

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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**STANDING ORDER NO. 3  
(as amended September 20, 2007)  
REQUIREMENTS FOR CHAPTER 13 FEE REQUESTS AND  
30 DAY RETENTION OF JURISDICTION**

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The Bankruptcy Court for the Northern District of Illinois, having adopted a model “Rights And Responsibilities Agreement Between Chapter 13 Debtors and Their Attorneys” (the “Model Retention Agreement”), together with a form application for compensation pursuant to the Model Retention Agreement, copies of which documents are available in the Office of the Clerk of the Court, and which are published on the Court’s website at [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), **IT IS HEREBY ORDERED THAT:**

**If Counsel and the Debtor Have Entered Into the Model Retention Agreement**

Requests for awards of compensation to debtors’ attorneys in Chapter 13 cases, pursuant to 11 U.S.C. §330(a)(4)(B), will be allowed without submission of an itemization of services rendered, provided that the application for award of compensation is set forth on the form adopted by the court for that purpose, stating that the appropriate [Model Retention Agreement](#) has been entered into. A completed copy of the court’s applicable form order showing the amounts counsel is requesting must be submitted with the application. The amount of compensation that will be awarded without itemization varies depending upon when the case was filed:

- A. [Cases filed after May 1, 2007.](#) Compensation will be awarded in an amount that does not exceed \$3,500 for services rendered through the close of the case, in accordance with the court’s General Order No. 07-02 entered April 26, 2007. Counsel must use the Model Retention Agreement that was revised as of May 1, 2007.
- B. [Cases filed before May 1, 2007.](#)
  - a. Compensation will be awarded in an amount that does not exceed \$2,200 for services rendered through confirmation or \$2,700 for services rendered through the close of the case.
  - b. Supplemental post-confirmation compensation may be awarded if the original application requested compensation only through confirmation. All such requests must be made using the [form application](#). Counsel must include a statement describing whether the request will reduce the dividend to unsecured creditors, lengthen the term of the confirmed plan, or have any other material impact on the plan. In addition to the form application, an itemization of the services counsel has rendered following confirmation must

be submitted. The itemization must contain the information described in the paragraph above. A completed copy of the court's applicable [form order](#) showing the amounts counsel is requesting must be submitted with the application.

### **If Counsel and the Debtor Have NOT Entered Into the Model Retention Agreement**

In cases filed under Chapter 13 where counsel for the debtor is requesting fees in excess of \$2,100 and has not entered into the Model Retention Agreement, counsel shall file with the Clerk of the Court an application for fees in accordance with the rules for presenting such motions. Such application shall include a detailed itemization of services rendered for the fees sought. The itemization must provide the following information: the precise nature of the services rendered; the time spent on each task in tenths of an hour; the identity of the person rendering the services; and the hourly rate of such person.

### **When Applications May Be Denied**

The court may deny any request for an award of compensation in a Chapter 13 case that:

- A. Fails to use the appropriate form application;
- B. If counsel and the debtor have entered into the Model Retention Agreement, fails to state that the appropriate Model Retention Agreement has been entered into or, for cases filed after May 1, 2007, fails to use the Model Retention Agreement revised as of May 1, 2007;
- C. Fails to attach either the Official 341 Creditors' Meeting Notice showing the amount of fees requested or alternatively, a certificate of service showing notice of the fee application to the debtor, the Chapter 13 Trustee and all creditors and other parties in interest, in accordance with the Bankruptcy Code and Rules, including the method of service for each party served; or
- D. If the request is for supplemental post-confirmation compensation in a case filed before May 1, 2007, fails to **describe whether the request will reduce the dividend to unsecured creditors, lengthen the term of the confirmed plan, or have any other material impact on the plan.**

This court hereby retains jurisdiction in any Chapter 13 case it dismisses in order to entertain fee applications from debtor's counsel. Such a fee application shall be noticed to the debtor, the Chapter 13 Trustee, and all creditors. It shall be noticed for hearing within 30 days following the date of dismissal. If no fee application has been both filed and heard before the end of the 30 day period, the Trustee shall disburse any funds she may have on hand in accordance with the established policies and procedures of her office.

This order replaces the order issued May 30, 2003, and is effective immediately.

ENTERED:

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PAMELA S. HOLLIS  
United States Bankruptcy Judge