**Appendix 2M. Disclosure of Compensation in a Chapter 11, 12, or 13 Case**.

 UNITED STATES BANKRUPTCY COURT

 DISTRICT OF SOUTH DAKOTA

In re: ) Bankr. No. 18-90000

) Chapter 13

JANE ANNE ANONYMOUS )

fdba Jane's Flower Shop )

SSN/ITIN xxx-xx-0000 ) DISCLOSURE OF COMPENSATION

)

 Debtor. )

1. Received or Promised. Pursuant to 11 U.S.C. 329(a), Fed.R.Bankr.P. 2016(b), and Bankr. D.S.D. R. 2016-1(a), I declare that within one year of the filing of the petition in this case I have been paid or will be paid the following fees by Debtor or the bankruptcy estate for services rendered or to be rendered in contemplation of or in connection with this case:

(a) Compensation for legal services (estimate; hourly rate) $2,000.00

(b) Costs (estimate including filing fee; excluding sales tax) + $ 400.00

(c) Sales tax on compensation + $ 108.00

(d) Total: = $2,508.00

(e) I have received: $1,308.00

(f) I am still owed (estimate to be paid through plan): = $1,200.00

My fee agreement with Debtor is for legal services billed at a rate of $200.00 per hour for my work and $75.00 per hour for the work of my certified legal assistant, Joyce B. Good, plus actual expenses and sales tax. The amounts set forth above are my best estimate of the fees to be paid, but Debtor is aware the actual total fees may be less or more.

2. Services to be Rendered. In return for the compensation set forth above, I have rendered or will render the following legal services:

a. analyzing Debtor's financial situation and rendering advice to Debtor in determining whether to file a petition in bankruptcy and, if so, under what chapter;

b. preparing and filing Debtor's petition, schedules, and statements;

c. representing Debtor at the meeting of creditors;

d. reviewing claims and filing appropriate objections;

e. preparing a plan, any needed modified plans, and representing Debtor at the confirmation hearing(s);

f. preparing and filing a fee application after confirmation; and

g. upon completion of plan payments, preparing and filing the documents necessary for Debtor to obtain a discharge and preparing and filing a final fee application.

3. Services Not to be Rendered. Debtor and I have agreed the above-disclosed fee does not include the following services: None.

4. Supplemental Disclosure. I will file a supplemental disclosure of compensation if this agreement changes or if I actually receive additional fees directly from Debtor or another party (excluding fees that will be paid through a confirmed plan).

5. Fee Sharing. I have not shared or agreed to share my fees with anyone who is not a member or an associate of my law firm.

6. Payment of Fees. If the fees for my pre-petition services, post-petition services, sales tax, and expenses (including filing fee) are not paid in full through the retainer and plan payments, Debtor has agreed to pay the balance due, not to exceed $500.00, to me directly post-discharge. Debtor also understands that if this case converts to chapter 7, I will seek payment of my pre-conversion fees through an administrative expense claim and any post-conversion fees must be paid by Debtor personally from assets that are not part of the bankruptcy estate.

Dated: February 7, 2018.

 /s/

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 **SEE COMMITTEE NOTES ON FOLLOWING PAGE**

**Committee Notes**

If someone other than the debtor has paid or will pay some or all the fees, substitute or add that person's name where appropriate.

If you are accepting a flat or fixed fee for your legal services, clearly state that in paragraph 1. Segment a flat fee into separate figures for compensation for services, sales tax, and reimbursement for expenses. Rather than the hourly rate provision at the end of paragraph 1, substitute a statement regarding the flat fee agreement, such as:

I have made a flat fee agreement with Debtor. The total fees I will be paid in this case will not exceed $2,308.00, which comprises $1,800.00 for compensation for services, $108.00 for sales tax, and $400.00 for reimbursement for expenses, including the filing fee.

Add or delete services in paragraphs 2 and 3 as is appropriate for your particular agreement with each debtor and the relevant chapter. For example, in a chapter 11 case the services may include preparation of a plan *and* adisclosure statement.

If there is a fee sharing agreement, revise paragraph 5 to read, "I have shared or have agreed to share my fees with [name], who is not a member or associate of my law firm." If the fee sharing agreement has been reduced to writing, add "I have attached a copy of our agreement."

If the attorney and the debtor have agreed some attorney fees will be paid directly by the debtor to the attorney after discharge, set forth those terms in paragraph 6. Such an agreement, however, should be rare, since attorneys fees preferably should be paid in full by the time the case is ready for entry of the discharge order. Counsel should not interpret the $500.00 figure in paragraph 6 of this sample disclosure as a sum acceptable to the Court to be paid outside the plan. If any sum is paid outside the plan, it must be reasonable under the circumstances of that particular case.