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TIME _____

JUL 13 2001

HARDIN W. HAWES, Clerk
U. S. BANKRUPTCY COURT
CENTRAL DISTRICT OF ILLINOIS

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF ILLINOIS
600 East Monroe Street, Springfield, Illinois 62701

STANDING ORDER REGARDING ATTORNEY FEES FOR
DEBTOR'S COUNSEL IN CHAPTER 13 CASES

The Bankruptcy Court for the Central District of Illinois in the Springfield Division currently does not require debtor's counsel to file an application for compensation in any Chapter 13 case where attorney fees do not exceed \$1,300. The Court does require debtor's counsel to submit an itemized application for compensation in any Chapter 13 case where attorney fees sought exceed \$1,300. Effective as of the date of this Order, the review threshold will be increased by \$200 and this Court will require an itemized fee application where the attorney fees sought exceed \$1,500. Attorney fees in excess of \$1,500 shall be requested by application in accordance with Rule 2016 of the Federal Rules of Bankruptcy Procedure. In Chapter 13 cases where the fee requested does not exceed \$1,500, the Court will now require that an application for compensation be filed. Said application for compensation need not be itemized unless the aggregate attorney fees sought exceed \$1,500.

Allowed attorney fees may be paid in advance of or through the plan. The attorney may receive all or part of the allowed fees prior to the filing of the case, provided those fees are deducted from the total allowed fees to be paid through the confirmed plan. The rate of payment of the fees through the plan shall not exceed \$125 per month from each of the first six monthly plan payments. Any additional attorney fees remaining due beyond that shall be paid in equal monthly installments from the next eighteen monthly plan payments, or upon completion of the plan, whichever is sooner. The Chapter 13 trustee may, from time to time, recommend, and the Court, in its discretion, may, from time to time, approve payment in variation from this provision.

The duties designated below are presumed to be included within the scope of services rendered by the attorney to the debtor. If an attorney fails to perform any required duty, the Court, upon notice and hearing, may order the attorney to disgorge all or any part of the fees received, as the Court, in its discretion, deems appropriate. Upon request or objection of the Court or an interested party, the Court will consider whether the debtor's attorney fees should be limited to an amount less than \$1,500 based on the circumstances of a particular case.

The debtor's attorney's duties in a Chapter 13 case include, but are not necessarily limited to, the following:

1. Consult with and advise the debtor about the differences and relative advantages and disadvantages of proceeding under Chapter 7 and Chapter 13.
2. Prepare and file the petition, statement of financial affairs, all schedules, and the


creditor matrix.

3. Prepare and file a Chapter 13 plan.
4. Upon information received from the debtor, take steps necessary to avoid the termination of, or to allow the reinstatement of, necessary utility services of the debtor by providing proof of filing of the petition to utility service creditors.
5. Take steps necessary to obtain the return of repossessed vehicles proposed to be retained by the debtor under the plan.
6. In the event or pending state or federal court litigation, notify creditor's attorneys, and appropriate court(s) in which the litigation is pending, that the bankruptcy case has been filed.
7. Send out an information letter to the debtor reminding the debtor to attend the 341 hearing, specifying the time and location of that hearing, and providing information advising the debtor as to the procedures of the 341 hearing.
8. Appear at the 341 meeting of creditors with the debtor and confer with the debtor to prepare him or her to testify at the 341 meeting.
9. Upon information received from the debtor, take steps necessary to terminate pending wage garnishments, including filing a Motion to Terminate Garnishment.
10. Attend all court hearings in the case.
11. Prepare all court mandated pre-trial statements, reports, briefs, etc.
12. Respond to objections to plan confirmation and, where necessary, prepare an amended plan.
13. Prepare, file, and serve necessary amended statements and schedules, in accordance with information submitted by the debtor, provided the debtor pays the Court's filing fee.
14. Prepare, file, and serve necessary motions to buy, sell, or refinance real property and vehicles, when appropriate.
15. File a statement with the Court after the claim date has passed that the claims filed have been reviewed and any objections have been filed on disputed claims.
16. File proofs of claim for creditors who fail to file claims, if it is in the debtor's best interest to file such a claim.

17. Advise and represent the debtor with respect to stay relief or adequate protection motions.
18. Prepare, file, and serve motions to avoid liens on real or personal property.
19. Upon information received from the debtor, contact creditors who continue to communicate with the debtor after filing.
20. Confer by letter and in writing with the debtor, the trustee, creditors, or their counsel, as may from time to time be necessary for the proper administration of the case.
21. Provide such other legal services as are necessary for the administration of the case before the Bankruptcy Court.

This Standing Order shall be applicable to cases filed on or after this date.

DATED this 13th day of July, 2001.



LARRY LESSEN
UNITED STATES BANKRUPTCY JUDGE