

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**In re:
Chapter 13 Fee Applications**

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Misc. Case No. 06-00305

**REQUEST FOR PUBLIC COMMENT ON CHANGES TO
MEMORANDUM OPINION AND ORDER
AMENDING LOCAL PROCEDURES FOR CHAPTER 13 APPLICATIONS**

The Court requests public comment on proposed changes to the Court's October 3, 2006 Memorandum Opinion and Order Amending Local Procedures for Chapter 13 Applications (the "2006 Fee Order"). A copy of the 2006 Fee Order is available on the Court's website at <http://www.txs.uscourts.gov/bankruptcy/rulesformsproc/ch13feeapporder.pdf> and is available through CM/ECF at the above captioned miscellaneous case number.

The Court is considering whether the following changes should be made:

1. To establish a maximum fixed fee of \$3,500.00 for a standard chapter 13 bankruptcy case, which fee includes a duty by counsel to seek entry of the debtor's discharge upon completion of the case.
2. To establish a maximum fixed fee of \$4,500.00 for a non-standard chapter 13 bankruptcy case. A non-standard chapter 13 bankruptcy case is one in which the debtor is self employed or is the owner of a business in which (i) the gross receipts have averaged more than \$10,000.00 per month in the 6 months preceding the filing of the case; (ii) trade credit is incurred in the production of income and the normal due date for the trade credit is greater than 30 days; (iii) the business has employees who are not related to the Debtors within the third degree of consanguinity; (iv) the business operates with a liquor license; or (v) any other reason that in the opinion of the chapter 13 trustee justifies a more thorough investigation of the Debtor than is reasonably possible at the 341 meeting of creditors.
3. To require that the agreed fixed fee in standard and non-standard cases would be reduced by \$300.00 if a plan is not confirmed by the conclusion of the first confirmation hearing date following the non-governmental claims bar date.

No other changes are presently being considered. Please submit your comments to the Court not later than December 15, 2010. Comments should be made to bankruptcy_comments@txs.uscourts.gov.

December ____, 2010

**Marvin Isgur
Chief Judge**