

In the United States Bankruptcy Court
for the
Southern District of Georgia

FILED LBR

2005 OCT 28 PM 12: 52

U.S. BANKRUPTCY COURT
SAVANNAH, GA

GENERAL ORDER NUMBER 2005-6

To fulfill the requirements of 11 U.S.C. § 330(a), the Court periodically reviews the reasonableness of compensation awarded by the Court to counsel representing Chapter 13 debtors. Having conducted such periodic review, IT IS THEREFORE ORDERED that:

- 1) General Order 2002-1 filed October 10, 2002, is vacated.
- 2) The Court has not reviewed the relevant factors to support Chapter 13 fee awards in three years. We take judicial notice of the fact that the prevailing hourly rate for counsel practicing in the Southern District of Georgia for attorneys of comparable skill, expertise, and reputation has increased over that period of time in a significant amount.

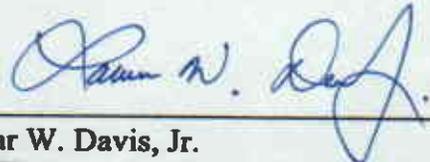
The Court also takes judicial notice of the fact that the Bankruptcy Abuse Prevention and Consumer Protection Act ("BAPCPA") amendments, effective October 17, 2005, have had a material effect on the amount of time attorneys must devote to the representation of a Chapter 13 debtor in a professional manner consistent with the standards of practice prevailing in this District. We conclude that many tasks which formerly might have been delegated to para-professionals in counsel's office must now be handled personally by an attorney.

- 3) Effective in all cases filed after October 17, 2005, a claim for attorney's fees for services rendered and expenses advanced to a Chapter 13 debtor will be deemed automatically approved by the Court, in the absence of an objection, so long as said claim does not exceed the sum of \$2,500.00. The \$2,500.00 fee contemplates appearance by counsel of record for the debtor at the § 341 meeting and all hearings.

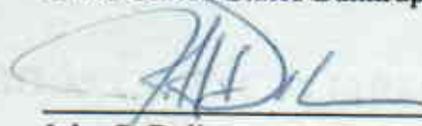
Said fee shall be payable as follows: Up to the first \$500.00 by payments from the Trustee as soon as practicable following confirmation. The balance of \$2,000.00, or less if applicable, in payments from the Trustee following the initial disbursement at a rate not to exceed \$200.00 per month. Debtors' counsel are directed to file written statements pursuant to Bankruptcy Rule 2016(b) disclosing the fee arrangement with their clients. Debtors' attorneys may represent debtors for a lesser amount in appropriate cases when the amount and nature of the debts or other relevant factors result in the expenditure of substantially less attorney time than a typical case.

In the event a debtor's attorney subsequently determines that an award of \$2,500.00 does not adequately compensate the attorney for legal services rendered, the attorney may petition for reasonable attorney's fees disclosing all time expended in such representation from the beginning of the case under the standards set in 11 U.S.C. § 330 and Norman v. Housing Authority of the City of Montgomery, 836 F.2d 1292 (11th Cir. 1988).

Dated this 27th day of October, 2005.



Lamar W. Davis, Jr.
Chief United States Bankruptcy Judge



John S. Dalis
United States Bankruptcy Judge