

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
NEREIDA SERRANO,) CASE NO. 07-21915 JPK
) Chapter 13
Debtor.)

ORDER FOR HEARING REGARDING ATTORNEY'S FEES REQUESTED
IN CONJUNCTION WITH CONFIRMATION OF CHAPTER 13 PLAN

In conjunction with proceedings concerning confirmation of the Chapter 13 plan submitted in this case, counsel for the debtor has submitted a Statement of Attorney Fees. Pursuant to the procedures established by this Court, compensation for counsel for the debtor awarded in conjunction with confirmation of a plan includes all legal services rendered up to and including the date of the hearing on confirmation of the plan. Rather than adopt the Court's "no look" concept of attorney's fees awardable upon confirmation of a plan, counsel for the debtor has chosen – as he is certainly entitled to do – a compensation arrangement with the debtor which provides for an hourly rate of compensation for services rendered. 11 U.S.C. § 329 provides the underlying framework for compensation of a debtor's counsel; sub-paragraph (b) of that statute provides a guidemark measured by "the reasonable value of any such services" to be rendered by counsel for the debtor. Fed.R.Bankr.P. 2016(a) provides the mechanism by which compensation is to be determined, and that rule limits compensation to "the services rendered". (emphasis supplied)

The Statement of Attorney Fees filed in this case includes a request for compensation for "future review of claims", which is obviously a request for compensation for services not yet rendered. The Statement also requests compensation for "Future preparation, execution and filing of Verified Motion to Obtain Chapter 13 Discharge" – obviously services which have yet to be rendered.

IT IS ORDERED that a hearing will be held on **August 11, 2008, at 3:00 P.M.** with

respect to the compensation to be awarded to counsel for the debtor in conjunction with confirmation of the Chapter 13 plan of the debtor.¹

Dated at Hammond, Indiana on June 27, 2008.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor
Trustee, US Trustee

¹ The Court advises counsel for the debtor that no compensation will be prospectively awarded with respect to services not yet performed in this case.