

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

REQUIREMENTS FOR SUPPLEMENTAL FEE APPLICATIONS  
IN CHAPTER 13 CASES

Because of the increasing number of supplemental fee applications filed in chapter 13 cases, the court finds it necessary to assure some uniformity by issuing these guidelines.

The court in general requires that supplemental fee applications reveal in an easily-readable format both the nature and amount of the supplemental fee(s) and costs as well the nature and amount of previous fees charged and paid. Please use the following guidelines:

A. The application must demonstrate that the total fees requested in the case are reasonable in light of all surrounding circumstances. It should include basic information on the case, including the dates the case was filed and the plan confirmed.

B. The application must be styled as a supplemental fee application and must clearly note the supplemental fees. Additionally, all prior fee requests and payments must be shown. Payments should be itemized in the billing records included with the application.

C. The cover sheet of the application shall contain a brief narrative statement of the following:

1. the nature and charge for services that were billed in the original fee;
2. the nature and charge for services billed as supplemental fee; and
3. a specific statement of why the supplemental services were necessary over and above the original services.

D. Attachments to the application must include the following:

1. complete time records from commencement of attorney's services in representing debtor in bankruptcy case;
2. schedule of all attorneys and paralegals whose time is charged and their hourly rate; and
3. itemized list of costs, if requested.

E. Time records, detail, and attorney or paralegal identification information are required even if initial fee charge was designated a "flat fee."

(Note, except for very unusual circumstances, the court requires that an attorney's initial fee charge for representing a debtor in a chapter 13 case will cover the attorney's services up through the § 341 meeting plus other routine services. Thus, a supplemental fee request should not include time charges until after the § 341 meeting.)

F. A statement should also be included that the attorney has reviewed the plan and budget in the case and finds that the plan provides sufficient reserves (or may be extended) so that payment of the requested fee may be made without prejudice to any creditor, i.e., will not reduce the projected dividend to unsecured creditors.

**FOR FURTHER INFORMATION, SEE UNPUBLISHED OPINIONS  
(available on the Bankruptcy Court's website at  
<http://www.vaeb.uscourts.gov/>):**

In re Harris, 1998 WL 408896, No. 96-36765-T (Bankr. E.D. Va. Apr. 14, 1998); In re DeWitt, No. 98-34743-T (Bankr. E.D. Va. Mar. 8, 2001); In re Carson, No. 99-31274-T (Bankr. E.D. Va. Feb. 13, 2001); and In re Moss & Brown, No. 98-38727-T (Bankr. E.D. Va. Feb. 13, 2001).