

## D.N.J. LBR 2016-1      COMPENSATION OF PROFESSIONALS

- (a) This Rule applies to any application for compensation and reimbursement of expenses from the bankruptcy estate by a professional person employed under 11 U.S.C. § 327.
- (b) The statement of services rendered and itemization of expenses in an application for compensation shall contain:
  - (1) A copy of the order of retention or authorization.
  - (2) A copy of any administrative order pertaining to interim compensation.
  - (3) The dates of services rendered.
  - (4) The services rendered on each date and the identity of the person rendering the service.
  - (5) The time spent in the rendering of each service. Computer time sheets showing the time units may be attached to the application.
  - (6) The normal billing rate for each person.
  - (7) At the end of the application, a total of the time spent by each individual performing services.
  - (8) A list of actual, not estimated, expenses, summarized by category, such as computer assisted research (which shall not be more than the actual cost), outgoing facsimile transmissions, (which shall not exceed \$1.00 per page, with no charge for incoming facsimiles), telephone charges, airfare, meals, lodging and photocopying (which shall not exceed \$.20 per page).
  - (9) A narrative explanation of the nature of the work performed and the results achieved. The narrative portion of the application shall inform the court of circumstances that are not apparent from the activity descriptions or that the applicant wishes to bring to the attention of the Court, including, but not limited to, special employment terms, billing policies, expense policies, voluntary reductions, reasons for the use of multiple professionals for a particular activity, or reasons for substantial time billed relating to a specific activity.
  - (10) Local Form, [\*Fee Application Cover Sheet\*](#) shall be filed with each application for compensation in excess of \$10,000.
- (c) A copy of each application for allowances shall be served on the United States Trustee at the time of filing.
- (d) No Court appearance shall be required on applications for compensation unless an objection is filed and served.
- (e) *Professionals Retained on a Commission or Contingency Basis.* A professional retained on a commission or contingency basis is exempt from the requirements of subdivisions (b)(3), (4), (5), (6), (8) and (10).
- (f) *Appraisers.* Except where a flat fee is sought, the statement of services rendered and itemization of expenses in an application for fees or expenses for appraisers shall comply with subsection (b) of this Rule. Appraisers shall include in the application the value of the appraised assets.
- (g) *Auctioneer Compensation.* In the event that, pursuant to [\*\*D.N.J. LBR 2014-1\(c\)\*\*](#), the Court has waived the requirement that an application for compensation and reimbursement of expenses be filed under D.N.J. LBR 2016-1, an Information for Notice of Auctioneer Compensation pursuant to Fed.R.Bankr.P. 2002(a)(6), shall be filed by the applicant at least 21 days prior to remittance of

auctioneer compensation. If an objection is filed, the court may require that an application for compensation and reimbursement of expenses be filed under D.N.J. LBR 2016-1 or that a hearing be held.

- (h) *Interim Applications in Chapter 11 Cases.* Authorization for allowance of compensation at intervals more frequent than is permitted by 11 U.S.C. § 331, must be sought by a motion brought under the Court's Guidelines Governing Procedures for Payment of Interim Compensation and Reimbursement of Expenses to Professionals, set forth in [Appendix A](#) to this Rule.
- (i) *Final Applications in Chapter 11 Cases.* All applications for compensation shall be filed within 90 days after the order confirming the plan becomes a final order, or such compensation request shall be deemed waived.
- (j) *Special Requirements in Chapter 13 Cases.*
  - (1) *Debtor's Attorney, Generally.* If the fee of the attorney for the debtor disclosed pursuant to Fed.R.Bankr.P. 2016(b) exceeds \$3,500, the attorney for the debtor shall file and serve on the Chapter 13 trustee and the debtor an application for allowances not less than 7 days before the confirmation hearing. If the fee of the attorney for the debtor disclosed pursuant to Fed.R.Bankr.P. 2016(b) is \$3,500 or less, no application for allowance need be filed. A general overview of the legal services to be provided by the debtor's attorney in the course of the Chapter 13 case appears in the Court's Guidelines for Legal Services to be Rendered in a Chapter 13 Case, set forth in Appendix B to this Rule.
  - (2) *Supplemental Fees.*
    - (A) For supplemental fee applications of up to \$2,000 per application, the attorney for the debtor may submit Local Forms, [Certification of Debtor's Counsel Supporting Supplemental Chapter 13 Fee](#) and [Order Granting Supplemental Chapter 13 Fees](#). Such applications shall be served on the Chapter 13 trustee and the debtor. If the supplemental fee application is for an amount in excess of \$1,000, the clerk shall issue notice of hearing as required by Fed.R.Bankr.P. 2002(a)(6) for a date on which Chapter 13 cases are heard.
    - (B) Any other supplemental fee applications shall be filed in accordance with subsection (A) of this Rule and shall be served on the Chapter 13 trustee and the debtor. If the supplemental fee application is for an amount in excess of \$1,000, the clerk shall issue notice of hearing as required by Fed.R.Bankr.P. 2002(a)(6) for a date on which Chapter 13 cases are heard.
    - (C) Supplemental fee applications shall be submitted not more than once every 90 days.
  - (3) *Residential Mortgagee's Post-Petition Preconfirmation Attorney's Fees in Proof of Claim; Waiver of and Bar to Fee-Based Claims*
    - (A) A residential mortgagee's proof of claim, as initially filed or as amended, may include a claim for properly reimbursable attorney's fees and costs for post-petition preconfirmation attorney's services, in an amount not to exceed \$400.00 in lieu of the attorney filing an application for compensation under D.N.J. LBR 2016-1.
    - (B) Reimbursement hereunder is permitted *only* if the following conditions are met:

- (1) The residential mortgagee has actually incurred post-petition preconfirmation attorney's fees and costs for properly reimbursable services of at least the amount sought in the proof of claim, and the services performed are separately enumerated therein;
  - (2) The claim is for services of an attorney admitted to practice before this Court pursuant to [D.N.J. LBR 2090-1](#), who shall be identified in the proof of claim;
  - (3) The attorney's fees will not be split or shared with any other entity; and
  - (4) The underlying mortgage documents provide for payment of attorney's fees by the debtor under the circumstances of the debtor's Chapter 13 case, and such fee is not contrary to 11 U.S.C. § 506(b) or applicable non-bankruptcy law.
- (C) That portion of a residential mortgagee's proof of claim seeking reimbursement of attorney's fees hereunder shall be considered *prima facie* evidence of the validity and amount thereof in accordance with Fed.R.Bankr.P. 3001(f). Any party in interest may object to the allowance of the claim pursuant to 11 U.S.C. § 502(a), Fed.R.Bankr.P. 3007 and [D.N.J. LBR 3007-1](#).
- (D) The proof of claim must include the following statement in conjunction with any request for reimbursement of attorney's fees: "This reimbursement is requested pursuant to D.N.J. LBR 2016-1(j)(3) and the claimant certifies that all the requirements for allowance of this fee have been met."
- (E) Any other D.N.J. LBR 2016-1 fee application for post-petition preconfirmation attorney's services and costs on behalf of the residential mortgagee in a Chapter 13 case shall not include those services and costs allowed pursuant to this subsection (j)(3).
- (F) Any and all post-petition preconfirmation claims based upon the attorney's fees and costs incurred in a Chapter 13 case by the residential mortgagee which are not applied for pursuant to this subsection (j)(3) or more generally pursuant to D.N.J. LBR 2016-1, shall be deemed waived, and the residential mortgagee shall be estopped and barred from claiming such fees and costs at any time, whether in the Chapter 13 case or otherwise.
- (4) Supplemental fee applications shall be submitted not more than once every 120 days.
- (5) A real estate broker or debtor's real estate attorney duly retained pursuant to [D.N.J. LBR 2014-1](#) and whose fees are approved in an order authorizing debtor to sell real property and pay certain professionals' fees upon closing, pursuant to [D.N.J. LBR 6004-1\(b\)](#) is exempt from the requirements of this Rule.

## APPENDIX A

### GUIDELINES GOVERNING PROCEDURES FOR PAYMENT OF INTERIM COMPENSATION AND REIMBURSEMENT OF EXPENSES TO PROFESSIONALS IN CHAPTER 11 CASES

The following guidelines apply to the submission of motions seeking the entry of an administrative order establishing procedures for payment of interim compensation and reimbursement of expenses to professionals pursuant to 11 U.S.C. § 105(a) and 331 for services rendered and expenses incurred during a Chapter 11 case.

#### **A. APPLICABILITY OF GUIDELINES**

1. Any professional retained in a Chapter 11 case pursuant to 11 U.S.C. § 327 and 1103 (the “Professional”) may, by filing the appropriate motion seeking the entry of an administrative fee order (“Administrative Fee Order”), seek post- petition interim compensation pursuant to the within guidelines.
2. Any reference to the term “debtor” in these Guidelines shall include any trustee appointed in the case.

#### **B. PROCEDURES FOR MONTHLY STATEMENTS**

##### Monthly Fee Statements.

3. On or before the 25th day of each month following the month for which compensation is sought, each Professional seeking compensation pursuant to an Administrative Fee Order shall file with the Court and serve, by electronic transmission, hand or overnight delivery or by any means directed by the Court, a monthly fee and expense statement (the “Monthly Fee Statement”) upon the following persons:
  - (a) the officer designated by the debtor to be responsible for such matters;
  - (b) the debtor’s counsel;
  - (c) counsel to all official committees;
  - (d) United States Trustee’s Office for Region III — Newark, NJ office; (e) counsel to any secured creditors;
  - (e) counsel to any secured creditors;
  - (f) counsel to all post-petition lenders or their agents;
  - (g) all parties who have filed an entry of appearance and request for notices pursuant to Fed.R.Bankr.P. 2002; and
  - (h) any other party the Court may so designate.

##### Content of Monthly Fee Statements.

4. Each Monthly Fee Statement shall comply with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Bankruptcy Rules, with the exception that the provisions of D.N.J. LBR 2016-1(b)(9) (requiring a narrative explanation) and (b)(10) (requiring a cover sheet) are not applicable.
5. All timekeepers must contemporaneously maintain time entries, in increments of tenths (1/10th) of an hour, for each individual.

### Objections

6. Any objection to a Monthly Fee Statement (the “Notice of Objection To Monthly Fee Statement”) must be filed with the Court within 21 days after service of the Monthly Fee Statement (the “Objection Deadline”) and served upon the Professional and the parties set forth in Section B.3 herein on or before the Objection Deadline.
7. The Notice of Objection To Monthly Fee Statement must set forth the nature of the objection and the amount of fees and/or expenses at issue.

### Payment

8. Upon the expiration of the Objection Deadline, each Professional may file and serve upon each of the parties set forth in Section B.3 herein the Local Form [Certification of No Objection](#) or a Certification of Partial Objection, whichever is applicable, after which the debtor shall pay each Professional an amount equal to the lesser of (i) eighty percent (80%) of the fees and 100 percent (100%) of the expenses requested in the Monthly Fee Statement or (ii) eighty percent (80%) of the fees and 100 percent (100%) of the expenses not subject to any objection. If the debtor does not receive an objection to a particular Monthly Fee Statement, the debtor shall pay the 20% in fees remaining unpaid to each Professional subject to the approval of the Court upon the filing of the next interim or final fee application.
9. If the debtor receives an objection to a particular Monthly Fee Statement, the debtor shall withhold payment of that portion of the Monthly Fee Statement to which the objection is directed and pay the remainder of the fees and disbursements in accordance with Section B.8 herein.
10. If the parties to an objection are able to resolve the objection and if the party whose Monthly Fee Statement was objected to serves upon the parties listed in Section B.3 herein a statement indicating that the objection is withdrawn and describing in detail the terms of the resolution, the debtor shall pay in accordance with Section B.8 herein that portion of the Monthly Fee Statement which is no longer subject to an objection.
11. If the parties are unable to reach a resolution of the objection within 21 days after the Objection Deadline, the affected Professional may either (a) file with the Court a response to the objection together with a request for payment of the difference, if any, between the fees and expenses requested in the Monthly Fee Statement and the non-objected to portion of the fees and expenses paid to the affected Professional in connection with the Statement (the “Incremental Amount”); or (b) forgo payment of the Incremental Amount until the next interim or final fee application or any other date and time so directed by the Court at which time it shall, if so requested, consider and dispose of the objection.
12. The filing and service of an objection to a Monthly Fee Statement shall not prejudice the objecting party’s right to object to any fee application on any ground whether raised in the objection or not.
13. Furthermore, the decision by any party not to object to a Monthly Fee Statement shall not be a waiver of any kind or prejudice that party’s right to object to any fee application.

**C. FEE APPLICATIONS**

14. A professional seeking interim compensation must file at four month intervals or such other intervals directed by the Court (“Interim Period”) an interim fee application. Each Professional seeking approval of its interim fee application shall file with the Court and serve upon the parties listed in Section B.3 herein an interim application for allowance of compensation and reimbursement of expenses, pursuant to 11 U.S.C. § 331, of the amounts sought in the Monthly Fee Statements issued during such period (the “Interim Fee Application”).
15. The Interim Fee Application must include a summary of the Monthly Fee Statements that are the subject of the request and any other information requested by the Court and comply with the requirements of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules and applicable Third Circuit law.
16. An Interim Fee Application must be filed and served within 45 days of the conclusion of the Interim Period.
17. Any Professional who fails to file an Interim Fee Application when due will be ineligible to receive further interim payments of fees or expenses under the Administrative Fee Order until such time as the Interim Fee Application is submitted.
18. The pendency of a fee application or the entry of a Court order providing that payment of compensation or reimbursement of expenses was improper as to a particular Monthly Fee Statement shall not disqualify a Professional from further payment of compensation or reimbursement of expenses as set forth above, unless otherwise ordered by the Court. Additionally, the pendency of an objection to an Interim Fee Application or a Monthly Fee Statement will not disqualify a Professional from future payment of compensation or reimbursement of expenses, unless the Court orders otherwise.
19. Neither the payment of, nor the failure to pay, in whole or in part, monthly compensation and reimbursement as provided herein shall have any effect on this Court’s interim or final allowance of compensation and reimbursement of expenses of any Professionals.
20. Counsel for each official committee may, in accordance with the foregoing procedure for monthly compensation and reimbursement to professionals, collect and submit statements of expenses, with supporting vouchers, from members of the committee for which it serves as counsel; provided, however, that such committee counsel ensures that these reimbursement requests comply with the applicable rules and these guidelines.
21. Each Professional may seek, in its first request for compensation and reimbursement of expenses pursuant to these guidelines, compensation for work performed and reimbursement for expenses incurred during the period of time between the commencement of the case through and including a specific date.

**D. ADMINISTRATIVE ISSUES**

22. Any party may object to requests for payments made pursuant to the Administrative Fee Order on the grounds that the debtor has not timely filed monthly operation reports or remained current with its administrative expenses and 28 U.S.C. § 1930 fees, or if a manifest exigency exists. Otherwise, the Administrative Fee Order shall continue and remain in effect during the pendency of the case.
23. The debtor shall report payments to Professionals on its monthly operating reports, detailed so as to state the amount paid to each Professional.
24. Time periods set forth in this Order shall be calculated in accordance with Fed.R.Bankr.P. 9006(a).
25. Fees and expenses paid to Professionals are subject to disgorgement until final allowance by the Court.
26. The debtor must serve a copy of the Administrative Fee Order upon all parties served with the underlying motion seeking an Administrative Fee Order; all affected Professionals; all parties listed in Section B.3 herein and any other party the Court shall designate.

**APPENDIX B**

**GUIDELINES FOR LEGAL SERVICES TO BE RENDERED IN A CHAPTER 13 CASE**

The legal services to be provided by the debtor's attorney in the course of the Chapter 13 case are as follows:

- a. Meet with the debtor to review the debtor's assets, liabilities, income and expenses.
- b. Analyze the debtor's financial situation, render advice to the debtor with respect to the determination of whether to file a petition in bankruptcy and what type of case to file, and review the necessary requirements and procedures of the bankruptcy process with the debtor.
- c. Timely prepare, file and serve the debtor's petition, plan, schedules, statement of financial affairs and any necessary amendments thereto.
- d. Provide to the Chapter 13 Trustee, all required documentation including payment advices, redacted tax returns, real property valuations and any other documents required by the Trustee.
- e. Appear and represent the debtor at the section 341(a) meeting of creditors and the confirmation hearing.
- f. Respond to any routine objections to plan confirmation as necessary.
- g. Advise the debtor as to the requirements of completing a course in personal financial management and filing a completed statement regarding completion of a course in personal financial management as required by Fed.R.Bankr.P. 1007(b)(7).
- h. Provide such other legal services as necessary for the administration of the case, including but are not limited to a continuing obligation to assist the debtor by the return of telephone calls, the

routine answering of questions from the debtor and the receipt, review and transmission of correspondence.

## NEW JERSEY BOARD OF BANKRUPTCY JUDGES NOTES

- 1997 Comment: Subparts (a) and (b), and (d) through (h) are former Local Rule 8(a) through (g); subpart (c) is former Local Rule 7(c); subpart (i) is the former Local Rule 25(c); subpart (j) is former Local Rule 33.
- 2001 Comment: Subpart (j) amended March 8, 2001; amendments include increasing the fee dollar amount from \$1,500.00 to \$2,000.00 and the addition of paragraphs (2), (3) and (4).
- 2004 Comment: Subsection (i) is amended to add reference to the Court's *General Order Adopting Guidelines Governing Procedures for Payment of Interim Compensation and Reimbursement of Expenses to Professionals* which was implemented on March 31, 2003, and posted to the Court's web site, as one of four General Orders comprising the Court's Chapter 11 Initiative. The General Orders and related Guidelines governing Chapter 11 practice in this district are referenced at D.N.J. LBR 3016-1(e).
- [Former] Subsection (j)(5) is added for Chapter 13 cases, exempting from the requirements of this Local Rule, a real estate broker or debtor's real estate attorney duly retained pursuant to D.N.J. LBR 2014-1 and whose fees are approved in an order authorizing debtor to sell real property and pay certain professional fees at closing, pursuant to D.N.J. LBR 6004-1(b).
- 2005 Comment: Subpart (j) is amended effective August 1, 2005, to increase the fee dollar amount from \$2,000 to \$2,500.
- 2006 Comment: This rule has been substantially amended with respect to information requirements relating to compensation requests in order to aid the court in determining whether the time spent in a case, or any portion thereof, was actual, reasonable and necessary. It emphasizes activity descriptions based upon general project categories. New subdivision (b)(10) requires professionals seeking allowance of fees in excess of \$10,000, except as provided in subsection (g), to submit a summary on D.N.J. Local Form 3, which has been amended to provide greater substantive detail regarding the types of services rendered by the professional and with respect to which fees are sought. New subdivision (b)(9) expands upon the nature of the narrative portion of the application to the extent that it is intended to serve a heightened informational purpose with respect to expenses incurred and for which reimbursement is sought. Subdivision (j)(1) is amended to increase the fee dollar amount above which the debtor must file an application for allowances in Chapter 13 cases, from \$2,500 to \$3,500. Subdivision (j)(2) is amended to permit the attorney for the debtor in Chapter 13 cases to submit D.N.J. Local Forms 13 and 14 for supplemental fee applications of up to \$2,000 per application. Subdivision (j)(2)(c) is further amended to permit the filing of supplemental fee applications in Chapter 13 cases not more than once every 90 days. With the exception of subdivision (j) regarding special requirements concerning fees in Chapter 13 cases that will become effective in cases filed on or after August 1, 2006, this rule as amended shall apply to applications for compensation and expenses in cases filed on or after October 1, 2006. For cases filed before October 1, 2006, applicants may submit D.N.J. Local Form 3 in accordance with this amendment at their option.
- 2008 Comment: Subsection (j)(3) is added for Chapter 13 cases to allow a residential mortgagee to include in a proof of claim, attorney's fees in the amount of \$400.00 or less, for standard post-petition preconfirmation legal services rendered in the Chapter 13 case such as legal work relating to the filing of a proof of claim, reviewing the Chapter 13 plan, and filing an objection to the plan, without the need to file an application for allowance in accordance with D.N.J. LBR 2016-1. The amendment requires the residential mortgagee to specify the services performed in connection with the attorney's fees requested.

This subsection pertains to the procedural requirements for including in the proof of claim, a claim for post-petition preconfirmation attorney's fees and costs, which are deemed to have *prima facie* validity pursuant to Fed. R. Bankr. P. 3001(f) subject to the right of a party in interest to file an objection to the claim in the normal course pursuant to 11 U.S.C. section 502(a), Fed R. Bankr. P. 3007 and D.N.J. LBR 3007-1. The residential mortgagee's attorney's fees may be, absent objection, added to the arrears to be cured through the plan pursuant to 11 U.S.C. § 1322(e). In cases in which it is proposed in a plan to cure a default with respect to a residential mortgage in which a foreclosure judgment has been obtained, the amount of attorney's fees that may be sought may be limited by New Jersey Court Rule 4:42-9. In cases in which the plan does not propose to cure a default, a residential mortgagee's proof of claim may include post-petition preconfirmation attorney's fees pursuant to 11 U.S.C. section 506(b), to the extent that the creditor is oversecured. In such cases, absent objection, the secured claim may be increased by the amount of the attorney's fees.

2009 Comment:

The amendments to Local Rules 2014-1(b) and 2016-1(g) are intended to create an increased focus on the requirements for auctioneer retention while simultaneously simplifying the rule on auctioneer compensation. The auctioneer retention application must now contain a detailed estimation of fees and expenses. The application may include a request to waive the requirement of a fee application and if the request is expressly approved by the Court, no separate application for fees needs to be filed. In such cases, pursuant to D.N.J. LBR 2016-1(g), an applicant must file an Information for Notice of Auctioneer Compensation pursuant to Fed. R. Bankr. P. 2002(a)(6) at least 20 days prior to any remittance of auctioneer compensation. However, a fee application must be filed if the actual fees and expenses sought exceed the estimate in the retention application, or if the Court so directs. Previously, compensation under D.N.J. LBR 2016-1(g) was fixed at a declining scale commission structure. The changes allow for the approval of more flexible auctioneer compensation methods and facilitate the prompt payment of auctioneers.

Proposed 2014-1(d) is new and contains certain disclosure requirements for non-auctioneer liquidators. Modern practice with respect to the sale of estate assets often involves "interested" persons who cannot be retained as auctioneers under 11 U.S.C. § 327, and are therefore typically engaged as "agents" or "liquidators" pursuant to Sections 363, 364 and 105 of the Bankruptcy Code. These sale arrangements can involve the liquidator taking an ownership interest in the assets to be sold, financing the debtor's operations during the conduct of the sale, or entering into a joint venture or partnering arrangement with the debtor with respect to sharing upside proceeds arising from the sale. While the proposed rule change is intended neither to encourage nor discourage these types of arrangements, it is intended to require disclosure of the specific items enumerated in 2014-1(d) when any such arrangement is proposed.

Dec. 2009 Comment:

Subsection (g) is amended to conform with the March 26, 2009 Supreme Court approval of changes to Fed.R.Bankr.P. 9006 which addresses the method by which time is calculated. On May 7, 2009, the Statutory Time Period Technical Amendments Act of 2009 was enacted (Pub. L. No. 111-06). The law adjusts the time period in 28 statutes, including nine sections of the Bankruptcy Code, which are impacted by the federal rule changes. Both the statutory and rules changes take effect on the same day, December 1, 2009. Deadlines of less than 30 days have been changed to multiples of seven days so that the expiration of the deadline ordinarily would occur on a weekday. Under the revised rules: 5 day deadlines become 7 days; 10 and 15 day deadlines become 14 days; 20 day deadlines become 21 days; and 25 day deadlines become 28 days. Effective December 1, 2009, conforming amendments to the Court's Local Rules, including the one set forth herein, have been approved by the Board of Bankruptcy Judges. Additional information concerning time computation amendments to the national rules, local rules, general orders and forms may be accessed at [www.uscourts.gov/rules](http://www.uscourts.gov/rules) and [www.njb.uscourts.gov](http://www.njb.uscourts.gov).

2010 Comment:

This rule is amended to eliminate the reference to D.N.J. Local Forms 3, 13 and 14, by substituting the caption of the Local Forms.

Subsection (j)(1) requires a debtor's attorney to file an application for allowances if the fee disclosed under Fed. R. Bankr. P. 2016(b) exceeds \$3500. If a debtor's attorney charges \$3500 or less for services to be rendered in a Chapter 13 case, the guidelines have been developed to list the legal services to be provided by the debtor's attorney in the course of the Chapter 13 case. The guidelines are set forth at Appendix A.

2011 Comment:

The provisions of Appendix A to D.N.J. LBR 2016-1 were previously contained in the Court's General Order Adopting Guidelines Governing Procedures For Payment of Interim Compensation and Reimbursement of Expenses to Professionals. In September 2009, the Judicial Conference approved a set of Guidelines for Distinguishing Between Matters Appropriate for Standing Orders and Matters Appropriate for Local Rules. In response to these Guidelines, the Board of Bankruptcy Judges concluded that the provisions of the Court's General Order Adopting Guidelines Governing Procedures For Payment of Interim Compensation and Reimbursement of Expenses to Professionals should be addressed in an appendix to a local rule. As a result, on August 1, 2011, the Court amended D.N.J. LBR 2016-1(h) to incorporate the provisions of the General Order, with some minor changes, in Appendix A to the rule. Pursuant to D.N.J. LBR 1001-1(b), the Court may modify any of the Guidelines and any related Forms in order to accommodate a specific case.

Reference:

11 U.S.C. § 327 Employment of professional persons; 11 U.S.C. § 328 Limitation on compensation of professional persons; 11 U.S.C. § 330 Compensation of officers; 11 U.S.C. § 504 Sharing of compensation; Fed. R. Bankr. P. 2013 Public Record of Compensation Awarded to Trustees, Examiners, and Professionals; Fed. R. Bankr. P. 2014 Employment of Professional Persons; [D.N.J. LBR 2014-1](#), [2016-1](#), [6004-1](#), [6005-1](#).