

COURT PROCEDURES FOR JUDGE MICHAEL B. SLADE

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1. GENERAL

- a. Contact with the Court and Court Personnel.
 - i. *Ex parte* communication with Judge Slade about pending cases is strictly prohibited. All requests for relief should be made through written pleadings (or discovery dispute letters) filed on the docket. Correspondence to Judge Slade that is not filed electronically will be entered on the docket.
 - ii. *Non-substantive* questions about these procedures, Court trial availability, or Court preferences may be directed to the Chambers Staff email or phone line (see above). Parties may also contact Chambers to notify that a disputed matter has been resolved and a hearing will no longer be contested. **Email is preferred.**
 - A. All parties to a case or contested matter should be copied on any such emails and/or included in such telephone calls.
 - B. If appropriate, questions will be answered by Judge Slade's staff. But, if you receive no response within two business days, you should assume that Chambers believed the question(s) to be inappropriate for informal response and you should file a motion on the docket raising the inquiry consistent with Procedure 1(a)(i) above.
- b. Information for Self-Represented Parties. Filing bankruptcy requires careful preparation and understanding complex issues. Mistakes or misunderstandings can have serious repercussions, and court employees cannot provide legal advice.
 - i. Anyone considering bankruptcy should seek the advice of a qualified attorney—in chapter 13, debtors can sometimes pay most or all of their counsel's fee over time through the plan.
 - ii. If you choose to proceed without an attorney (which is called “pro se”), please consult the helpful materials on the Court’s website¹ and the Chicago Bankruptcy Pro Se Help Desk instruction packet.² If you need assistance in filling out bankruptcy forms, the Bankruptcy Pro Se Help Desk can provide free assistance: Email ilbkhelpdesk@gmail.com or call (312) 229-6344.

¹ <https://www.ilnb.uscourts.gov/filing-without-attorney>

² Available here: <https://www.ilnb.uscourts.gov/chicago-bankruptcy-pro-se-help-desk>

- c. **Warning About Use of Generative Artificial Intelligence.** Parties are strongly cautioned not to use generative artificial intelligence to draft pleadings. “GenAI” models, such as ChatGPT, sometimes make up output that is fictional or inaccurate.
 - i. Bankruptcy Rule 9011 requires that all parties filing pleadings read and confirm the existence and validity of the legal authorities they cite and the legal propositions they rely upon. Generative AI does not absolve parties of that responsibility. **Sanctions will be imposed when appropriate.**
- d. **Pleadings and Other Papers.**
 - i. **All papers must cite to specific statutory and other legal bases for relief sought or for any opposition to relief being sought.**
 - ii. Where parties attach exhibits to a filed pleading, they **must** file an exhibit cover page (*i.e.*, an otherwise-blank page that states only the exhibit number and what the exhibit is) at the start of each exhibit.
 - iii. Signature blocks must include one or more attorney email addresses where Chambers and parties in interest can reach an attorney responsible for the pleading, and must identify the parties that the attorney(s) represent(s).
 - iv. References to documents on the docket must include the docket number and, if applicable, a pin cite to the relevant page or paragraph referenced.
 - v. All papers must comply with applicable requirements to protect minors and personally identifiable information, including those set forth in 11 U.S.C. § 112 and Bankruptcy Rule 9037.
- e. **Proposed Orders.**
 - i. All motions seeking relief must include proposed orders. Parties must use a “fillable” form *unless* the proposed order is longer than 2 pages or includes formatting (*e.g.*, charts, multi-level lists, attachments) not compatible with a fillable order. In such cases, the party may instead file a text-recognized pdf (with the order and any attachments included in a *single* file). Information and instructions regarding Fillable Orders are available [here](#).³
 - ii. A party filing a revised proposed order must file a redline to the previously filed version of that proposed order as a separate *attachment* to the new proposed order when uploading to CM/ECF.
 - iii. Orders must state all relief being granted and attach any documents being approved (*e.g.*, settlement agreements, sale agreements). **Do not** include “the motion is granted as set forth therein” (or similar) in the order.

³ <https://www.ilnb.uscourts.gov/forms/fillable-form-order-information>

- f. **Stipulations and Agreed Orders.** For matters that do not require a motion under the Bankruptcy Code or Rules, parties are welcome to file a stipulation (e.g., to extend a party's objection deadline) or submit an agreed order (e.g., a protective order, scheduling order, lift-stay relief). If the latter, *inform Chambers* that the agreed order has been docketed by sending an email to the Chambers Staff email address, and Judge Slade will address it promptly.
- g. **Consensual resolutions of objections and disputes are preferred.** The meet-and-confer requirement for lift stay motions is described below in Procedure 3(a)(i). In addition, for all requests for relief, movants are expected to reach out to objecting parties *prior* to the motion hearing or initial status conference, as applicable, to attempt to resolve, narrow, or identify a path to resolution of the dispute. Both the movant and objecting party should be prepared to advise the Court of the status of such discussions and whether an evidentiary hearing is anticipated to be necessary.
- h. **Courtesy Copies.**
 - i. No courtesy copies of any pleadings in any case are required unless specifically required herein or requested by the Court.
 - ii. When submission of paper copies is required, deliver them to the Clerk of the Court's Intake Desk in Room 710 of the Dirksen Federal Building (clearly labeled for Judge Slade).
- i. **Transcripts.** Judge Slade uses the Electronic Court Recording Operator (ECRO) System. Transcripts of proceedings conducted by Judge Slade may be ordered by contacting:

D&E REPORTING
Dirksen Federal Building
219 S. Dearborn-Rm 661
Chicago, IL 60604
(312) 986-1920
D.and.E.Reporting@gmail.com

2. CONTESTED MATTERS AND ADVERSARY PROCEEDINGS

- a. **Discovery Disputes.** These procedures apply to ALL discovery disputes, whether they arise in the course of adversary proceedings or contested matters.
 - i. If, after (x) consultation among the parties in person, by video conference, or by telephone and (y) good faith attempts to resolve differences, the parties are unable to resolve a dispute regarding discovery, and one or more parties determines that a motion to compel, for a protective order, or other relief needs to be brought before the Court:
 - A. A party must file a letter on the docket (not to exceed 3 pages) in lieu of a formal motion. The letter should attach (or if not able to

attach, describe in detail) the discovery request(s) and/or discovery response(s) at issue.

- B. Counsel shall promptly email the Courtroom Deputy with a courtesy copy of the letter and the proposed date and time for a hearing on the dispute, if any. Counsel shall copy all relevant opposing counsel, and (as applicable) the relevant personnel at the Office of the United States Trustee and case trustee, on that email.
- C. Upon the receipt of a discovery letter called for by this procedure, Judge Slade may call for a response, schedule a hearing, or both.
- D. Judge Slade will address all letters raising discovery disputes as promptly as possible, as such disputes should not delay or distract parties from the resolution of disputes on their merits. The purpose of this procedure is to minimize discovery disputes and expedite their resolution where they occur.

b. Rule 2004 Motions.

- i. When filing a Rule 2004 motion, the movant must either, **(A)** attach the proposed discovery requests (whether deposition requests, document requests, or other discovery procedure) to their Rule 2004 motion or **(B)** summarize the discovery that they will be seeking within the text of their Rule 2004 motion.
- ii. Motions that do not comply with this procedure may be denied summarily without prejudice.
- iii. For the avoidance of doubt, these procedures exempt parties seeking relief under Bankruptcy Rule 2004 from Local Rule 7026-1(B) in matters before Judge Slade.

c. Pretrial Procedures and Scheduling Orders.

- i. Setting and adhering to schedules is critical to the fair and timely resolution of matters before the Court. Accordingly, in all adversary proceedings (and contested matters requiring an evidentiary hearing), Judge Slade anticipates entering scheduling orders in the form available on his website (in the Standing Orders/Required Forms tab) promptly after the filing of the answer (or completion of briefing, as applicable).⁴ Once entered, Judge Slade expects **strict compliance** with such Scheduling Order.
- ii. If parties would like to propose dates for a Scheduling Order, they are to **(A)** meet and confer and **(B)** at least 3 days before the first (post-answer) status conference, file either **(1)** a proposed agreed Scheduling Order (using

⁴ <https://www.ilnb.uscourts.gov/sites/ilnb/files/FORM-Scheduling-Order-2.4.25.pdf>

Judge Slade's form) with proposed dates agreed to by the parties or (2) competing proposed Scheduling Orders, noting which proposal is made by which party. Changes to the form other than to the bracketed text are disfavored and will be considered only in compelling circumstances.

- iii. Dispositive motions will be due consistent with applicable Bankruptcy Rules and Local Rules, subject to the following procedure regarding motions for summary judgment.

d. Summary Judgment Pre-Filing Conference.

- i. Properly prepared motions for summary judgment require considerable attorney time and client expense. Sometimes such motions are unnecessarily filed. A careful examination of the record prior to filing may reveal contested factual issues making granting of the motion impossible.
- ii. It is Judge Slade's practice to hold a pre-filing conference with the lead attorneys of the parties to discuss whether the filing of a summary judgment motion is advisable given the state of the record. **No written submissions should be made prior to the conference.** The party who wishes to seek summary judgment should be prepared to point out the uncontested facts that support the relief being sought, and the opposing party should be prepared to speak to whether those facts are contested.
- iii. This conference should be scheduled by emailing the Chambers Staff email *before* any substantive work is done preparing the motion.
- iv. No party will ever be prevented from filing a dispositive motion, but the goal of the pre-filing conference is to have a careful, informed discussion of the issues before significant time and expense have been incurred.

e. Evidence.

- i. If parties intend to call witnesses and/or introduce exhibits at a hearing, they must file on CM/ECF a witness and exhibit list consistent with an entered Scheduling Order or, if no Scheduling Order has been entered, no later than 7 days prior to the commencement of the evidentiary hearing.
 - A. On such date, the parties shall (1) exchange copies of all exhibits and demonstrative exhibits on the Witness and Exhibit Lists and (2) submit to the Court two sets of the Witness and Exhibit Lists, the exhibits, and the demonstrative exhibits in binders with tabs that denote each exhibit's assigned number.
- ii. The Witness and Exhibit List must include a brief description of the subject matter of each witness' testimony.

- iii. Each proposed exhibit must be **(A)** clearly numbered in the order of its probable presentation at the hearing and listed on the Witness and Exhibit List in such order and **(B)** filed as a separate attachment to the Witness and Exhibit List. When offering an exhibit into evidence, a party must reference the docket number of the filed exhibit (*e.g.*, docket no. 24-6).
- iv. Any exhibits on a Witness and Exhibit List to which there has been no written objection filed will be admitted into evidence at the outset of the hearing. Any demonstrative exhibits on a Witness and Exhibit List to which there is no objection will be admitted as demonstrative evidence only.

f. **Trials.**

- i. All trials and evidentiary hearings in Adversary Proceedings and Contested Matters will be held in person in Courtroom 642. Except as noted in Procedure 2(f)(ii) below, all witnesses must testify in person in the Courtroom and all attorneys or parties questioning such witnesses must do so in person from the Courtroom.
- ii. If a party, witness, or attorney has compelling reasons, Judge Slade will consider motions for leave to testify or to question witnesses remotely, but will only grant such motions if relief from this in-person trial requirement is absolutely necessary.

g. **Mediation.**

- i. **Cases Pending Before Judge Slade.** Judge Slade welcomes requests to arrange a mediation for matters when parties are serious about attempting to settle disputes. If both parties in matters before Judge Slade agree that mediation would be worthwhile, the parties should ask Judge Slade (either during a status conference or by joint email to the Chambers Staff email address) for referral to a mediator, at which point Judge Slade will attempt to find a judge for referral. To be clear, Judge Slade will not mediate, or hold settlement conferences, in cases that are assigned to Judge Slade.
 - A. Once another judge is assigned to mediate, it is the parties' responsibility to contact that judge's staff as directed.
 - B. Unless otherwise ordered, a mediation will not delay or stay discovery, pretrial hearing dates, or trial schedules.
 - C. Participants in mediation are prohibited from divulging, outside of the mediation, any oral or written information disclosed by the parties in the course of the mediation. No person may rely on or introduce as evidence in any proceeding any aspect of the mediation unless such information is otherwise discoverable or admissible. The parties are bound by Fed. R. Evid. 408 and any applicable

federal or state law equivalents relating to settlement discussions, mediations, or alternative dispute resolution procedures.

ii. **Cases Pending Before Other Judges.** Assuming his availability, Judge Slade is happy to mediate disputes pending before other Judges. When another Judge has referred a case to Judge Slade for mediation and Judge Slade has agreed to mediate, the following guidelines will apply:

- A. The parties are responsible for contacting the Courtroom Deputy to schedule the mediation, and must be prepared to communicate to Chambers the anticipated length of the mediation and at least three (3) dates on which *all* parties are available to mediate.
- B. The parties must agree to make a good faith attempt to settle through mediation and are required to have at least one person of decision-making authority in attendance at the mediation with their counsel.
- C. Judge Slade may require the parties to execute an agreement, the referring judge to enter an order, or both, confirming the confidentiality of the mediation proceedings, the applicability of the mediation privilege, and/or Judge Slade's absolute immunity from suit related to such proceedings.
- D. The parties are advised that Judge Slade anticipates scheduling *ex parte* conference calls, separately with each side, in advance of the formal in-person part of the mediation, to ensure that the time spent in person is used efficiently.
- E. On a date set by Judge Slade or, alternatively, no later than 3 business days before the scheduled mediation, each party must email to the Courtroom Deputy a position statement not to exceed ten pages. Unless the parties agree that the statements are not confidential, the statements will be treated as confidential. The position statement must NOT be filed and should NOT be provided to opposing parties.

iii. **Local Rule Applicability.** Any party that requests and/or agrees to mediation acknowledges and agrees that the United States District Court for the Northern District of Illinois, Local Rule 40.3.1, including the proposed amendment of December 4, 2025 (the comments to which, if any, are due February 2, 2026⁵), apply to any mediation in which Judge Slade participates and any mediation of a case pending before Judge Slade that is referred to another judge.

⁵ The proposed amendment is available here:
https://www.ilnd.uscourts.gov/_assets/_documents/_rules/Prop%20to%20Amd%20LR%2040.3.1.pdf

3. PROCEDURES RELEVANT TO MULTIPLE CHAPTERS

- a. **Motion Requirements**. Motions lacking the applicable information may be denied summarily without prejudice.

- i. **Stay Relief.**

- A. Prior to filing a motion for relief from the automatic stay, the movant **must** make an attempt to meet and confer (via telephone, video conference, email, or in-person meeting) with counsel for the debtor (or the debtor, if he or she is proceeding *pro se*) and, in a chapter 7 case where the trustee has not filed a “no asset” report, with the chapter 7 trustee or counsel thereto.

- 1. Counsel and pro se parties are expected to be responsive to meet and confer requests. Any unreasonable failures by debtor’s counsel to respond to meet-and-confer requests from creditors may be taken into account when Judge Slade is considering fee petitions.
 - 2. ***All motions for stay relief must*** include a statement that informs the court about the meet and confer, including the date of conference or request, the method employed, ***and the outcome*** (e.g., agreed to by the debtor/trustee, contested, unresolved, no response).
 - 3. If a motion credibly states that the meet & confer was successful and that the debtor agrees to (or does not oppose) the relief, it may be granted without a hearing.

- B. Agreed orders to resolve stay relief motions are welcome. However, such orders must provide that, if a debtor defaults on the conditions agreed to, before the automatic stay terminates the debtor will have no less than 7 days after receiving a notice of default of any condition provided for in the agreed order to seek further relief from the Bankruptcy Court.

- C. **Movants seeking to pursue *in rem* remedies **must also**** include in the motion, in addition to the Required Statement mandated by Local Rule 4001-1, ***all*** of the following:

- 1. an estimate of the value of the applicable collateral, regardless of whether relief is sought under 11 U.S.C. § 362(d)(2);
 - 2. the *current* balance of the total debt owed to the movant (accrued attorneys’ fees may be included only if such fees are provided for in the governing contract or applicable law);

3. the status of the debtor's *post*-petition payment obligations to the creditor (e.g., "Debtor has missed 3 post-petition payments of \$555 each, for a total arrearage of \$1665"), *excluding* attorneys' fees; and
4. what specifically the movant intends to do if Judge Slade lifts the stay (e.g., "If the stay is lifted, Creditor intends to foreclose on its lien, evict the debtor, and sell the property;" "If the stay is lifted, Creditor intends to repossess and sell the 2016 Nissan Ultima").

ii. **Stay Extension.** Motions to continue the automatic stay pursuant to 11 U.S.C. § 362(c)(3) or to impose the stay under § 362(c)(4) should:

- A. state the case number(s) of previous case(s) dismissed within the applicable look-back period prior to the filing of the present case;
- B. include copies of Schedules I and J from (1) all cases dismissed within the applicable look-back period and (2) the current case;
- C. explain in detail the bases for continuing the stay in effect or imposing the stay; and
- D. be accompanied by a factual affidavit from the debtor(s) explaining the reasons why each of the previous cases within the relevant look-back period was dismissed and why the automatic stay should be continued or imposed in the present case.

b. Claims Objections.

- i. Each claim objection must identify the claimant and claim number.
- ii. A copy of the proof of claim (and all attachments thereto) must be attached to the objection and redacted in accordance with Bankruptcy Rule 9037.
- iii. Notice to the claimant must be served in compliance with Fed. R. Bankr. P. 3007, including service to the "notice" address designated by the claimant in Part 1 of the claim form (*see* Part 1, section 3 of Official Form 410).
 - A. Further instructions on serving the Internal Revenue Service are available on the Court's website.⁶

c. Fee Applications in Chapter 7, 9, 11, and 12 Cases.

- i. Applications for approval of professional fees and expenses must (A) attach a report of time and service entries generally consistent with the United

⁶ <https://www.ilnb.uscourts.gov/news/serving-internal-revenue-service>

States Trustee's Fee Guidelines,⁷ including reporting time in tenths of an hour increments, and in the format required under Local Rule 5082-1 and (B) include the following summary chart at the beginning of the application (in addition to or in lieu of the cover sheet required by Local Rule 5082-1(A)):

Name of Applicant:	
Applicant's Role in Case:	
Retention Order:	ECF No. ____; entered ____/____/____
Petition Date:	____/____/____
Confirmation Order: (check applicable box)	<input type="checkbox"/> ECF No. ____; entered ____/____/____ <input type="checkbox"/> Not yet entered <input type="checkbox"/> N/A (Chapter 7)
Time Period Covered by Application:	____/____/____ to ____/____/____
Total Fees Requested in this Application:	\$ _____
Total Hours Covered by this Application:	
Total Expenses Requested in this Application:	\$ _____

4. CHAPTER 11 CASES

- a. Hearings. All hearings are evidentiary unless otherwise specifically ordered.
- b. Proposed Orders. As described in general procedure 1(e) above, all motions must be accompanied by Proposed Orders. Judge Slade strongly discourages parties from filing *any* proposed order longer than 15 pages (including, for example, debtor-in-possession financing and confirmation orders). In addition, parties are strongly encouraged *not* to repeat verbatim in proposed orders provisions from another document approved in or attached to the proposed order, unless doing so is absolutely necessary (as Judge Slade believes is the case for proposed releases or injunctions).
- c. Complex Chapter 11 Cases.
 - i. Pursuant to Local Rule 9013-1(A), all motions filed in complex cases should use the Form Notice available on Judge Slade's website (in the Standing Orders/Required Forms tab) *instead* of Local Form G-3.⁸
 - ii. **First Day.**
 - A. To obtain a "first day" hearing setting under Local Rule 9090-2, proposed counsel for the debtor(s) shall contact Chambers (via the Chambers Staff email or phone line) promptly upon the assignment of a Complex Chapter 11 Case to Judge Slade. Such hearings will be scheduled as quickly as possible, and proposed counsel for the

⁷ https://www.justice.gov/sites/default/files/ust/legacy/2013/06/28/Fee_Guidelines.pdf

⁸ <https://www.ilnb.uscourts.gov/sites/ilnb/files/FORMComplex11MotionNoticeasof10.6.25.pdf>

debtor should advise Chambers of their preferred date and time for the “first day” hearing, which will be accommodated if possible.

- B. For “first day” motions, the court requires two (2) physical sets of pleadings and one (1) electronic set (zip file of PDFs, with proposed orders in Word, to the Chambers Staff email) within one (1) business day of their filing—and in any event prior to the first day hearing.
- C. A “First Day” Declaration will be considered a Case Management Summary for purposes of satisfying Local Rule 9090-2(B).

- iii. Promptly following the First Day hearing, Judge Slade will enter an order setting omnibus hearing dates pursuant to Local Rule 9090-3(B). Parties should be prepared to discuss scheduling at the First Day hearing.
- iv. If all matters set for an omnibus hearing are resolved by entry of an order prior to the hearing, the omnibus hearing will not go forward **unless** the court has separately set a status conference for such time.
- v. *Interim* fee applications in complex cases need include only:
 - A. the summary chart in Procedure 3.c.i above;
 - B. a chart of fees sought broken out by timekeeper, which includes each timekeeper’s billing rate, total hours billed, and total fees incurred during the applicable interim period for which payment is being sought;
 - C. a chart of fees sought broken out by billing category, which includes the hours billed and fees incurred in each category during the interim period;
 - D. a chart of expenses by category; and
 - E. a copy of the invoices for the fees and itemized expenses incurred in the interim period.

Judge Slade has no need in complex cases for pleadings that include counsel’s analysis of entitlement to compensation or summaries of services performed when *interim* fee applications are filed, and believes that such pleadings are an unnecessary waste of time and expense. Such pleadings should be reserved for *final* fee applications, when counsel’s analysis is helpful to the Court’s decision-making.

For the avoidance of doubt, the Court may reconsider interim compensation awards when the final application is considered. Parties-in-interest may object to a final fee application on any basis allowed by law and will not be estopped by failing to object to an interim application.

d. Subchapter V Cases.

- i. Judge Slade expects subchapter V debtors to address compensation for the subchapter V trustee promptly upon the filing of the case. If the debtor does not do so, Judge Slade may do so *sua sponte*.
 - A. Any motion to address subchapter V trustee compensation should include whether the proposed provision is agreed to between the debtor and the subchapter V trustee.
 - B. All proposed Cash Collateral and/or DIP Financing orders (and any related budgets) should include a provision to ensure payment of the subchapter V trustee's allowed fees and expenses (payment of a reasonable retainer is likely to be acceptable).

5. CHAPTER 13 CASES

a. Court's Expectations.

- i. To ensure compliance with the deadlines imposed by the Bankruptcy Code and Rules (*see, e.g.*, 11 U.S.C. §§ 521, 1308; Fed. R. Bankr. P. 1007(c)) and efficient administration of cases, Debtor's counsel are expected to collect from their client *prior* to filing the petition all documents required for the chapter 13 trustee to hold a section 341 meeting (*e.g.*, pay advices, tax returns/transcripts from the past 4 years), absent extenuating circumstances that necessitate a hasty filing.
- ii. If a document does not exist or is not in a debtor's possession when counsel is retained (*e.g.*, a debtor was required to file a tax return but didn't, or filed a return but lacks a copy), counsel is expected to take reasonable steps to obtain the document (*e.g.*, having the debtor prepare and file past-due returns) *before* filing, again unless extenuating circumstances necessitate a hasty filing. If this is not possible, counsel are expected to either provide the information to the trustee at least seven days before the first scheduled 341 meeting or seek an extension of the deadline and, in that motion, describe why timely providing information to the trustee was not possible.
- iii. All parties and counsel should note that Judge Slade may grant motions to dismiss promptly—and may deny fee petitions—if the chapter 13 trustee must expend their resources (and court resources) to seek dismissal because they have not received information that debtor's counsel could and should have collected before filing the case.

b. Motion Requirements. Motions lacking the applicable information may be denied summarily without prejudice.

- i. **Dismissal.** All motions to dismiss a chapter 13 case (whether the motion is based on a payment default, missing information or documents (including

tax returns required to be tendered under a plan), or *any* other reason) **must** state whether a plan has been confirmed and, if so, include a paragraph or chart that sets forth the following information:

- A. the term of plan and status (*e.g.*, “20 months into a 60-month plan, 33% time passed”);
- B. the monthly plan payment amount; and
- C. the status of the debtor’s payments under the plan, including **(1)** how much has been paid and percent of total and **(2)** the number of payments and amount in arrears.

ii. **Plan Modifications.** All motions to modify a chapter 13 plan **must** include a paragraph or chart that sets forth the following information about the debtor’s current confirmed plan *and* any proposed modifications thereof:

- A. the term of plan and status (*e.g.*, “20 months into a 60-month plan, 33% time passed”);
- B. the monthly plan payment amount;
- C. the percentage to be paid to general unsecured creditors (and whether such rate is guaranteed or estimated); and
- D. the status of the debtor’s payments under the plan, including **(1)** how much has been paid and percent of total and **(2)** whether the debtor is current and, if not, the number of payments and amount in arrears.

NOTE: if the debtor is seeking to defer any payments due under the plan, the debtor must state the amount sought to be deferred in both the motion **and the proposed order**.

iii. **Motions to Obtain Credit.** All motions to obtain credit must *substantively* address whether the relief will affect the debtor’s ability to continue performing under the chapter 13 plan, and specify **(x)** any resulting change to the debtor’s net monthly income (*i.e.*, “debtor’s net monthly income will go from \$750 to \$650, a reduction of \$100”) and **(y)** the monthly payment required by the plan (*i.e.*, “the plan provides for monthly payments of \$700 to the trustee”).

- A. If there is a deficit (*e.g.*, the examples here result in a \$50 shortfall), the motion must state how the debtor will meet that deficit (*e.g.*, other expenses reduced (file new schedules I/J), concurrent motion to modify plan, etc.) for relief to be granted.

c. Fee Applications in Chapter 13 Cases.

- i. If a flat fee is authorized pursuant to Local Rule 5082-2, the application for approval of professional fees and expenses must also attach the fully executed Court-Approved Retention Agreement.
- ii. Otherwise, applications for approval of professional fees and expenses must attach **(A)** a report of time and service entries generally consistent with the United States Trustee's Fee Guidelines,⁹ including reporting time in tenths of an hour increments, and in the format required under Local Rule 5082-1, **(B)** the fully executed engagement letter (or agreement setting out terms of compensation), and **(C)** the following summary chart at the beginning of the application:

Name of Applicant:	
Applicant's Role in Case:	
Petition Date:	/ /
Confirmation Order: (check applicable box)	<input type="checkbox"/> ECF No. ____; entered ____/____/____ <input type="checkbox"/> Not yet entered
Time Period Covered by Application:	/ / to / /
Total Fees Requested in this Application:	\$ _____
Total Hours Covered by this Application:	
Total Expenses Requested in this Application:	\$ _____
Total Retainer Received:	

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⁹ https://www.justice.gov/sites/default/files/ust/legacy/2013/06/28/Fee_Guidelines.pdf