

RETENTION OF SPECIAL COUNSEL AND MOTIONS TO APPROVE SETTLEMENTS OR COMPROMISES IN CHAPTER 7 & 13 CASES

All applications or motions to retain special counsel in Chapter 13 cases assigned to Judge Walter must be filed by the Chapter 13 Trustee or the Debtor. See 11 U.S.C. § 327(e), Bankruptcy Rule 2014(a) and Local Bankruptcy Rule 2014-1(a). Also effective immediately, all applications or motions to retain special counsel in Chapter 7 cases assigned to Judge Walter must be filed by the Chapter 7 Trustee or counsel to the Chapter 7 Trustee. See 11 U.S.C. § 327(e), Bankruptcy Rule 2014(a), and Local Bankruptcy Rule 2014-1(a). Sample forms for the retention of special counsel, including a form application for retention and a form affidavit of proposed special counsel are contained in the Local Bankruptcy Rule forms, as LBR Forms 2014-1(g) - 1 and 2014-1(g) - 2. Any application or motion to retain special counsel filed by the special counsel will be denied without prejudice. Similarly, any such motion filed by another counsel retained by the special counsel will be denied without prejudice.

In addition, all applications or motions to approve settlements or compromises pursuant to Bankruptcy Rule 9019 in Chapter 13 cases assigned to Judge Walter must be filed by the Chapter 13 Trustee or the Debtor. See Bankruptcy Rule 9019. All applications or motions to approve settlements in Chapter 7 cases assigned to Judge Walter must be filed by the Chapter 7 Trustee or counsel to the Chapter 7 Trustee. Any application or motion to approve a settlement or compromise filed directly by special counsel will be denied without prejudice. See Bankruptcy Rule 9019.