

Rule 2016-1. Debtor's Attorney's Fee Agreements in Chapter 7 Cases.

A. Disclosure & Service; Rights and Responsibilities Agreement. All attorneys representing debtors in Chapter 7 cases shall comply with the disclosure and service requirements of 11 U.S.C. § 329 and Fed .R. Bankr. P. 2016(b) and shall certify that the Rights & Responsibilities Agreement (Local Form MOW 2016-1.3) has been executed, unless such certification is excused pursuant to court order.

B. "No Look" Fee; Application to Approve Not Required. If the debtor's attorney's total attorney fee for a Chapter 7 case is a flat fee of \$4,100 or less in a below median family income case or of \$4,600 or less in an above median income case, it is unnecessary for the attorney to file a separate application to approve the fee agreement.

C. Fees Exceeding the No Look Fee or Other Fee Agreements. In all other situations, including when the attorney represents the debtor for other than the filing of the Chapter 7 case, the attorney shall (subject to Missouri Rule Prof. Conduct 4-1.15) deposit any retainer whether received from the debtor or any other source in the trust account pending further court order and shall promptly file an application to approve the terms of the agreement. The application shall include sufficient information to allow the Court's review of the reasonableness of any retainers, payments, fees, or fee agreements pursuant to § 329 and Fed. R. Bankr. P. 2017. The Court presumes that the services required under the Rights and Responsibilities Agreement are necessary for the representation of the debtor in a Chapter 7 case and presumes that the "No Look Fee" is a reasonable fee to compensate the attorney for those services, and agreements to exclude services or to charge fees in excess of the "No Look" amounts will ordinarily not be approved absent extraordinary circumstances.

D. Continuing Duty to Disclose. Until the case is closed by final decree, debtor's attorney is under a duty to disclose all subsequent changes in the employment agreement or subsequent payments by filing a supplement statement as required by Fed. R. Bankr. P. 2016(b).