

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA

IN RE: )  
ORDER AMENDING ) GENERAL ORDER 15-0001  
LOCAL BANKRUPTCY RULE )  
B-2016-1(b)(6) )

**ORDER**

The recent Supreme Court case of Harris v. Viegelahn, 135 S.Ct. 1829 (2015) raises questions about the propriety of subparagraph (b)(6) of Local Rule B-2016-1 and its authorization to the Chapter 13 trustee to disburse funds on hand when debtors convert their case to Chapter 7. To eliminate any confusion, the Judges have edited the local rule as shown in the attached strikeout version of this order, effective immediately.

Date: June 8, 2015

/s/ Robyn L. Moberly  
ROBYN L. MOBERLY  
CHIEF BANKRUPTCY JUDGE

ATTACHMENT TO GENERAL ORDER 15-0001

**B-2016-1. APPLICATIONS FOR COMPENSATION FOR SERVICES  
RENDERED AND REIMBURSEMENT OF EXPENSES**

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(b) Chapter 13 Cases

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- (6) If Counsel has elected to be compensated pursuant to these guidelines but the case is ~~converted or~~ dismissed prior to confirmation of a plan, absent contrary orders, the trustee shall pay to the Counsel, to the extent funds are available and subject to the trustee's percentage fee, an administrative claim equal to 50% of the unpaid fee balance if a properly documented fee claim (for the entire fee balance) has been filed by Counsel and served upon the trustee. Under appropriate circumstances, Counsel may file an application (within fourteen [14] days of the dismissal ~~or conversion~~) for allowance and payment of additional fees. The application shall be accompanied by an affidavit supporting award of the amount requested. Counsel shall not collect, receive, or demand additional fees from the Debtor for work already performed unless authorized by the Court, even after dismissal.