

M • E • M • O

To: Chapter 13 Practitioners

From: Tammy Terry, Krispen Carroll, David Ruskin
Chapter 13 Trustees

Date: June 11, 2004

Subject: Increase in Chapter 13 Pre-Confirmation Attorney Fees Without Formal Fee Application

Effective immediately, the Detroit Trustees will agree to a maximum award for pre-confirmation fees to be awarded in the Order Confirming Plan pursuant to LBR 2016-2 of \$1,800 for what is known as the "flat fee" or "no look" method. Similarly, we will agree to the awarding of a maximum of \$1,400 in instances of re-filed cases or those cases dismissed pre-confirmation. As always, fees requested in excess of these amounts will require the filing of a fee application. Further, we reserve the right to request the filing of a fee application in any case where we feel a full disclosure of work performed is appropriate.

Previously, the maximum amount was \$1,400, a sum determined in 1999. Since then there has been a 13.8% increase in the Consumer Price Index for Metropolitan Detroit, All Urban Consumers. That figure now translates to \$1,593 today. The figure of \$1,800 is suggested in recognition of increased cost of operation and in further recognition of additional duties, additional tasks being required of debtors' counsel, and in consideration of the fact that more time is spent in representation of the client.

As always, we solicit input from the bar with respect to these matters. Please feel free to contact any of us at your convenience.