Summary of Attachments:

The North Carolina "No Look" Fee Experience (Eastern District only)

Raise from $800 to $1,200 (Sometime between 1986 and 1994)

No documents can be found.

Raise from $1,200 to $1,600 (Sometime between 1994 and 2005)

No documents can be found.

Raise from $1,600 to $3,000 (2006)

1/20/2006:

(1) Detailed submission to judges by motion to approve a higher fee, which included the following:

(2) (Not included in these documents) Table listing a detailed estimate of specific additional services and estimated extra time required for each additional service required under BAPCPA.

Raise from $3,000 to $3,700 (2012)

1/22/2012:

(3) Letter to our judges dated 1/22/2012, including the following:

(4) Our checklist of all things to do and take into account before and just after a Chapter 13 is filed, entitled: "**BANKRUPTCY PROCESSING & SIGNING CHECKLIST / CHAPTER 13 - EASTERN DISTRICT**" (33 pages in length).

> NOTE: Since 2012, this form has been continually updated (should anyone wish to see the updated version).
>
> NOTE: The massive amount of work that goes into even a garden-variety Chapter 13 case is "self-evident" in this form. This form makes for a very compelling submission, and bolsters the argument that Chapter 13 cases are no less work than Chapter 11 cases.

(5) "**LIST OF SERVICES ROUTINELY PROVIDED IN CHAPTER 13 CASES"**

3/19/2012:

(6) Email to Clerk of Court, which included the following signed petition:

(7) "**AD HOC PETITION FOR HIGHER BASE FEE"** signed by 49 local consumer debtor attorneys.

Raise from $3,700 to $5,000 (2015)

6/21/2015:

(8) Letter to our former Chapter 13 Trustee Buzzy Stubbs (father of our bar and well-respected influencer), including:

(9) Presentation of relevant arguments entitled "**Attorney Fees In Chapter 13 - A Crisis In the Making**", plus

Lists of all cases "closed" in the prior 12 months from our Chapter 13 Trustees showing Chapter 13 fees approved and fees actually paid:

Ch 13 Trustee Bledsoe:

(10) Only Orcutt cases
About 70 to 75% of fees collected
Average amount collected per case: $2,515.57

(11) Non-Orcutt cases
About 60% of fees collected
Average amount collected per case: $1,615.90

Ch 13 Trustee Logan:

(12) Only Orcutt cases
81.33 % of fees collected
Average amount collected per case: $2,827.85

(13) All attorneys (including Orcutt cases)
71.46 % of fees collected
Average amount collected per case: $2,456.27

NOTE: With regard to "Orcutt" cases, this data necessarily includes the reimbursement of the filing fee and other costs advanced by our office in those cases where we offered to file certain clients for

"$0 Money Down". We started offering certain clients the ability to get filed for "$0 Money Dow", starting back in 2012

NOTE: We received these reports in response to a request to our Chapter 13 Trustees for a report of all cases closed in the last 12 months, asking that the report provide a list of cases closed and, for each case listed, the date the case was closed, amount of attorney fees "approved" and the amount of attorney fees actually "paid".

(14) A listing of "No Look" fees from around the country as of 2015.

12/4/15:

(15) Resulting Order entitled: **"GENERAL ORDER RE: COMPENSATION OF PROFESSIONALS".**

Raise from $5,000 to $6,500 (but lost of some "a la cartes") (2020)

12/20/19:

NOTE: I do not know of my own personal knowledge what brought about this change. Third-hand information: The Court was supposedly unhappy with some issues raised with respect to some of our "a la cartes". The court responded by eliminating certain "a la cartes", while, correspondingly, raising our "No Look" fee to $6,500.

(16) Resulting Order entitled: "**GENERAL ORDER: RE COMPENSATION OF PROFESSIONALS".**

(17) Corresponding page of the **ADMINISTRATIVE GUIDE TO PRACTICE AND PROCEDURE** (page 15)

NOTE: In Eastern District of North Carolina, we have 2 documents that comprise our Local Rules. One is called "Local Rules". The second is called "Administrative Guide". The latter facilitates the court in making changes "on the fly".

Raise in amounts of "al la cartes" (aka as "Non-Base" presumptive fees) (2024)

1/2/2024:

NOTE: I don't know what prompted this change. All I know is that the following "General Order" showed up on our court's website located at www.NCEB.uscourts.gov

(18) Resulting Order entitled: "**GENERAL ORDER RE: ADOPTION OF REVISED PRESUMPTIVE CHAPTER 13 NON-BASE FEES"**

The North Carolina "No Look" Fee Experience:
(Middle District only)

Until 2015, the Middle District of North Carolina had more or less mirrored the increases in "No Look" fees adopted by the Eastern District. However, in 2015, the Middle District could not, qt the time, countenance that big an increase and, accordingly, stopped at $4,500 (as opposed to $5,000) and instituted a “No Look” cap of $2,500 if the total “pay-in” of a Chapter 13 plan (=plan payment x length of plan) was less than $6,000.

As of 7/7/2023:

The Middle District of North Carolina now allows a "No Look" fee of $5,700 in "below median" cases and $6,000 in "above median" cases for attorneys who complete at least 7 hours of Bankruptcy Law related CLE in the prior 12 months. For those attorneys who have not completed at least 7 hours of bankruptcy-related CLE, the "No Look" fee is limited to $5,200 and $5,500, respectively. However, unless the total “pay-in” to the plan (= plan payment x length of plan) is greater than $7,000, a "No Look" fee of $2,500 is all that is allowed. Also allowed is a list of 15 "a la cartes".

(19) Resulting Order entitled: **"STANDING ORDER 23-02, IN RE: ATTORNEY FEES FOR REPRESENTATION OF DEBTORS IN CHAPTER 13 CASES"**, located at www.NCMB.uscourts.gov

The North Carolina "No Look" Fee Experience:
(Western District only)

NOTE: I do not have personal knowledge of what transpired in the Western District.

As of 9/1/2021:

The Western District of North Carolina now allows a "No Look" fee of $5,000, plus a list of "a la cartes" as set forth in their local rules, located at www.NCWB.uscourts.gov.

(20) **Local Rule2016-2** and **Appendix D** (page 2)

BONUS MATERIALS:

- Updated data from North Carolin Chapter 13 Trustees regarding collection percentages and average amount paid per case. (2024)

For all cases closed in the prior 12 months (including confirmed and not confirmed), here is a list from each Chapter 13 Trustee regarding Chapter 13 fees approved and fees actually paid:

Eastern District of North Carolina:

(21) Ch 13 Trustee Bledsoe (Only Orcutt cases):
88.85 % of fees collected
Average amount collected per case: $4,616.67

(22) Ch 13 Trustee Burnett (Only Orcutt cases):
82.81 % of fees collected
Average amount collected per case: $4,733.61

Middle District of North Carolina:

(23) Ch 13 Trustee Troxler (Only Orcutt cases):
90.12 % of fees collected
Average amount collected per case: $3,896.13

(24) Ch 13 Trustee Richardson (Orcutt cases):
74.05 % of fees collected
Average amount collected per case: $2,677.73

Western District of North Carolina:

(We don't file cases in the Western District.)

- FLAT FEE TREATISE: In-depth explanation, justification and understanding of the pros and cons of "flat fees"

2/11/2010

(25) Submitted to our Bankruptcy Administrator (our version of a U.S. Trustee) in response to an inquiry questioning the perceived high level of the flat fee we charged in a Chapter 7 case (Debtor name and case number redacted).

NOTE: Two(2) states work under what is call the Bankruptcy Administrator system (an opposed to the U.S. Trustee system).