

STATEMENT OF SUPPLEMENTAL CHAPTER 13 ATTORNEY FEES

08/26/2020

Description: This Participant's Guide is to be used by Attorneys for supplemental fees (**NOTE:** limitation in STEP 6 below). This event places information regarding fees within the docket text, including fee history, and in most instances, eliminates the need to file an amended Attorney Fee Disclosure Statement pursuant to Fed. R. Bankr. P. 2016(b) (Director's Bankruptcy Form B2030, *see* SC LBR 2016-1).

STEP 1 – Click on the **Bankruptcy** hyperlink on the CM/ECF Main Menu Bar.

STEP 2 – The BANKRUPTCY EVENTS screen displays.

- Select the **Motions/Applications** hyperlink.
- Enter the case number for the appropriate case.
- Click the [Next] button.
- For further information on each of these categories, click the yellow help (?) icon in the upper right-hand corner.

STEP 3 – The AVAILABLE EVENTS screen displays.

- Scroll to select **Statement of Supplemental Chapter 13 Attorney Fees** from the events list or start typing “statement” in the text box or click on the **Search** hyperlink on the CM/ECF Main Menu Bar to find the event.

NOTE: By using the Search feature, CM/ECF will display where the Bankruptcy Event can be found and a list of the events with the searched word highlighted along with a hyperlink.



- Once the event is selected, click the [Next] button.

STEP 4 – The JOINT FILING screen appears.

- Click in the box if the document is being filed with another attorney.
- Click the [Next] button.

STEP 5 – The SELECT PARTY screen displays.

- Select the party that the filing attorney is representing from the list.
- If the correct party does not appear in the drop-down box, click **Add/Create New Party** and complete the information.
- Click the [Next] button.
- Click in the box to associate the filing attorney with the filing party, if applicable.
- Click the [Next] button.

STEP 6 – The FEE AND EXPENSES screen displays.

- Enter the amount of Supplemental Fees **in this request** and then enter the Statement of Work associated therewith.
- For cases assigned to Judges Duncan or Burris, enter the amount of Loss Mitigation and Mortgage Modification Fees in this request, if any, and then enter the Statement of Work associated therewith.
- For cases assigned to Judge Waites, the no look fee for LM/MM under the portal program is set in the Order Requiring LM/MM and is not a supplemental fee subject to further approval. Therefore, you will not be given the option to include LMM/MM fees in this field. Click the [Next] button.
- Any amounts entered in step 6 are hereinafter referred to as the “Current Supplemental Fee”.
- **Note:** If any fields are inapplicable or 0.00, leave those fields blank.

STEP 7 – The BEFORE or AFTER Confirmation screen displays.

- Select whether the status of the case is BEFORE or AFTER confirmation of a plan.
- Click the [Next] button.

STEP 8 – The PRIOR FEES AND EXPENSES screen displays.

- Enter the amount of the **initial** Expedited Fees. **Note:** If 0.00, leave this field blank.
- Enter the amount of all **prior** Supplemental Fee requests. **Do not** include Current

Supplemental Fees.

- For all judges, enter the amount of any **prior** Loss Mitigation and Mortgage Modification Fees. **Do not** include Current Supplemental Fees.
- In cases assigned to Judge Waites, all **previously approved** no look fees for LM/MM under the portal program (set in the Order Requiring LM/MM) should be indicated here only.
- **Note:** If any fields are inapplicable or 0.00, leave those fields blank.
- Click the **[Next]** button.

STEP 9 – The TOTAL FEES AND EXPENSES screen displays.

WARNING! System does not calculate totals. Filer should verify accuracy. You can use the browser back buttons at the top left of the screen to return to a prior screen.

- Enter the **total** amount of all fees and expenses incurred, adding all numbers above **including** the Current Supplemental Fee.
- Enter the amount of attorney fees and costs paid directly from the debtor (any amounts that have not or will not be paid by the trustee through the plan).
- Enter the total amount to be paid through the Chapter 13 plan (total fees and expenses less amount paid directly from the debtor)
- **Note:** If any fields are inapplicable or 0.00, leave those fields blank.
- Click the **[Next]** button.

This is a mathematical calculation that you must accurately complete to be paid.

STEP 10 – The requirement to upload a CERTIFICATE OF SERVICE screen displays.

- Select Yes.
- Click the **[Next]** button.

STEP 11 – The SELECT PDF screen displays.

- Browse and select the .pdf file to associate with this event.
- Click the **[Next]** button.

Note: Notice by NEF will be transmitted to the trustee, but you must serve the debtor with notice of the supplemental fees. A suggested form “Certificate of Service and Notice of Supplemental Fees” can be found on the court’s website.

STEP 12 – The DOCKET TEXT screen appears.

- This is the last opportunity to verify the accuracy of the information.
- If the final docket text and the math is incorrect, click the browser **[Back]** button to find the screen needed to modify.

NOTE: If the **[Back]** button is used and case information is altered, you must use the **[Next]** button and resubmit for each screen or the changes will not take effect. In other words, do not use the **[Forward]** button on the browser if you alter information on a previous screen.

- To abort or restart the transaction, click the Bankruptcy hypertext link on the Menu Bar.
- Click the **[Next]** button if docket text is correct.

STEP 13– The FINAL DOCKET TEXT screen appears.

- Submission of this screen is final.
- If the final docket text is incorrect, click the browser **[Back]** button to find the screen needed to modify.

NOTE: If the **[Back]** button is used and case information is altered, you must use the **[Next]** button and resubmit for each screen or the changes will not take effect. In other words, do not use the **[Forward]** button on the browser if you alter information on a previous screen.

- To abort or restart the transaction, click the Bankruptcy hypertext link on the Menu Bar.
- Click the **[Next]** button if docket text is correct.

SAMPLE DOCKET TEXT: Final Text

Statement of Supplemental Chapter 13 Attorney Fees Before Confirmation, with Certificate of Service.
 Supplemental Fees in this request: \$500.00. Statement of Work: Test. Loss Mitigation and Mortgage Loan
 Modification work in this request: \$500.00. Statement of Work: Test.

TAKE NOTICE THAT unless the court orders otherwise, the supplemental fee requested herein is approved for disbursement upon confirmation subject to the terms of the confirmed plan. All requests for payment are expressly authorized by a conspicuous provision of a written fee agreement filed with the court and incorporated herein.

FEE TOTALS: Expedited Fee: \$3000.00. All prior Supplemental Fee requests: \$1000.00. All prior Loss Mitigation Mortgage Loan Modification work: \$1000.00. Total: \$6000.00. Amount of fees and costs directly from the Debtor(s): \$1000.00. Total amount to be paid through the Chapter 13 plan: \$5000.00. All fees approved for disbursement remain subject to the Court's consideration of the fees under 11 U.S.C. § 329(b) at any time prior to the closing of the case. Filed by Bill Attorney on behalf of Joe Debtor. (Attorney, Bill)

SAMPLE DOCKET TEXT: Final Text

Statement of Supplemental Chapter 13 Attorney Fees After Confirmation, with Certificate of Service.
Supplemental Fees in this request: \$500.00. Statement of Work: Test. Loss Mitigation and Mortgage Loan
Modification work in this request: \$500.00. Statement of Work: Test.

TAKE NOTICE THAT unless the court orders otherwise, the supplemental fee requested herein is approved for
disbursement upon no objection being filed by the Debtor(s) or the Chapter 13 Trustee within 14 days after service
of the Statement. All requests for payment are expressly authorized by a conspicuous provision of a written fee
agreement filed with the court and incorporated herein.

FEE TOTALS: Expedited Fee: \$3000.00. All prior Supplemental Fee requests: \$1000.00. All prior Loss Mitigation
Mortgage Loan Modification work: \$1000.00. Total: \$6000.00. Amount of fees and costs directly from the
Debtor(s): \$1000.00. Total amount to be paid through the Chapter 13 plan: \$5000.00. All fees approved for
disbursement remain subject to the Court's consideration of the fees under 11 U.S.C. § 329(b) at any time prior to
the closing of the case. Filed by Bill Attorney on behalf of Joe Debtor. (Attorney, Bill)

STEP 14 – The NOTICE OF ELECTRONIC FILING screen appears.

- The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that the document filed is now an official court document. It also includes the date and time of the transaction.

IF YOU FILE A STATEMENT THAT IS INCORRECT, FILE A WITHDRAWAL OF THE STATEMENT. THEN YOU MUST FILE A NEW STATEMENT. DO NOT FILE AMENDED STATEMENTS OR AMENDMENTS TO PRIOR STATEMENTS.