

**GUIDELINES FOR ALLOWANCE OF ATTORNEYS FEES
IN CHAPTER 13 CASES**

THESE GUIDELINES GOVERN THE ALLOWANCE OF ATTORNEYS' FEES IN CHAPTER 13 CASES IN THE CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION.

AN ATTORNEY MAY RECEIVE AN ORDER APPROVING FEES UP TO THE AMOUNTS SET FORTH HEREIN WITHOUT FILING A DETAILED APPLICATION IF:

The attorney has filed with the court and served on the chapter 13 trustee the statement required pursuant to rule 2016 of the Federal Rules of Bankruptcy Procedure and a fully executed copy of the "Rights and Responsibilities Agreement Between Chapter 13 Debtor and Their Attorneys" ("RARA"), copies of which are available in the clerk's office and the court's web site at www.cacb.uscourts.gov; and

No objection to the requested fees has been raised.

THE MAXIMUM FEE WHICH CAN BE APPROVED THROUGH THE PROCEDURE DESCRIBED HEREIN IS:

\$5,000 in a case where the debtor is self-employed or engaged in a business; or

\$4,000 in all other cases;

IF AN ATTORNEY SEEKS ADDITIONAL FEES OR ELECTS TO BE PAID OTHER THAN PURSUANT TO THESE GUIDELINES:

The attorney shall file and serve an application for fees in accordance with 11 U.S.C. §§ 330 and 331, Rules 2016 and 2002 of the Federal Rules of Bankruptcy Procedures and Local Bankruptcy Rules 2016-1 and 3015-1, as well as the Guide To Applications For Professional Compensation issued by the United States Trustee for the Central District of California.

In any event, on its own motion or the motion of any party in interest, the court may order a hearing to review any attorney's fee agreement or payment, in accordance with 11 U.S.C. ' 329 and Rule 2017 of the Federal Rules of Bankruptcy Procedure.

IF THE ATTORNEY HAS FILED A RARA AND A 2016(b) STATEMENT, THE BALANCE OF FEES DUE WILL BE PAID PRIOR TO A REFUND BEING ISSUED TO THE DEBTOR. VERIFY THAT YOU HAVE BOTH A RARA AND 2016(b) STATEMENT ON FILE WITH THE TRUSTEE TO MAKE SURE THE REFUNDS ARE PROCESSED CORRECTLY.

Section 2 - Filing Requirements and Procedures

- (b) **Fees for Additional Services Without Filing a Detailed Fee Application.** An attorney may also receive an order approving fees for the following identified additional services in an amount not to exceed the maximum amount identified for each service without filing a detailed application:

LEGAL SERVICE	NO LOOK FEE MAXIMUM
MOTION TO EXTEND/IMPOSE STAY (NO OPPOSITION)	\$750.00
APPLICATION FOR ORDER SHORTENING TIME (NO OPPOSITION)	\$350.00
MOTION TO AVOID LIEN (506(a)) (NO OPPOSITION)	\$1,250.00
MOTION TO AVOID LIEN (506(a)); STIPULATION AND ORDER TO AVOID LIEN (506(a)) (NO OPPOSITION)	\$1,500.00
MOTION TO AVOID LIEN (522(f)) (NO OPPOSITION)	\$750.00
MOTION TO DISALLOW CLAIM (NO OPPOSITION)	\$950.00
OPPOSITION TO TRUSTEE'S MOTION TO DISMISS/CONVERT CASE	\$350.00
MOTION TO MODIFY PLAN (NO OPPOSITION)	\$750.00
MOTION TO REFINANCE/SELL REAL PROPERTY	\$750.00

Section 2 - Filing Requirements and Procedures

LEGAL SERVICE	NO LOOK FEE MAXIMUM
MOTION TO INCUR DEBT	\$750.00
APPLICATION FOR ORDER CONFIRMING THAT LOAN MODIFICATION DISCUSSION WILL NOT VIOLATE STAY	\$300.00
COMPLAINT TO AVOID LIEN	\$2,000.00

NOTE: Some judges may not allow "no look fees" for every service provided in the foregoing schedule. Attorneys should check the judge's page on the Court website for instances where the judge will not approve the no look fee.