

2011 LBR Revisions – Part I
Redline of Proposed LBR Changes Discussed by the Standing Committee
on Nov. 30, 2010 and January 11, 2011 and approved as of Feb. 4, 2011.

1007–2 MAILING — LIST OR MATRIX (Hard Copy and Disk)

(a) **Time to File; Format.** In addition to the requirements of the Rules, unless otherwise ordered, the debtor at the time of filing a petition in a voluntary case, or not later than ~~fourteen (14)~~ **seven (7)** days after the entry of an order for relief in an involuntary case, shall file a mailing list of creditors and other parties in interest in the following format:

(1) Print style shall be Courier 10 pitch, Times New Roman or Letter Gothic.

(2) List shall be printed in a single column, centered on a page with letters no closer than one inch from any edge.

(3) Addresses must be no longer than four lines with at least one blank line separating each entry on the mailing list.

(4) Each line must be 40 characters or less in length.

(5) Mailing lists should not include the debtor(s), attorney for the debtor(s) or the office of the United States trustee.

(b) **Verification.** The mailing list shall be separately verified pursuant to Rule 1008.

(c) **Amendments.** Any amendment to the debtor's schedules that amends, deletes or adds to any of the information contained in the original mailing list shall be accompanied by an amended or supplemental mailing list.

(d) **Electronic Filing of Creditor Mailing List.** The debtor shall file a creditor mailing list in accordance with the procedures set forth in the Southern District of Ohio Administrative Procedures for Electronic Case Filing.

2016–1 COMPENSATION OF PROFESSIONALS

(a) **Compensation of Professionals in Chapter 11 Cases.**

(1) **Interim Fees for Professional Persons.**

(A) **Content of Application.** Optional LBR Form 2016-1(a)(1)(A) is available in the Forms section of these Local Rules. An application for compensation or reimbursement of expenses shall include the following:

(i) a description of the services performed that identifies each service separately in sufficient detail to allow evaluation of the benefit derived from the

service, the date each service was performed, and the time expended for each service.

(ii) the professional time expended set forth either (i) by each professional or paraprofessional in chronological order, or (ii) by day in chronological order showing all professionals or paraprofessionals that expended time on each day; and

(iii) an itemized list by category and amount of expenses for which reimbursement is sought.

(B) Privileged Information and Work Product. Should compliance with this rule require disclosure of privileged information or work product, then, upon leave of the court on motion with proper notice, such information may be separately tendered for filing *in camera*, unless to do so would constitute an *ex parte* communication concerning matters before the court. If leave is given to file *in camera*, such materials may be omitted from the copies served on other parties and their counsel.

(C) Notice.

(i) The application shall be accompanied by a notice specifying the identity of the professionals requesting compensation and reimbursement of expenses, the period covered by the interim application, the specific amounts requested for fees and reimbursement of expenses, and the deadline for objections. A notice that conforms substantially to LBR Form 2016-1 (a)(1)(C) satisfies the requirements of this section.

(ii) Objections to the application shall be served in accordance with LBR 9013-3 and on any party having requested copies pursuant to the rules.

(D) Monthly Compensation and Reimbursement of Expenses. A professional may file a motion for approval of procedures permitting payment of monthly compensation and reimbursement of expenses. Optional LBR Form 2016-1(a)(1)(D) is available in the Forms section of these Local Rules.

(2) Final Fee Applications.

(A) Contents. Application for final fee awards shall contain all information required of interim fee applications under ~~section~~(a)(1) above.

(B) Notice. The application shall be accompanied by a notice specifying the identity of the professionals requesting compensation and reimbursement of expenses, the period covered by the final application, the specific amounts requested for fees and reimbursement of expenses, and the deadline for objections. A notice that conforms substantially to LBR Form 2016-1(a)(1)(C) satisfies the requirements of this section.

(b) Fees Through Confirmation in Chapter 13 Cases.

(1) LBR Form 2016-1(b) Required. At the time the petition is filed, the debtor's attorney shall file LBR Form 2016-1(b) including a statement of compensation and, if fees are to be paid from the estate, an application for allowance and payment of fees.

(2) Itemization and Hearings.

(A) Hearing and Itemization Not Required. Fee applications or disclosures may be allowed up to \$3,500 ("unitemized fee") without actual hearing or specific itemization for services rendered from initial interview through confirmation of the plan. In addition, the unitemized fee shall include the duties listed below, whether performed preconfirmation or postconfirmation:

(i) analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether, and under what chapter, to file a petition in bankruptcy;

(ii) preparation and filing of ~~any~~the petition, schedules, statements of financial affairs and amendments thereto that may be required;

(iii) preparation and filing of the chapter 13 plan, and any pre-confirmation amendments thereto that may be required;

(iv) preparation and filing of payroll orders and amended payroll orders;

(v) representation of the debtor at the meeting of creditors and confirmation hearing; and at any ~~continued hearings~~adjournments thereof;

(vi) filing of address changes for the debtor;

(vii) routine phone calls and questions;

(viii) review of claims;

(ix) review of notice of intention to pay claims;

(x) preparation and filing of objections to non-real estate and non-tax claims exclusive of any hearings;

(xi) preparation and filing of first motion to suspend or temporarily reduce plan payments;

(xii) preparation and filing of debtor's certification regarding issuance of discharge order; and

(xiii) any other duty as required by local decision or policy.

The amount of the unitemized fee may be changed from time to time by general order.

(B) Itemization Required. Applications for fees when the total is in excess of the amount set forth above must include an itemization of all legal services performed, the amount of the total fee requested and the actual time spent by the case attorney and by any other attorney, paralegal or professional person for whom fees are sought. Such application must be filed no later than sixty (60) days from the entry date of the confirmation order.

(C) Hearings. Any fee application may be set for hearing or may be allowed on review of the documentation.

(D) Order of Allowance. The amount of the initial fee allowed to the attorney for the debtor may be specified in the confirmation order.

(c) Additional Attorney Fees in Chapter 13 Cases. Additional attorney fees for services performed by the debtor's attorney after confirmation beyond those set forth in (b)(2)(A) above must be requested by separate application and shall be filed no later than six (6) months after completion of the services for which compensation is sought.

(1) Application Contents. The application shall include:

(A) a description of the legal services performed and by whom the services were performed;

(B) the results obtained by the legal services;

(C) the actual time spent by the case attorney and by any other attorney, paralegal or professional person for whom fees are sought and the hourly rate charged by each;

(D) a statement that no previous application has been made for the services for which the application is made;

(E) the proposed percentage payment to unsecured creditors; and

(F) the amount of fee requested.

(2) Service. If the request exceeds the amount set forth in Rule 2002(a), all parties in interest shall be served.

(3) Separate Application. Applications for additional attorney fees shall not be combined with any other filing or other paper.

(d) Fees in Chapter 13 Cases Dismissed Prior to Confirmation. The provision for allowance of the unitemized fee set forth in (b)(2)(A) above shall not apply in cases dismissed prior to confirmation. Any attorney seeking payment of fees for services performed in a case dismissed prior to confirmation must file an application that includes an itemization of all legal services performed, the amount of the total fee requested, the actual time spent by the case attorney and any other attorney, paralegal or professional for whom fees are sought, and a listing of any expenditures for which reimbursement is sought. The fee application in a dismissed case shall be filed no later than ten (10) days after the entry of the order of dismissal.

(e) Payment of Allowed Fees in Chapter 13 Cases. This rule shall be interpreted by the trustee and applied as is administratively efficient to carry out the intent that allowed attorney fees for customary and ordinary work in a case be paid within a year from the date of the confirmation order, and any additional allowed attorney fees shall be paid only after full payment of the original allowed attorney fees.

3011–1 UNCLAIMED FUNDS

(a) Deposit of Unclaimed Funds by Clerk of Courts. Unless otherwise ordered, the clerk shall deposit unclaimed funds into a registry account designated by the United States Treasurer.

(b) General Requirements for Requesting Unclaimed Funds. A request for unclaimed funds must be made by motion complying with LBR 9013-1 and 9013-3. The motion must also be served on the United States Attorney in accordance with 28 U.S.C. § 2042.

(c) Contents of Motion. The motion must provide proof of the right to the funds including: the full name and address of the claimant, the amount due, and, if the claim was assigned, supporting documentation such as an affidavit and power of attorney. [Parties requesting unclaimed funds are urged to use the form motion that is located on the court’s website at www.ohsb.uscourts.gov.](http://www.ohsb.uscourts.gov)

(d) Legal Representatives and Funds Locators. When an entity other than the original claimant or assignee files a motion for unclaimed funds, the motion must include the following additional requirements, where applicable, to establish the right to payment of the unclaimed funds: proper authority by the claimant requesting release of the funds, ~~and, if the claimant is an individual, photo identification of the claimant,~~ letter of administration or probated will, and/or corporate documents showing proof of ownership of the funds through amendment, merger or dissolution.

3015–1 CHAPTER 13 — PLAN

(a) Service of Plan.

(1) Plan Not Filed with Petition. If the chapter 13 plan is not filed with the petition or within seven (7) days thereafter, the debtor shall serve a copy of the plan on the trustee and all parties in interest, and shall file a certificate of service evidencing compliance.

(2) Service of Plan in Converted Case. If a case is converted from a chapter 7 case, the clerk shall serve a copy of the plan on all parties in interest. If the chapter 13 plan is not filed within seven (7) days of the order of conversion, the debtor shall serve a copy of the plan on all parties in interest, and shall file a certificate of service evidencing compliance.

(b) Contents of Plan.

(1) Minimal Requirements. The plan shall be signed by the debtor and shall clearly set forth the specified payment to be made to the trustee, the estimated length of the plan, and provisions showing compliance with § 1322(a) of the Code.

(2) Payment to General Unsecured Creditors. The plan must set forth the percentage payments to be made to general unsecured creditors or the total amount to be paid to the trustee under the plan. If the plan calls for a specific amount to be paid, an estimated percentage shall be set forth which assumes all claims will be filed as scheduled or estimated by the debtor.

(c) Treatment of Personal Property Loans, Leases and Executory Contracts.

(1) Proposed Treatment. The plan shall state clearly the treatment and payment proposed for each loan, lease or executory contract.

(2) Motor Vehicles. Unless otherwise ordered by the court, all vehicle payments, whether lease or loan, shall be made by the trustee. The plan shall specify the month in which the trustee's regular monthly disbursement on the lease or loan shall begin.

(3) Other Personal Property. Unless otherwise ordered by the court, all other lease or loan payments shall be made by the debtor.

(d) Treatment of Real Estate Mortgages.

(1) Method of Payment. Unless otherwise ordered by the court, regular monthly payments on a real estate mortgage pursuant to § 1322(b)(5) of the Code shall be disbursed by the trustee if the obligation is in arrears as of the petition filing date.

(2) Mortgage Proof of Claim. If regular monthly payments to a mortgage creditor are to be disbursed by the trustee, [or there is an arrearage as of the petition filing date](#), the mortgage proof of claim shall include LBR Form 3001-1 as an attachment.

(3) Regular Monthly Payments to Mortgage Creditor. If regular monthly payments to a mortgage creditor are to be disbursed by the trustee, the plan shall specify the month in which the trustee's regular monthly disbursement to the mortgage creditor shall begin.

(4) Change in Regular Monthly Payments to Mortgage Creditor. If there is any change in the regular monthly payment, the mortgage creditor shall file with the court an amended proof of claim or notice of payment change (LBR Form 3015-1(d)(4)), and serve the debtor, debtor's attorney and chapter 13 trustee no later than thirty (30) days prior to the effective date of the change.

(e) Payment Method. Unless otherwise ordered by the court or agreed to by the trustee, funding of a chapter 13 plan shall be by payroll deduction. Payroll deduction shall be effected by order of the court. The order may be tendered by the debtor with the filing of the plan. No motion for payroll deduction is necessary.

(f) Exclusive Payment Through Plan. Unless otherwise ordered by the court, a debtor shall not pay directly a debt which the plan provides shall be paid by the trustee.

3015-2 CHAPTER 13 — AMENDMENTS TO PLAN AND MODIFICATIONS TO PLAN

(a) Preconfirmation Amendments.

(1) An amended plan filed prior to confirmation shall clearly show any changes from the prior plan by reflecting the changes in bold, italics, strikethrough, or otherwise.

(2) For cases heard in Dayton and Cincinnati, a plan amendment proposed prior to confirmation must be filed at least three (3) days prior to the confirmation hearing. For cases heard in Columbus, a plan amendment proposed prior to confirmation must be filed at least ten (10) days prior to the confirmation hearing. All plan amendments shall be served on the trustee, United States trustee, and upon all adversely affected parties and shall be accompanied by a notice giving the trustee and affected parties twenty-one (21) days to object in writing to the amendment. For cases heard in St. Clairsville, the notice setting the meeting of creditors or court order will specify the time requirements for amendments and objections thereto.

(b) **Postconfirmation Modifications.** A plan modification proposed after confirmation shall be made by motion and must be filed and served on the trustee, United States trustee, and all adversely affected parties, including, when appropriate, the debtor and the case attorney. When appropriate, proposed plan modifications shall include:

(1) A particular reference to the provisions of the confirmed plan that are being modified, including any proposed percentage to be paid to unsecured creditors and the approximate number of months required to complete the proposed modified plan;

(2) The extent to which the proposed modification affects the rights of creditors or other parties in interest;

(3) The date(s) of the confirmation order of the original plan and of any previous modified plan(s);

(4) If a motion to modify the plan proposes to decrease the dividend to unsecured creditors or to extend the length of the plan, the reason for the modification, including any change in circumstances since confirmation; and

(5) If the motion to modify proposes to change the amount of each periodic payment to the plan, an amended schedule I and J, unless the motion is for a temporary suspension of payments.

(c) **Objections to Modifications.** Objections to modifications are governed by LBR 3015-3(b) and must be filed and served within twenty-one (21) days after the date of service of the motion to modify, or as otherwise noticed by the trustee or ordered by the court.

(d) **Separate Motion.** A motion to modify a plan may not be combined with any other filing or other paper.

(e) **Modification for Temporary Suspension or Temporary Reduction of Payments to Extend Length.** Any request for temporary suspension or temporary reduction of payments to a confirmed

plan shall be initiated by motion. The motion shall state the reason for the suspension and the period of time requested. It is not necessary to file amended schedules I and J.

3015-3 CHAPTER 13 — CONFIRMATION

(a) **Objections to Confirmation.**

(1) **Time and Service Requirements.** Objections to confirmation of a plan shall be in writing, filed and served on the debtor, the debtor's attorney, the trustee, and the United States trustee, and shall bear a certificate of service dated not later than fourteen (14) days after the § 341 meeting is concluded. If the objection is filed after this deadline, it must be accompanied by a separate motion to file objection out of time. The motion must state a valid reason for the delay and must be served on the same entities as the objection. For cases heard in any satellite location, the notice to creditors of the filing of the petition and meeting of creditors may authorize a different date for filing objections to confirmation. If the last date to object to confirmation is less than seven (7) days before the date scheduled for the confirmation hearing, any hearing on the objection will be rescheduled.

(2) **Contents.** An objection to confirmation and objection to valuation shall include:

- (A) the specific provision of the Code upon which the objection is grounded;
- (B) the specific alleged facts which support the objection to confirmation and;
- (C) a brief memorandum in support of the objection.

(3) **Hearing.** All parties shall be prepared to present all witnesses and other evidence at the confirmation hearing.

(4) **Separate Objection.** The objection to confirmation shall not be combined with any other filing, paper, or request for relief, including a motion for relief from the automatic stay.

(5) **Mootness.** If a modified plan is filed after an objection to confirmation, the objection shall not be considered moot unless withdrawn.

(b) **Objections to Modified Plans.** Objections to modification of a confirmed plan shall be in writing, filed and served on the debtor, the debtor's attorney, the trustee, and the United States trustee. The objection shall conform to the requirements of (a)(2) above.

(c) **Consent Docket.** Plans that appear to the court to meet all statutory tests for confirmation and to which no objections to confirmation have been filed may be confirmed on the consent docket without actual presentation. Cases in which plans are confirmed on the consent docket may be read into the record at the confirmation hearing, may be posted on the court's or trustee's website any time prior to the scheduled confirmation hearing date, or may be listed on the hearing docket. It is the duty of the debtor's attorney, the trustee, or parties in interest to inform the court of any existing bar to confirmation. Cases with pending objections will not be placed on a consent docket. Deficiencies in

the plan noted by the trustee at the § 341 meeting must be cured in a manner which is evident upon review of the case file or the plan will not be scheduled on a consent docket.

(d) Confirmation Orders. The trustee shall prepare the confirmation order. The clerk shall serve a copy of the entered confirmation order on the debtor, the debtor's attorney, the trustee, ~~and~~ the United States trustee, **and all creditors and parties in interest.**

(e) Special Confirmation and Postconfirmation Requirements.

(1) Payments. Plan payments shall be in the amount proposed in the plan to be paid over the period of not less than one month, and shall be made only in the following form: money order, certified check, cashier's check, check drawn on an attorney's trust account, or in such other form as the trustee may direct. Pursuant to § 1326(a)(1) of the Code, preconfirmation payments must continue on a regular basis, at least monthly, from the date of the first payment until the plan is confirmed or confirmation is denied and the case is dismissed. All payments will be held in trust pending confirmation, except for any preconfirmation lease or adequate protection payments which are otherwise authorized to be paid by the trustee pursuant to LBR 3070-1.

(2) Time to Perform Other Confirmation Requirements. The debtor shall file all amendments, appraisals, stipulations, and other papers necessary to place the plan in a posture for confirmation at least three (3) days prior to the confirmation hearing for cases assigned to Dayton and Cincinnati; and ten (10) days prior to the confirmation hearing for cases assigned to Columbus or its satellite locations.

(3) Appraisals of Real Property. Unless otherwise ordered by the court, an appraisal performed within the preceding twelve (12) months must be filed and served on the trustee on or before the § 341 meeting of creditors for each parcel of real property in which the debtor has a legal, equitable, or beneficial interest. If the property is to be surrendered, an auditor's valuation is an acceptable appraisal.

(4) Business Records and Periodic Reports.

(A) Duty of Debtor Engaged in Business. On or before the § 341 meeting of creditors, a debtor engaged in business shall supply financial records and information as requested by the trustee.

(B) Postconfirmation Reporting. In addition to the requirements of LBR 4002-1, postconfirmation reporting shall be as required by the confirmation order or by separate order on motion of the trustee or a party in interest or by request of the trustee at the meeting of creditors.

5011-1 WITHDRAWAL OF REFERENCE

(a) Form of Request; Place for Filing. A motion requesting withdrawal of reference, in whole or part, of a case or proceeding referred to the bankruptcy court shall be filed with the bankruptcy court and shall be accompanied by the proper filing fee.

(b) Responses to Motion for Withdrawal of Reference. All responses to a motion for withdrawal of reference shall be filed with the bankruptcy court within fourteen (14) days from the date of service as set forth on the certificate of service attached to the motion.

(c) Reply. A reply memorandum may be filed within seven (7) days after the date of service shown on the certificate of service of the response.

(d) Transmittal of Documents to District Court. Within seven (7) days after the expiration of the time for filing documents as provided in subsections (b) and (c) above, the clerk of the bankruptcy court shall transmit the motion and any responses to the clerk of the district court. All further documents pertaining to the motion for withdrawal shall be filed with the district court. Except as otherwise ordered by the bankruptcy court or district court pursuant to a stay entered in accordance with Rule 5011(c), parties shall continue to file with the bankruptcy court all documents relating to other matters in the bankruptcy case or proceeding.

9072-1 ORDERS — PROPOSED

(a) Captions. All proposed orders shall include in the caption the name of the debtor, the case number, the chapter under which the case is filed, the adversary proceeding number, if any, and the name of the judge to whom the case is assigned. The caption shall also contain a statement of the nature of the order and the relief proposed to be granted. The proposed order shall clearly identify the filed documents to which it relates by reference to the docket number.

(b) Separate Submission. A proposed order must be submitted as a separate document and not combined with any other document.

(c) Electronic Signature Line. A proposed order shall contain a 4” top margin on the first page to accommodate the judge’s electronic signature. The phrase “SO ORDERED” shall appear at the end of the text of all orders, including agreed orders.

(d) Proposed Service. Orders prepared by a prevailing party or submitted for the court’s consideration, including agreed orders, shall ~~specify the proposed service of the order in one of the following fashions, as appropriate:~~ contain a service list of all parties to receive a copy of the order. Generally, the order’s service list must include all parties served with the underlying pleading or motion. However, where all parties in interest were served with the underlying pleading or motion, the order’s service list may be limited to those parties particularly affected by the order. The order’s service list shall be stated using one of the following short-hand designations, as appropriate:

(1) “Default List.” The Default List service list is defined to include the debtor, the debtor’s attorney, the trustee, the United States trustee, and the movant’s attorney or pro se movant. A designation of “Copies to: Default List” at the end of a proposed order is sufficient to indicate intended service on these parties. Any order presented without a proposed service list will be presumed to propose service on the Default List only. Respondent or other parties in interest will not be served with an order unless specifically designated in accordance with (d)(2) below.

(2) Default List Plus Additional Parties. Proposed service on the Default List defined in (d)(1) above plus additional entities can be accomplished by a designation of “Copies to: Default List” plus a specific listing of the names of the additional parties. If the additional party is not on the electronic mailing list for the case, the additional party’s mailing address shall be included.

(3) “All Filing Parties.” The All Filing Parties service list is defined to include the Default List in (d)(1) above and all entities who have filed a document in the main case other than a proof of claim. A designation of “Copies to: All Filing Parties” at the end of a proposed order is sufficient to indicate service on these parties. The All Filing Parties Service List should be designated only where such parties are particularly affected by the order.

(4) “All Creditors and Parties in Interest.” The All Creditors and Parties in Interest service list is defined to include the All Filing Parties in (d)(3) above and all entities on the Creditor Mailing List. A designation of “Copies to: All Creditors and Parties in Interest” at the end of a proposed order is sufficient to indicate service on those parties. The All Creditors and Parties in Interest List should be designated only when notice on all parties is required by Rule 2002.

(5) Chapter 11 Cases.

(A) “Default List Plus Creditors’ Committee” or “Default List Plus Top 20.” When appropriate, a proposed service list of “Default List Plus Creditors’ Committee” or “Default List Plus Top 20” may be used in Chapter 11 cases. “Top 20” means the twenty (20) largest unsecured creditors as identified in a list that is required to be filed pursuant to Rule 1007(d). The “Top 20” designation may not be used until the debtor has filed the list required by Rule 1007(d).

(B) “Master Service List.” Orders in cases in which a master service list is periodically filed with the court may contain a statement that the order is to be served on all entities on a master service list which shall be identified by number and date of filing.

(6) Adversary Proceedings. Orders in adversary proceedings need only list each party’s attorney or each pro se party.

(e) Submission of Proposed Order When No Response is Filed to Motion or Application. If a response is not filed to any motion or application within the time allowed by the court or any applicable rule or statute, the movant shall, within seven (7) days of the expiration of the applicable time period, submit a proposed order to the court granting the relief requested or such other proposed order as may be appropriate.

(f) Submission of Proposed Order Following Hearing or Trial. Unless otherwise ordered by the court, within seven (7) days after hearing or trial, the prevailing party shall submit to the court a proposed order conforming to the court's decision. The use of telephone or other authorization for opposing counsel's signature is encouraged by the court, but the signature of opposing counsel is not required for entry of the court's order.

(g) Submission of Proposed Order Following Resolution Without a Hearing or Trial. Unless otherwise ordered by the court, the party seeking relief in a proceeding or matter which was resolved

by agreement prior to a hearing or trial shall, within seven (7) days of the date the court is informed of the parties' resolution, submit to the court a proposed order conforming to the parties' resolution.

LBR Form 2016-1(a)(1)(C)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
_____ DIVISION

In re:

Debtor(s)

Case No:

Chapter

Judge

NOTICE OF [INTERIM] APPLICATION OF _____
FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES
FOR THE PERIOD _____ THROUGH _____

1. Name of Applicant (*specify*):

2. Type of Services Rendered:
 - a. Attorney for (*specify*):
 - b. Accountant for (*specify*):
 - c. Other Professional (*specify*):

3. Date of Filing of Petition under Chapter _____ of the Bankruptcy Code:

4. Date of Entry of Order Approving Applicant's Employment:

5. Date of Filing of last Fee and/or Expense Application:

6. **TOTAL FEES REQUESTED THIS APPLICATION:** \$ _____

7. **TOTAL EXPENSE REIMBURSEMENT REQUESTED THIS APPLICATION:** \$ _____

A copy of the *[Interim]* Application of _____ For Allowance of Compensation and Reimbursement of Expenses For the Period _____ Through _____ may be obtained by contacting:

[Name of Contact]

[Address of Contact]

[Telephone Number of Contact]

A Response must be filed and served within twenty-one (21) days after the date set forth on the Certificate of Service. Unless an objection to the Application is timely filed, the Court may grant the relief requested without further notice in accordance with Local Bankruptcy Rules ~~2016-2(a)(5) and~~ 9013-1.

Dated: _____

<Name>
<Title>
<Street Address>
<City, State and Zip Code>
<Telephone Number>
<Fax Number>
<Email Address>
<State Bar No.>

II. Application

5. I hereby apply for an allowance of fees in the amount set forth above. I understand and agree that the Court may approve, without itemization, an allowance of fees not to exceed \$3,500, for rendering the legal services set forth below. If I seek payment of fees in excess of \$3,500, I will file a separate application that sets forth the total amount of the fee requested, and that includes an itemization of all legal services performed, the hourly rate at which the services were performed, and the actual time spent by the case attorney, any other attorney, paralegal or professional person for whom fees are sought. Any request for reimbursement of expenses shall include an itemization of the expenses.
- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether, and under what chapter, to file a petition in bankruptcy;
 - b. Preparation and filing of ~~any~~the petition, schedules, statements of financial affairs and amendments thereto that may be required;
 - c. Preparation and filing of the chapter 13 plan, and any pre-confirmation amendments thereto that may be required;
 - d. Preparation and filing of payroll orders and amended payroll orders;
 - e. Representation of the debtor at the meeting of creditors and confirmation hearing; and at any ~~continued hearings adjournments~~ thereof;
 - f. Filing of address changes for the debtor;
 - g. Routine phone calls and questions;
 - h. Review of claims;
 - i. Review of notice of intention to pay claims;
 - j. Preparation and filing of objections to non-real estate and non-tax claims exclusive of any hearings;
 - k. Preparation and filing of first motion to suspend or temporarily reduce plan payments;
 - l. Preparation and filing of debtor's certification regarding issuance of discharge order; and
 - m. Any other duty as required by local decision or policy.
6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

Date

Signature of Attorney
Bar No.
Name of Firm
Street/PO Address
City, State, Zip
Phone Number
Fax Number
Email address

LBR Form 3001-1

If the mortgage is to be paid inside the plan, or there is an arrearage as of the petition filing date, attach this form to the mortgage proof of claim.

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN/EASTERN DIVISION**

In re:

Debtor(s)

Case No:

Chapter 13

Judge

PROOF OF CLAIM
MORTGAGE ARREARAGE BREAKDOWN ATTACHMENT

Current monthly payment amount is: \$_____

Effective _____ (date) the new monthly payment is: \$_____

This mortgage IS/IS NOT subject to impound/escrow – i.e., taxes and insurance.

Address of property:

Principal balance as of the petition filing date: \$_____

Monthly payment: \$_____

Principal and interest	\$_____
Taxes	\$_____
Insurance	\$_____
PMI	\$_____

Detail of arrearage:

____ (# of payments) from _____ (date) to _____ (date) @ \$_____ = \$_____

____ (# of late charges) from _____ (date) to _____ (date) @ \$_____ = \$_____

Costs and out-of-pocket expenses:

Foreclosure title work	\$ _____
Filing fee	\$ _____
Skip trace	\$ _____
Document acquisition costs	\$ _____
Service process server	\$ _____
Other (specify): _____	\$ _____

Other charges:

Escrow shortage	\$ _____
Hazard insurance – _____ (dates)	\$ _____
Taxes – _____ (dates)	\$ _____
Appraisal	\$ _____
BPO charges	\$ _____
Property inspection	\$ _____
Other (specify): _____	\$ _____

TOTAL ARREARAGE: \$ _____