

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF: _____) CASE NO. _____
 _____)
 Debtor(s).) Chapter 13

CERTIFICATION OF A LA CARTE (“ALC”) FEES/EXPENSES
BY COUNSEL FOR THE DEBTOR(S)

COMES NOW _____, counsel for the Debtor(s) and certifies that:

1. I have provided valuable legal services to the Debtor(s) that qualify for ALC fees and/or expenses above and beyond the Standard Allowable Amount (“SAA”) provided for Local Rule 2016-1(b).

2. That if additional expenses are requested herein, I certify that the actual expenses incurred are itemized and attached to this certification of fees.

3. I hereby request ALC fees and/or expenses as set forth in the chart below:

| | Service | Scheduled Fee | Related CM/ECF Docket Entry Numbers | Select Service With an “X” | Selected Amount |
|----|---|---------------|-------------------------------------|----------------------------|-----------------|
| 1. | Motion ¹ to extend the automatic stay. | \$360 | | | \$____ |

¹ All references to “motion” includes drafting and filing motions, resisting motions, negotiating regarding motions filed by parties other than the debtor, and entering into consent orders or other agreements. The intent is to compensate counsel for services, regardless of who is the initiating party.

| | Service | Scheduled Fee | Related CM/ECF Docket Entry Numbers | Select Service With an "X" | Selected Amount |
|-----|---|---------------|-------------------------------------|----------------------------|-----------------|
| 2. | Motion to borrow, sell or refinance personal or real property. Services to include amending necessary schedules, communications with various parties prior to filing motion, obtaining and reviewing all available documents which the debtor proposes to execute upon approval of the motion and any other related work. | \$480 | | | \$___ |
| 3. | Motion to allow filing claim out of time. | \$300 | | | \$___ |
| 4. | Motion to alter, amend, or reconsider judgments (except where the motion to alter, amend, or reconsider was necessitated by counsel's own oversight, inexperience, inefficiency, or failure to follow proper procedure). | \$600 | | | \$___ |
| 5. | Motion to reinstate Chapter 13 case. | \$300 | | | \$___ |
| 6. | Preparation, filing and service of amended plan post confirmation. Services provided shall include amending necessary schedules, reviewing past stipulations, if any, reviewing claims, verifying adequate funding, addressing all objections and responding to any request for production of documents. | \$600 | | | \$___ |
| 7. | Motion to avoid liens on real or personal property. If filing more than one such motion contemporaneously and not requiring actual court attendance on different dates, \$350 for the first motion, and \$250 for each additional motion. | \$420 | | | \$___ |
| 8. | Objection to improper or invalid claims. | \$300 | | | \$___ |
| 9. | Preparing and filing late claims. | \$300 | | | \$___ |
| 10. | Motion to employ, approve settlement, or compromise controversy. | \$420 | | | \$___ |
| 11. | Objection to motions for relief from the automatic stay, including motions for relief under the co-debtor stay. | \$480 | | | \$___ |

| | Service | Scheduled Fee | Related CM/ECF Docket Entry Numbers | Select Service With an "X" | Selected Amount |
|-----|---|---------------|-------------------------------------|----------------------------|-----------------|
| 12. | Resist/defend motion to dismiss. | \$480 | | | \$___ |
| 13. | Motion for turnover if no adversary proceeding is necessary. | \$420 | | | \$___ |
| 14. | Motion to assume or reject lease. | \$180 | | | \$___ |
| 15. | Motion to retain income tax refund(s). | \$420 | | | \$___ |
| 16. | Other necessary miscellaneous motions not otherwise provided for in the above categories. | \$360 | | | \$___ |
| | ACTUAL EXPENSES INCURRED RELATED TO ALC ACTION (please attach an itemized statement) | \$___ | | | |
| | TOTAL (FEES AND EXPENSES) | | | | \$___ |

DATED:_____.

Counsel for the Debtor(s)

Appendix “A” Instructions and Comments:

- a. All ALC fee and expense requests should be made with due consideration to *related* events that culminate into a larger transaction. Counsel for the debtor shall, to the extent reasonably possible, only submit ALC requests that are just and reasonable under the totality of circumstances involving services rendered.
- b. Counsel for the debtor shall only submit ALC fee requests pursuant to services that are customary and necessary in representing a Chapter 13 debtor utilizing *best practices*. Debtor’s counsel is expected not to request ALC fees when the services rendered were due to an oversight, inexperience, or inefficiency of counsel.
- c. Multiple selections for ALC fees may be made on one ALC request form but each such ALC fee requested must be for separate substantive matters. Counsel shall not “stack” ALC fees for one substantive matter.

Examples:

Generally, a separate ALC selection for a motion to shorten time may be combined (selected on the form) with another underlying pleading or motion.

Stacking fees shall not be allowed in the following scenarios:

1. A motion to sell/transfer a vehicle filed concurrently with a motion to purchase a new vehicle is one ALC matter
 2. Defending a motion for relief from stay and a motion for relief from co-debtor stay on the same property are collectively one ALC matter.
 3. Multiple motions to avoid lien on the same item of property (for example, where there are multiple judgment liens on a homestead) are collectively one ALC matter.
- d. ALC fee requests may be filed at the time of the service. As a best practice, ALC fee requests should be made within three months of completing the underlying service(s).
 - e. ALC fee requests need to refer to a specific docket entry or entries on the CM/ECF system relating to the services performed.

- f. All ALC expenses must be itemized and attached to the certification of fees.
- g. ALC fees shall not be requested when the primary reason for filing an objection, motion, resistance, or response is to *increase or enlarge the time available* to file further pleadings regarding substantially the same matter or issue.