

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

In re:

**Increase in Flat Fee Authorized
in Local Rule 2016-1(b)**

No. 2022-04

GENERAL ORDER

E.D. Tenn. LBR 2016-1(b) provides for a flat fee award of \$3,750, or less, without the necessity of filing an itemized statement of the services rendered to a debtor in a chapter 13 case. The amount of an attorney's request for such an award is subject to the attorney's good faith estimate of the services to be rendered in the case and the attorney's hourly rate for such services. In addition, the attorney must consider the other factors listed in 11 U.S.C. § 330(a)(3) and (4) for a determination of whether the request represents a reasonable fee.

The maximum amount of the flat fee has been effective since November of 2016. In 2017, the court required the use of a new and longer form of chapter 13 plan, and the economy has experienced unusually high inflation for the past 18 months. Considering those facts, the judges have discussed the existing cap and recognized the need for an increase.

Accordingly, effective December 22, 2022, E.D. Tenn. LBR 2016-1(b) shall be amended to increase the amount that an attorney for a debtor may request without the filing of an itemized statement from an amount that does not exceed \$3,750 to an amount that does not exceed \$4,000.

Counsel should continue to apply those considerations recited in E.D. Tenn. LBR 2016-1(b) in determining whether a request for the maximum flat fee is appropriate in any case.

ENTERED: December 21, 2022

/s/ Shelley D. Rucker
SHELLEY D. RUCKER
Chief United States Bankruptcy Judge

/s/Suzanne H. Bauknight
SUZANNE H. BAUKNIGHT
United States Bankruptcy Judge

/s/ Nicholas W. Whittenburg
NICHOLAS W. WHITTENBURG
United States Bankruptcy Judge

/s/ Rachel Ralston Mancl
RACHEL RALSTON MANCL
United States Bankruptcy Judge