

SANTA ROSA/EUREKA DIVISION CHAPTER 13 FEE GUIDELINES

Effective as to cases filed after May 1, 2015

At the commencement of the case, counsel must choose one of the following methods of compensation:

1. Counsel may elect to be governed by the guidelines currently in effect in the San Francisco Division. The election must be made in the fee agreement and should be noted in counsel's initial fee disclosure. If such election is made, all fee matters and procedures are governed by those guidelines.

2. Counsel may elect to be paid on an hourly basis, upon application and order of the court after hearing. The election must be made in the fee agreement and should be noted in counsel's initial fee disclosure.

3. If neither of the above elections is made, the following guidelines apply:

A. Counsel and client shall agree on a flat fee for regular and ordinary services for at least the first year of the case. The flat fee must be reasonable considering the complexity of the case and the experience level of counsel. During the first year, no extra fees may be sought for defending stay relief motions, amending the plan, attending court hearings, amending the schedules, objecting to claims, mortgage modifications, or any other matter which could have been reasonably anticipated at the time of filing.

B. After the first year, if the fee agreement so provides, counsel may apply *ex parte* for additional fees limited to the amounts set forth in Part 3 of the guidelines currently in effect in the San Francisco Division. The application must be served on the client and the trustee.

C. Any request for additional fees over and above the amounts set forth in these guidelines must be by noticed motion and actual hearing and include a copy of the fee agreement and all time records from and after the initial consultation.

D. Notwithstanding the above, the court will consider the fee applications of counsel who are certified as bankruptcy specialists by the State of California on an *ad hoc* basis. Such counsel may be given latitude to deviate from these guidelines.