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DEC 20 2010

U.S. BANKRUPTCY COURT
MONTGOMERY, ALABAMA

**UNITED STATES BANKRUPTCY COURT**
**MIDDLE DISTRICT OF ALABAMA**

# AMENDED ORDER ON COMPENSATION OF DEBTOR'S ATTORNEY IN CHAPTER 13 CASES (EFFECTIVE JANUARY 1, 2011)

The court last revised the order designated as "Compensation of Debtor's Attorney in Chapter 13 Cases" on November 8, 2006. Prior orders stated in part that:

> The high volume of Chapter 13 cases in this district, in the opinion of the court, makes it inexpedient to engage in full-scale lodestar analysis of numerous detailed fee applications, and expedient to establish is presumptively reasonable fee for services rendered in uncomplicated, nonbusiness Chapter 13 cases.

The court concludes that an increase in the amount of compensation is appropriate. Therefore, it is ORDERED that:

1. A fee of $2,750 is presumed to be the maximum reasonable compensation that may be awarded for all legal services rendered in a Chapter 13 case by an attorney for the debtor. A disclosure of compensation shall be filed in accordance with 11 U.S.C. § 329 and Fed. R. Bankr. Proc. 2016(b) setting forth the fee sought.

2. No other fees shall be charged or collected by debtor's counsel without prior court approval except court costs, including the filing fee and actual costs of each amendment to the schedules.

3. The United States Bankruptcy Administrator, the Chapter 13 Trustee, or the debtor may in any case act to rebut the presumption of reasonableness of compensation awarded under this order and for this purpose request the filing of an application pursuant to 11 U.S.C. § 330 and Fed. R. Bankr. Proc. 2016.

4. An attorney for the debtor seeking compensation in excess of $2,750.00 shall file an

application under 11 U.S.C. § 330 and Fed. R. Bankr. Proc. 2016(a). Rule 2016(a) requires a detailed statement of all services rendered in the case.

5. The court may reduce the attorney's fee, in such amount as the court finds appropriate, for cause including the failure of an attorney to timely file the plan and schedules, to attend the § 341 meeting of creditors, to promptly and accurately file amendments, to appear at contested confirmation hearings or at other scheduled meetings or hearings, or similar cause.

6. This order shall be effective for cases filed on or after January 1, 2011.

Done this 20th day of December, 2010.

Dwight H. Williams, Jr.
Chief United States Bankruptcy Judge

William R. Sawyer
United States Bankruptcy Judge

c: Curtis C. Reding, Chapter 13 Trustee
Teresa R. Jacobs, Bankruptcy Administrator
Juan-Carlos Guerrero, Clerk of Court
Attorneys for Chapter 13 Debtors