

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF LOUISIANA**

STANDING ORDER 2023-3

FEES OF CHAPTER 13 DEBTOR'S COUNSEL

Considering the court's longstanding practice of prescribing a "no look" fee for chapter 13 debtor's counsel that is both presumptively reasonable under 11 U.S.C. § 330(a) and eliminates the necessity of filing fee applications,¹ the history of increases in the "no look" fee,² and balancing the demands on debtor's counsel against the interests of unsecured creditors:

IT IS ORDERED that effective for chapter 13 cases filed on or after September 1, 2023, unless the court orders otherwise, \$4,800 is a reasonable "no look" fee for debtor's counsel.³

IT IS FURTHER ORDERED in accordance with Local Rule 2016-2 that the scope of representation for the "no look" fee includes all matters in the main bankruptcy case (i) for one year from the filing of the petition and (ii) after plan completion through discharge, including but not limited to the following:

1. All preconfirmation matters, including plan amendments;
2. Claim objections that bear on confirmation, including objections to secured claims and objections to unsecured claims when the plan proposes a 100% distribution or other substantial distribution to unsecured creditors;
3. Defense of stay relief motions and negotiations of consent orders;
4. Motions to sell real estate, borrow funds and use tax refunds;

¹ The Fifth Circuit endorsed bankruptcy courts' practice of adopting a chapter 13 "no look fee" in *McBride v. Thornburg (Matter of Riley)*, 923 F.3d 433, 436 (5th Cir. 2019), and *In re Cahill*, 428 F.3d 536, 540-42 (5th Cir. 2005).

² In April 2013, the court increased the "no look fee" by \$400, from \$2,600 to \$3,000. *In re Porch*, case no. 10-10025 [P-116]. In January 2022, the court increased the "no look fee" to \$4,000 [Standing Order 2022-2].

³ Debtor's counsel may also be reimbursed for the filing fees paid to the Clerk of Court on the debtor's behalf.

5. Motions for new trial, conversion, or to vacate dismissal (if a plan has not been confirmed); and
6. All contested matters, except motions for hardship discharge.

IT IS FURTHER ORDERED that representation in the following matters is not included in the "no look" fee:

1. Adversary proceedings;
2. Representation after conversion or dismissal is final and non-appealable, except motions for new trial, conversion, or to vacate dismissal when a plan had not been confirmed; and
3. Motions for hardship discharge.

IT IS FURTHER ORDERED that the "no look" fee is payable by the chapter 13 trustee from property of the estate over the first five months of the plan, with payments commencing upon confirmation of the debtor's plan.

IT IS FURTHER ORDERED that debtor's counsel seeking compensation in chapter 13 cases in excess of the prevailing "no look" fee shall file applications for compensation in accordance with 11 U.S.C. §§ 329 and 330(a), Fed. R. Bankr. P. 2016 and Local Rules 2016-1 and 2016-2.

IT IS FURTHER ORDERED that this order is without prejudice to any challenge by the chapter 13 trustee and the United States Trustee to the reasonableness of fees sought by debtor's counsel in any case.

Baton Rouge, Louisiana, August 30, 2023.

s/ Michael A. Crawford
MICHAEL A. CRAWFORD
UNITED STATES BANKRUPTCY JUDGE