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UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re:) Case No. [Number] HLB
)
[DEBTOR NAME],) Chapter [Number]
)
Debtor.)
_____)

ORDER AUTHORIZING EMPLOYMENT OF COUNSEL

On _____, Debtor filed an Application to Employ Counsel. There being no opposition, and for good cause shown, the Court hereby **ORDERS** as follows:

1. Debtor is authorized to employ _____ and his/her firm ("Counsel") as general bankruptcy counsel.
2. Counsel shall place the unearned balance of any initial retainer in Counsel's trust account. Notwithstanding any agreement to the contrary, fees may not be considered earned until work is performed at Counsel's normal hourly rate. Counsel may draw funds out of the trust account as they are earned for services benefitting the estate only. No order of Court is necessary.
3. Counsel shall accept no further funds from Debtor

1 beyond the initial retainer without an authorizing
2 court order.

3 4. Under no circumstances shall Counsel represent Debtor
4 personally where such representation is contrary to
5 the interests of the bankruptcy estate.

6 5. Counsel may represent Debtor personally in matters
7 which do not benefit the estate, so long as such
8 matters are not contrary to the interests of the
9 bankruptcy estate, such as defending dischargeability
10 actions or avoiding a lien on exempt property.

11 6. Counsel may not use retainer funds to pay for the
12 services described in paragraph 5 above. Counsel may
13 seek compensation for such services in a fee
14 application, provided the services are segregated and
15 properly identified. Fees may be awarded for such
16 services where the Court finds that the services
17 contributed to a successful reorganization or the
18 fees will not be paid by the estate.

19 7. All funds paid to Counsel in connection with the
20 representation approved pursuant to this order are
21 subject to review and final approval by the Court.

22 8. Any terms contained in Counsel's engagement agreement
23 with the Debtor that are contrary to the Bankruptcy
24 Code or Rules are void.

25 9. Counsel shall file applications for approval of fees
26 and expenses in accordance with 11 U.S.C. §§ 326-331
27 (as applicable); Fed. R. Bankr. Proc. 2016(a),
28 2002(a), (c), and (k); B.L.R. 9014-1(b)(1); and the

1 Northern District's Guidelines for Compensation and
2 Expense Reimbursement of Professionals and Trustees
3 (available on the court website at
4 <http://www.canb.uscourts.gov/>). Fee applications
5 that do not comply with the foregoing authority may
6 be denied.

7 10. The terms of this order may be modified only upon
8 notice to all creditors and the U.S. Trustee, and
9 only after an actual hearing, regardless of whether
10 there is any opposition.

11 ****END OF ORDER****

Court Service List

[None]