

D.N.J. LBR 2016-5. Application for Compensation and Reimbursement of Expenses in a Chapter 13 Case

(a) Standard fee.

(1) A chapter 13 debtor's attorney who charges a fee of \$3,500 or less is not required to file an application for allowance of compensation. The fee covers the following legal services:

(A) meeting with the debtor to review the debtor's financial situation and discuss the bankruptcy process;

(B) preparing, filing, and serving the debtor's petition, plan, schedules, and statement of financial affairs;

(C) providing the chapter 13 trustee with all required documents including payment advices, redacted tax returns, real property valuations, and any other documents requested by the trustee;

(D) representing the debtor at the meeting of creditors under § 341(a) of the Code and all confirmation hearings;

(E) responding to routine objections to plan confirmation;

(F) filing a statement of completion of a course concerning personal financial management as required under Bankruptcy Rule 1007(b)(7);

(G) taking the steps necessary to discharge liens modified under the plan; and

(H) providing such other legal services as necessary for the administration of the case, including telephone calls and correspondence.

(2) A chapter 13 debtor's attorney who charges a fee of more than \$3,500 must file and serve on the chapter 13 trustee and the debtor an application for compensation and reimbursement of expenses in accordance with Local Bankruptcy Rule [2016-1](#) not later than 7 days before the confirmation hearing.

(b) Supplemental fee.

(1) A chapter 13 debtor's attorney who files a supplemental fee application of \$2,000 or less must file and serve on the chapter 13 trustee and the debtor Local Forms *Certification of Debtor's Counsel Supporting Supplemental Chapter 13 Fee* and *Order Granting Supplemental Chapter 13 Fee*.

(2) A chapter 13 debtor's attorney who files a supplemental fee application of more than \$2,000 must file and serve on the chapter 13 trustee and the debtor an application for compensation and reimbursement of expenses in accordance with Local Bankruptcy Rule 2016-1.

(3) A supplemental fee application in a chapter 13 case may not be submitted more than once every 120 days.

(c) Reimbursement of expenses. A chapter 13 debtor's attorney may file Local Forms *Certification of Debtor's Counsel Supporting Supplemental Chapter 13 Fee* and *Order Granting Supplemental Chapter 13 Fee* to request reimbursement of expenses.

2015 Comment

This Rule was formerly Local Bankruptcy Rule 2016-1(j).

Taking the steps necessary to discharge liens modified under the plan under subdivision (a)(1)(G) includes the filing of Local Forms *Application to Cancel and Discharge Mortgage/Lien* and *Chapter 13 Order Authorizing Cancellation, Voiding and/or Discharge of Record of Mortgage/Lien*.

The calculation of the fee amounts in this Rule is exclusive of the filing fee and expenses.