

### **Rule 2016-3. Fee Agreements in Chapter 11 and 12 Cases; Applications for Compensation in General.**

**A. Disclosure & Service.** Attorneys representing debtors in Chapter 11 or 12 cases shall, in addition to filing prompt applications for approval of employment pursuant to 11 U.S.C. § 327 and Fed. R. Bankr. P. 2014, comply with the disclosure and service requirements of 11 U.S.C. § 329 and Fed. R. Bankr. P. 2016(b).

**B. Pre-Petition Retainers and Other Payments.** Attorneys representing debtors in Chapter 11 or 12 cases and all other professionals within the meaning of § 327 shall: (1) (subject to Missouri Rule Prof. Conduct 4-1.15) deposit all retainers whether received from the debtor or any other source in the attorney's trust account pending an order of the court; and (2) with respect to all retainers and other payments made or fees sought, file an application seeking approval of such retainers, payments, and fees pursuant to § 330 and Fed. R. Bankr. P. 2016(a). Until the case is closed by final decree, debtor's attorney is under a duty to disclose all subsequent payments by filing a supplemental statement as required by Fed. R. Bankr. P. 2016(b).

**C. Service of Application.** An application for professional fees and expenses and the required notice shall be served on debtor's attorney, the case trustee, the United States Trustee, the attorneys for all committees, and all parties who have requested service of notices. A detailed, itemized statement of the kind required by Fed. R. Bankr. P. 2016(a) shall be filed with the application. All such applications shall be based upon contemporaneous time records and shall include: a detailed description of the services performed; the date on which services were performed; the attorney or other employee performing such services; the amount of time expended on the enumerated services; and the applicable hourly rate. Each description of services rendered shall include a detailed description of the tasks performed (including, for example, the subject and purpose of correspondence, telephone conversations, conferences, and legal research). Failure to include this information may result in disallowance of fees. The applicant is responsible to ensure that the itemized statement is made PDF compatible for filing under the ECF system. The notice shall advise the noticed parties of the filing of the application and of the opportunity to file objections within 21 days of the date the notice is given and that, absent any objections, the court may approve the application without further notice or hearing.

**D. When Application is over \$1,000; Additional Notices.** When an application is necessary and if such application is for compensation exceeding \$1,000, in addition to service in Paragraph C, applicant shall serve on all creditors a notice (**See Local Form - MOW 2016-1.1**) stating: the amount of fees and expenses sought; period covered; number of previous applications filed; amounts of compensation previously sought and allowed; original retainer and balance; that parties have 21 days to object, if no objections are filed the Court may enter an order, and if objections are filed the Court may set a hearing.