

Application for Additional Compensation After Confirmation Denied by the Court because the additional fees covered legal services performed during the “no-look” period of time as defined by the Court’s Local Rules

Case: *Taylor*; 13-10638

Docket: Debtors’ Attorney’s Application for Additional Compensation set on the Court’s Miscellaneous Docket on the 12/10/14 Beaumont Docket

Facts: The Debtors’ proposed Chapter 13 Plan was confirmed on 12/16/13 thereby providing, among other things, the payment to the Debtors’ attorney the so-called “no-look” attorney’s fees pursuant to the provisions of the Court’s LBR 2016(h) for the legal services performed during the “no-look” period of time as defined therein¹. The Debtors’ attorney filed her Fee Application seeking the payment of fees covering certain additional legal services rendered during that period of time. At the hearing, the parties stipulated that these legal services were unrelated to the legal services pertaining to the confirmation/modification² of the Debtors’ Chapter 13 plan and that these services were performed during the “no-look” period of time.

Ruling: Judge Parker denied the Fee Application for additional compensation for these additional services without prejudice of Debtors’ counsel to seek a subsequent award of \$500.00 for stay litigation rendered in the “no-look” period and subsequent \$600.00 for services pertaining to plan modifications after the cessation of the “no-look” fee period. (Order Denying Application for Additional Compensation After Confirmation, Court Docket #75).

Trustee’s Comments: The Court has consistently held that the debtors’ attorneys are not entitled to additional compensation for legal services performed in the “no-look” period of time in accordance with the Court’s LBR 2016(h) after the attorney elected to receive the “no-look” fee under the terms of the confirmed Chapter 13 Plan.

¹ LBR 2016(h) defines the “no look” period of time to cover all “pre-petition and post-petition services and expenses rendered or incurred prior to the earlier of: (1) the first successful post-confirmation modification of a Chapter 13 plan which occurs subsequent to the filing of the Trustee’s Recommendation Concerning Claims; or (2) the filing of a certification by the Chapter 13 Trustee that all proofs of claim have been reconciled with the terms of the confirmed plan without the necessity of a plan modification.”

² The legal services related to the preparation and filing of a motion to employ special counsel, motion to approve a lawsuit settlement, and other legal services for additional fees of \$2,110.00 plus expenses of \$174.42.