

United States Bankruptcy Court

Western District of Michigan
One Division Ave. N
Grand Rapids, MI 49503

SCOTT W. DALES

Chief Judge

Telephone: (616) 456-2949

JAMES D. GREGG

Judge

Telephone: (616) 456-2264

October 9, 2013

ANNOUNCEMENTS from the United States Bankruptcy Court for the Western District of Michigan

A. *Chief Judge.*

Judge Gregg's term as chief judge expired on September 30, 2013. Effective October 1, 2013, the United States District Court unanimously appointed Judge Dales as Chief Judge of the bankruptcy court. Judge Dales is now responsible for handling all of the bankruptcy court's administrative matters, including the current difficult budget issues.

B. *Handling of Judge Hughes's Pending and Future Cases in Grand Rapids, Kalamazoo and Traverse City.*

1. Grand Rapids -- Judge Gregg will handle all of the "HG" cases through and including the December 3, 2013 motion day. He will then sign orders until the end of the year. Starting in January 2014, and until Judge Hughes's successor assumes case responsibilities, Judge Dales (or a visiting judge) will handle the HG cases.

2. Kalamazoo -- Judge Dales will handle all "HK" cases until Judge Hughes's successor assumes case responsibilities.

3. Traverse City -- Judge Dales and Judge Gregg have split the "HT" docket until the October 25, 2013, Traverse City motion day. Starting with the October motion day and until Judge Hughes's successor assumes case responsibilities, Judge Daniel Opperman, United States Bankruptcy Judge for the Eastern District of Michigan, will handle all "HT" cases. Judge Opperman has been designated by the Sixth Circuit Court of Appeals to serve as a visiting judge; he may handle cases anywhere in the Western District. Judge Dales and Judge Gregg are very appreciative that Judge Opperman has volunteered to assist our court.

4. Procedures for all cases designated "HG," "HK" and "HT" -- Judge Hughes's staff will continue to handle scheduling, courtroom deputy duties, processing of orders and other ancillary matters relating to Judge Hughes's pending and future cases. The staff remains: Debbie Kinsey, Judicial Assistant; Kim Davis, Calendar Clerk; and Vicki Young, Law Clerk.

They should be contacted on all “HG,” “HK” and “HT” cases and they will consult with the presiding judges, when necessary.

C. *Adjustments to the No-Look Fees and Presumptive Hourly Rates in Chapter 13 Cases.*

The Federal Bar Association (Western Michigan) Bankruptcy Section previously requested that the court adjust the no-look fees and presumptive hourly rates in chapter 13 cases. It submitted information to compare the presumptive fees in other districts. The court has carefully reviewed the information submitted as well as other relevant information.

Effective for all cases filed on or after October 1, 2013, and until further notice:

1. Chapter 13 no-look fees shall be:
 - (a) Attorneys who have *not* personally attended bankruptcy CLE seminars during the calendar year or the previous calendar year -- \$2,600;
 - (b) Attorneys who have personally attended bankruptcy CLE seminars during the calendar year or during the previous calendar year -- \$3,200; and
 - (c) Attorneys who are “Board Certified” by the American Board of Certification -- \$3,650.
2. Chapter 13 presumptive hourly rates:
 - (a) Attorneys who have had no bankruptcy CLE education within prior year or current year -- \$175.00 per hour;
 - (b) Attorneys who have had bankruptcy CLE education during the current year or the immediate prior year -- \$220.00 per hour;
 - (c) Attorneys who are Board Certified -- \$250.00 per hour.

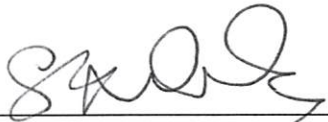
In complicated chapter 13 business cases, the hourly rate will be determined on a case-by-case basis and the court may approve a higher presumptive hourly rate.

3. Ability to itemize fees: in each and every case, an attorney may itemize services rendered and request a fee award greater than the applicable no-look fee. Further, if an attorney seeks an hourly rate higher than the presumptive chapter 13 hourly rate, upon submission of an application and itemized statement, a hearing will be scheduled to permit the attorney to prove the “reasonableness” of the higher requested hourly rate. The court will follow In re Boddy, 950 F.2d 334 (6th Cir. 1991); cf. In re Williams, 357 B.R. 434, 439 (B.A.P. 6th Cir. 2007).

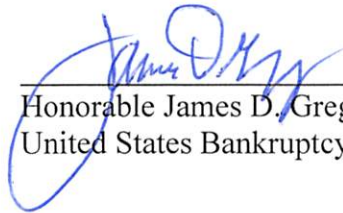
4. All prior Local Rules and Fees Guidelines shall remain effective and binding but modified to reflect the above changes. The court will later enter and publish a General Order to reflect the changes and to reiterate the Fees Guidelines per LBR 9029(b).

D. *Appointment of Successor Judges.*

The Sixth Circuit Court of Appeals is currently following its normal procedures to appoint successor judges for Judge Gregg and Judge Hughes. In accordance with prior information from Clarence Maddox, Circuit Executive, it is believed that the successor judges will be appointed by the Sixth Circuit by April 2014.



Honorable Scott W. Dales
Chief United States Bankruptcy Judge



Honorable James D. Gregg
United States Bankruptcy Judge