seal below is proof this document has been signed by the Judge and electronically entered by the Clerk in the official record of this case.***



**Signed By:**  
***Tracey N. Wise***  
**Bankruptcy Judge**  
**Dated: Wednesday, December 07, 2011**  
**(tnw)**