



United States Bankruptcy Court
Northern District of Georgia

404-215-1190
FAX 404-215-1115

memorandum

TO: All Attorneys

FROM: Judge Hagenau

DATE: April 11, 2017

SUBJECT: Fee Applications for Less than \$1,000 in Chapter 13 Cases

Many Chapter 13 practitioners reach agreements with their debtor clients for a base fee but with the right to seek additional fees for specified services. The Court requires debtor's counsel to file an application for these additional fees. The request for the additional fees may be included in the motion which justifies the fees, so long as the title of the motion includes "Application for Compensation".

Alternatively, a debtor's counsel may use the following notice procedure to obtain approval of additional fees in amounts of less than \$1,000. If this notice procedure is used, debtor's counsel shall file a separate application for the fees and upload at that time an order and notice in the form attached hereto. The Court will review the application and determine its compliance with the Bankruptcy Code and the Rule 2016(b) Statement. If appropriate, the Court will sign the uploaded order and notice. If the Court decides not to sign the order and notice, counsel will be advised to set the matter for hearing. The order and notice requires debtor's counsel to serve the order and notice on the Debtor, the Chapter 13 Trustee and any party requesting notice. A certificate of service must be filed. If no objections to the order and notice

are filed within 21 days (plus 3 days for service), the order and notice is final and no appearance in court is required by debtor's counsel PROVIDED that the certificate of service is filed. The order and notice is not final unless a certificate of service is filed. The Trustee will not pay the approved fee until 24 days has passed from the date of service and no fees will be disbursed unless a certificate of service is filed. If an objection is filed to the order and notice, the Court will set a hearing date on the objection.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CASE NO. ____-____-WLH
)	
_____ ,)	CHAPTER 13
)	
Debtor.)	JUDGE WENDY L. HAGENAU
_____)	

**ORDER AND NOTICE APPROVING COMPENSATION,
SUBJECT TO OBJECTION BY ANY PARTY IN INTEREST**

On [DATE], Debtor's attorney ("Counsel") filed an Application for Compensation (the "Application") [Docket No. ____]. The Application seeks approval of \$_____ [enter amount less than \$1,000] as compensation for services rendered. The compensation sought exceeds the agreed-upon base fee disclosed in the Disclosure of Compensation of Attorneys for Debtor(s) ("Rule 2016(b) Statement") [Docket No. ____] filed by Counsel, but is permitted as additional compensation in accordance with the Rule 2016(b) Statement.

Upon review of the Application, the Rule 2016(b) Statement, and the docket in this case it is hereby

ORDERED that, subject to the objection procedure that follows, the Application for

compensation is APPROVED. Additional fees in the amount of \$_____ shall be paid to Counsel pursuant to the terms of the confirmed plan;

ORDERED FURTHER that this Order is subject to objection by the Chapter 13 Trustee, and any other party in interest within 21 days of the date of service hereof in accordance with BLR 9014-2. Any such objection must be timely filed with the Office of the Clerk, Room 1340, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303 and served on Counsel at [ADDRESS]. If an objection is filed, the Court will set a hearing on the objection. If no objection is timely filed after proper service and filing of a certificate of service, this Order and Notice shall be the final order of this Court;

ORDERED FURTHER that the Chapter 13 Trustee shall not pay the approved fee until 24 days has passed from the date of service of this Order and Notice as evidenced by the filed certificate of service and no fees shall be disbursed if no certificate of service is filed;

ORDERED FURTHER that Debtor(s) Counsel shall serve this Order and Notice on the Debtor, Chapter 13 Trustee and any party requesting notice within three (3) business days of its entry and file a certificate of service thereof.

END OF ORDER

Prepared by:

DISTRIBUTION LIST