

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

In re:)
)
ELECTION OF COMPENSATION) Standing Order 23-16
METHOD IN CHAPTER 13 CASES,)

ELECTION OF COMPENSATION METHOD IN CHAPTER 13 CASES UNDER LOCAL
BANKRUPTCY RULE 2016-1(C)

Effective August 1, 2023, counsel for debtors in chapter 13 cases shall utilize the form designated on the Court’s internet website as “Disclosure of Compensation of Attorney for Debtor in a Chapter 13 Case,” which has heretofore been designated as Form 2030R13edva and shall be redesignated as Form 2030CH13edva with all division-specific references removed. This form is tailored specifically to the election of compensation under Local Bankruptcy Rule 2016-1(C) and is thus the most appropriate form for use by counsel for debtors in chapter 13 cases. A version of this form has been in use in the Richmond Division of the Court since 2014.

Accordingly, it is hereby ORDERED that:

1. Counsel for debtors in chapter 13 cases shall utilize Form 2030CH13edva, entitled “Disclosure of Compensation of Attorney for Debtor in a Chapter 13 Case,” effective August 1, 2023.¹
2. Counsel for debtors in chapter 13 cases shall file a completed Disclosure of Compensation of Attorney for Debtor in a Chapter 13 Case within fourteen (14) days

¹ To afford attorneys sufficient time to transition to the use of the chapter 13-specific form, the Court will also accept disclosures of compensation by counsel for debtors in chapter 13 cases made on Form 2030edva, entitled “Disclosure of Compensation of Attorney for Debtor,” until August 31, 2023.

of the order for relief in accordance with Federal Rule of Bankruptcy Procedure 2016(b) and Local Bankruptcy Rule 1007-1.

3. Counsel for debtors in chapter 13 cases shall make clear disclosure of how counsel elects to receive compensation under Local Bankruptcy Rule 2016-1(C).
4. Counsel for a debtor in a chapter 13 case who fails to make an election pursuant to Local Bankruptcy Rule 2016-1(C)(1)(a) and (C)(3)(a) on the Disclosure of Compensation of Attorney for Debtor in a Chapter 13 Case will be deemed to have elected to request compensation in the manner set forth within Local Bankruptcy Rule 2016-1(C)(1)(c)(ii).
5. If counsel for a debtor in a chapter 13 case elects compensation under Local Bankruptcy Rule 2016-1(C)(1)(a) and (C)(3)(a) in an amount less than the amount permitted under Local Bankruptcy Rule 2016-1(C)(3)(a) at the time the chapter 13 case was commenced (the “No-Look Fee at Commencement of the Case”) and subsequently seeks an increase of the initial fee, counsel may file an application for compensation up to the total amount of the No-Look Fee at Commencement of the Case.

FOR THE COURT:


FRANK J. SANTORO
Chief United States Bankruptcy Judge

Dated: July 31, 2023