



Brown Bag Meeting

MINUTES

MAY 7, 2014

12:00 P.M.

NORTH BANK BLDG.
432 N. SAGINAW ST. STE 300
FLINT MI

MEETING CALLED BY	Chapter 13 Trustee's Office-Carl L. Bekofske
NOTE TAKERS	Katie Quinn and Karen Newman
AGENDA TOPICS:	Introduction-Carl L. Bekofske; Consequences of Dismissal; Student Loans; Attorney Fees; Debtor Education Updates
ATTENDEES	Carl L. Bekofske, Leo Foley Jr., Melissa Caouette, Lynnmarie Johnson, Kris Ennis, Mark Plude, Melissa DiGamberdine, Juanita Johnson, Heather McGivern, Beth Hudson, Tadd Klimmek, Jill Kreiner, Mark Scully, Rochelle Stevens, Richard Angelo, Rachel Hawrylo, Carolyn Fairman, Linda Rawls, Jack Tubbs, Zach Tucker, Benjamin Allyn, Sarah Ellis, Katrina Hopper, Wendy Turner, Kris Ennis, Katie Quinn, Mark Plude, and Karen Newman

Consequences of Dismissal:

DISCUSSION	Carl L. Bekofske
<p>Trustee's Office is getting too many calls from Debtor(s) after their case has been dismissed/converted. They do not understand the process. Carl has asked attorneys to pay more attention to this matter and maybe rather than having them dismissed and file a new case, to just reinstate their original case.</p>	
<p><u>Exit Interview:</u> The Trustee's Office will be collecting data to try to learn WHY debtor(s) have been dismissed/converted. – (Handout) Chapter 13 Trustee Office wants to improve its performance. An email will be sent to Debtor's attorney on dismissed/converted cases and asked to please fill out the "Exit Interview" and return it back to the Trustee's Office. Failure to comply may direct the Trustee to personally contact you.</p>	
<p>Trustee's Office is also concerned with the "Frequent Filers"! We will be examining this issue to see how we can help debtor(s) after bankruptcy. Why are they filing again? What classes will assist them? The Trustee's Officer prefers that Debtors are commenting on their attorney and Chapter 13 Trustee's Office was great and that their life is back on track.</p>	

STUDENT LOANS:

DISCUSSION	Carl L. Bekofske
<p>NACTT Chapter 13 Student Loan Survey – February 2014 was recently completed. Chapter 13 bankruptcy provides little or no relief to most debtors when it comes to student loans. How many student loan debts are not federally guaranteed? (Handout) Private Loans are not as willing to work with Debtors vs Government Loans who are more willing to work something out.</p>	
<p>Senator Stabenow is fighting to make college more affordable. Senator Debbie Stabenow and Senator Elizabeth Warren have joined together to introduce to legislation "Students Emergency Loan Refinancing Act". This Act will allow responsible borrowers with outstanding student loan debt, including some private loans, to save with their student loan interest rate. Too many college graduates are being dragged down by their student loan debt. This debt is forcing them to forego buying a house or getting married, buying a car and the needs of their families.</p>	
CONCLUSIONS	Carl has received letters from our Senators encouraging if you are ready to help with this Refinancing Act to take a stand and sign a petition. This can be a great benefit to your clients.

ATTORNEY FEE APPLICATION:

DISCUSSION	Melissa Caouette (Handouts)
New attorneys, before filing a fee application you should be familiar with 11 USC 330 & 331, LR 2016-1 and 6 th Circuit in RE: Boddy 950F. 2d 334 (1991)	
Fee application are NOT complying to our Local Rules 2016-1	
TROUBLE SPOTS:	2016-1(a)(3) –Narrative Summary explain the services performed and “How” the services benefitted the estate. Chapter 13 cases that requests approval of fees & expenses totaling more than \$3,500 in their application need to specifically identify the circumstances of the case that make the amount requested reasonable.
2016-1(a)(5)(C)–Describe the current status of the bankruptcy case and how it will impact the plan resulting from approval of the fee application. You should be running a plan calculation. Stop using “boiler plate” language. If the case is not feasible maybe it would be in your best interest to file a plan modification first then your application. Some debtor(s) will not cooperate on filing a plan modification, so please indicate this in your application. Please do not just file your application indicating that the case is feasible when it is not. This is misleading the creditors, Trustee and your client.	
In 11 USC 330 & 331 & In RE Boddy “WHAT MAKES ATTORNEY RATES REASONABLE & REASONABLE TIME SPENT” what are your peers charging? What is the charge for similar services in non-bankruptcy cases – See handout State Bar of Michigan Survey Reference. Exhibit 6 “Biographical statement”–does the biographical statement justify your rates? Are you board certified, do you teach, have you a listing of your publications, how many seminars have you attended, etc.	
2016-1(a)(15) Project Billing Format: is the “CUMULATIVE ” amount of the Fee Applications greater than \$5,000.00? If it is then the use of project billing format is a must. List of Chapter 13 Project Categories for Fee Application is available on the Court’s website. (handout) If you need a sample please contact MCaouette@flint13.com . Judge has recently ruled on this matter and will enforce.	
Watch which Model Plan you are working with; is it 2.0 or a 3.0? The 5-D paragraph in the 3.0 Model Plan might need the language altered. If an order for post confirmation attorney fees is entered under a 3.0 Model Plan and the case is not feasible, fees cannot be paid until the case has restored its feasibility.	
Record Keeping of your time: This is a must and you should have a system! Keep records as they happen. Pacer should not be a way to keep your records. It is just too hard to go back and try to remember & record previous time. You also need to be descriptive about your time rendered.	
Use billing judgment! What is the benefit to the estate? Must use good faith judgment. Billing at an attorney rate vs paralegal rate. A paralegal can prepare a proof of service, type a letter requesting income tax returns, prepare cover sheets, etc. An attorney who does the work but the job falls under a paralegal’s description should reduce their rate to a paralegal rate. Clerical is non compensable; such as filing, faxing, mailing, stuffing envelopes, copying, opening mail, pulling documents off the ecf system via the internet, reviewing notices of electronic filing that merely confirm that a particular pleading was filed, certain phone calls, manually assembling, collating, marking, processing of documents, etc.	
<p>Excerpt read by Melissa:</p> <p>Counsel is required to exercise “billing judgment” to determine whether counsel should bill for time allegedly expended in light of factors such as fairness to the debtors and creditors. Bankruptcy attorneys are not entitled to compensation merely because the time recorded was actually expended. <i>See In re Allied Computer Repair, Inc.</i>, 202 B.R. 877 (Bankr. W.D. Ky. 1996). Counsel should exercise “billing judgment” and must make a good faith effort to eliminate unproductive time or to reduce hours on productive projects where the total amount billed would be unreasonable in relation to the economic value of the matter in question. <i>See In re Albritton</i>, Case No. 04-480202-MBM (Bankr.E.D. Mi. 2006); <i>In re Atwell</i>, 148 B.R. 483 (Bankr. W.D.Ky. 1993).</p> <p>If you wish to get credit for work that you have done but do not necessary want to bill for the service, you can list the service rendered in your time records and then “no charge” it.</p>	
Expenses See In re Pinkins, 213 B.R. 828, 824 (Bankr. E.D. Mich. 1997) “expenses for clerical personnel should not be billed separately to clients, but should be included in office overhead”. Make sure you give the required description of what the expense is according to the local rules, copying amended plan-25 pages at .10; postage for 25 amended plan .46, etc. Copying of documents should not exceed 20 cents per page.	

Common Issues Trustee has:

-Attorney Fee Orders not indicating who the Trustee is to pay.

-Expenses are too vague

-Noticing time is not in 7 day increments:

If the fee is under \$1,000 noticing time can be 14 days, the cno cannot be filed until the 18th day (14 days + mail time)

If the fee is over \$1,000 noticing time must be 21 days, the cno cannot be filed until the 25th days (21 days + mail time)

-Attorney fee application not in numerical order-need to list if 1st, 2nd, 3rd, application

-Services being lumped together, cannot exceed .5 hour

Did you know we have run into a few situations where debtors counsel has contacted us after confirmation wondering why their attorney fees were not paid. This may become an issue in a case where there are not enough funds on hand to pay the attorney fees after a 5.1 creditor. In these cases the debtor had listed the mortgage as being paid directly. Had the mortgage been listed as a Trustee pay, there would have been enough of a cushion to disburse on the attorney fees.

ADDITIONAL CLASSES TRUSTEE IS OFFERING:

DISCUSSION	Leo Foley, Jr. (handouts)
<p>Additional classes are being offered on Thursdays from 6:00 pm to 7:00 pm. These classes are FREE and are not mandatory. Anyone can attend-does not need to be just Chapter 13 debtors. Chapter 7 debtors, attorneys, your neighbors, etc, please spread the word. See handout for available dates and location. Please contact: Lfoley@flint13.com to sign up.</p> <p>Topics so far are the following:</p> <ul style="list-style-type: none">How to re-establish and improve your creditSo, your plan is confirmed, what is nextIdentity TheftBudgeting, Savings & Financial ManagementAsk the Trustee (one of our more popular classes)	
<p>Required Debtor Education Class (Mandatory in order to receive your discharge) is being offered also on Saturdays from 9:00 am to 12:00 pm. Chapter 13 and 7 debtors can attend. See handout for available dates and location. Please contact Lfoley@flint13.com to sign up.</p>	

Announcement:

**Bankruptcy Basic Seminar
Thursday: May 15, 2014 from 2:00 to 4:00 p.m.
Chapter 13 Trustee's Training Room
432 N. Saginaw Street, 3rd Floor
Flint MI 48502**

This seminar is designed for attorneys and staff that are new to bankruptcy.
Please reserve a spot by e-mailing Lfoley@flint13.com or calling 810.238.4675 [x228]!

BROWN BAG MEETING

May 7, 2014

- Introduction – Carl L. Bekofske
- Consequences of Dismissal – Carl Bekofske
- Student Loans – Carl Bekofske
- Attorney Fees – Melissa Caouette
- Other Questions

CARL L. BEKOFKSKE
STANDING CHAPTER 13 TRUSTEE

400 N. Saginaw St., Ste. 331
Flint, Michigan 48502
Telephone: (810) 238-4675
Fax: (810) 238-4712
www.flint13.com

May 2, 2014

The Office of the Standing Chapter 13 Trustee is happy to announce a series of **FREE, NON-MANDATORY** workshops for people in Bankruptcy or recently leaving Bankruptcy. These classes will be held in our classroom in the Northbank Center at 432 N. Saginaw St. Flint, MI Suite 300. Please see attached map. Please note that this is a different location than the Federal Court House.

1. How to Re-Establish and Improve Your Credit

- Why credit is important and how it is calculated.
- How to read your credit report.
- How to repair your credit during bankruptcy and after bankruptcy.
- Offered **6/7/14***, **9/4/14** and **12/11/14**
- The **6/7/14** class is a Saturday and the class will be held at 9AM.

2. So, Your Plan is Confirmed. What is next

- We cover frequently asked questions post confirmation and common situations that happen during bankruptcy.
- We show you how to interpret your Documents and keep your case on target.
- Offered **4/10/14**, **7/10/14** and **11/6/14**

3. Identity Theft

- We will cover strategies for combating identity theft and talk about what to do if your identity is stolen.
- **6/5/14** and **10/23/14**

4. Budgeting, Savings and Financial Management

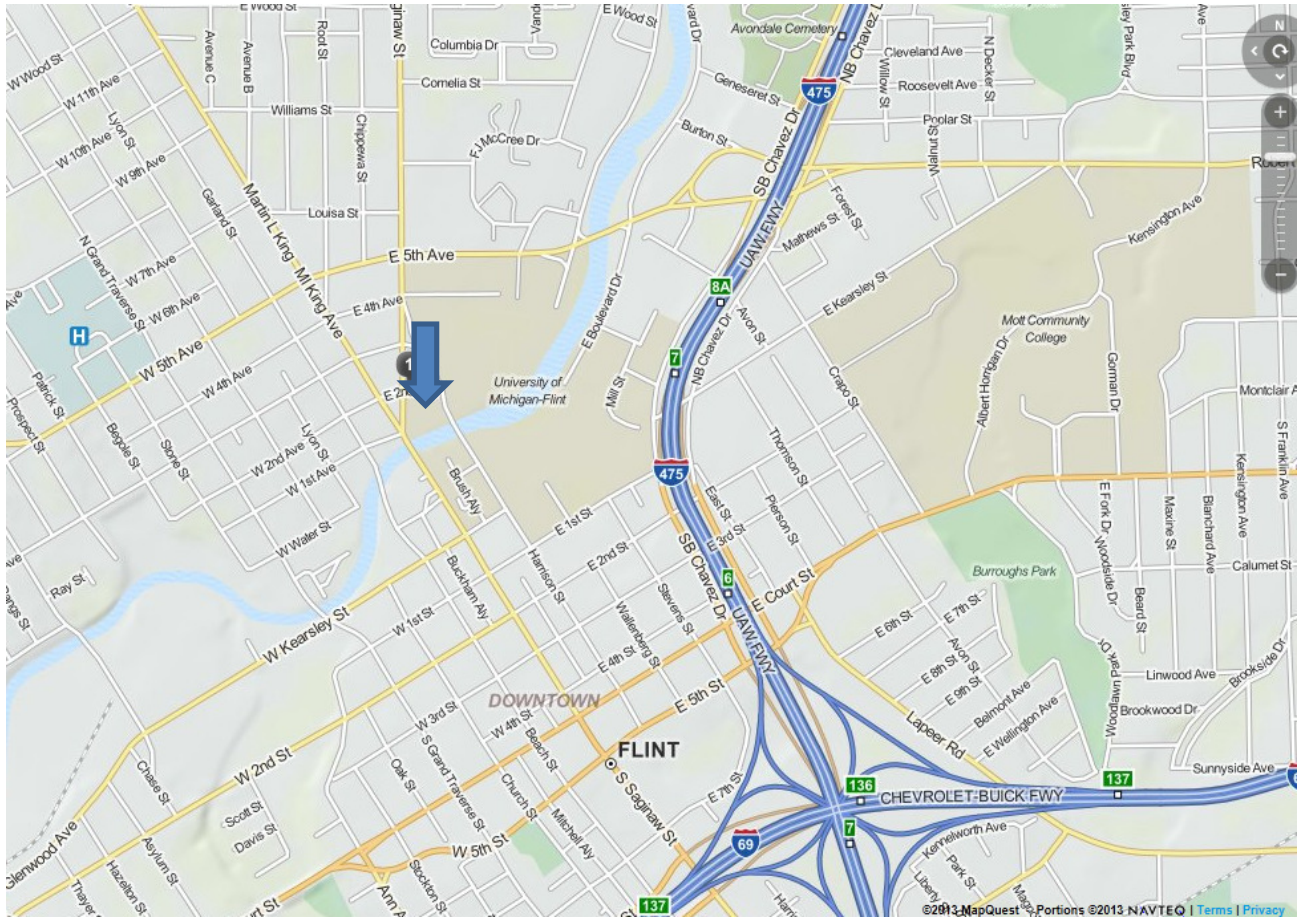
- We cover personal budgeting strategies.
- Provide information on different saving plans.
- Offered **5/8/14**, **8/7/14** and **12/4/14**

5. Ask the Trustee

- An open forum to ask The Chapter 13 Trustee, Carl Bekofske about any issues or concerns you have with the Chapter 13 BK process.
- Offered **9/11/14**

The additional classes will be held at the Northbank Center 432 N. Saginaw St. Flint, MI Suite 300 **from approximately 6 PM until 7 PM.**

If you want to attend one of these sessions please contact the Trustee's office at (810) 238-4675 or email lfoley@flint13.com to reserve a space. These classes are also held at NO cost.



The Northbank Center is located at the arrow. Approximately 15 minutes prior to the scheduled start time a staff member will be waiting in the lobby of the Northbank Center to direct you to the classroom. Our classroom, Suite 300, is located on the third floor next to the elevators.

The Northbank Center is part of UM Flint's campus. There is a security guard in the building and extensive camera surveillance of the surrounding area.

Parking is available on the street and at the Northbank Center Parking Garage which is located off 2nd Avenue between Saginaw and Harrison Streets. There is a \$2.00 charge to park in the garage. Parking is also available on the street.

Thank you

Leo J. Foley Jr.
Staff Attorney
Chapter 13 Trustee Carl Bekofske
lfoley@flint13.com

UPCOMING SATURDAY DEBTOR EDUCATION CLASS DATES & TIMES:

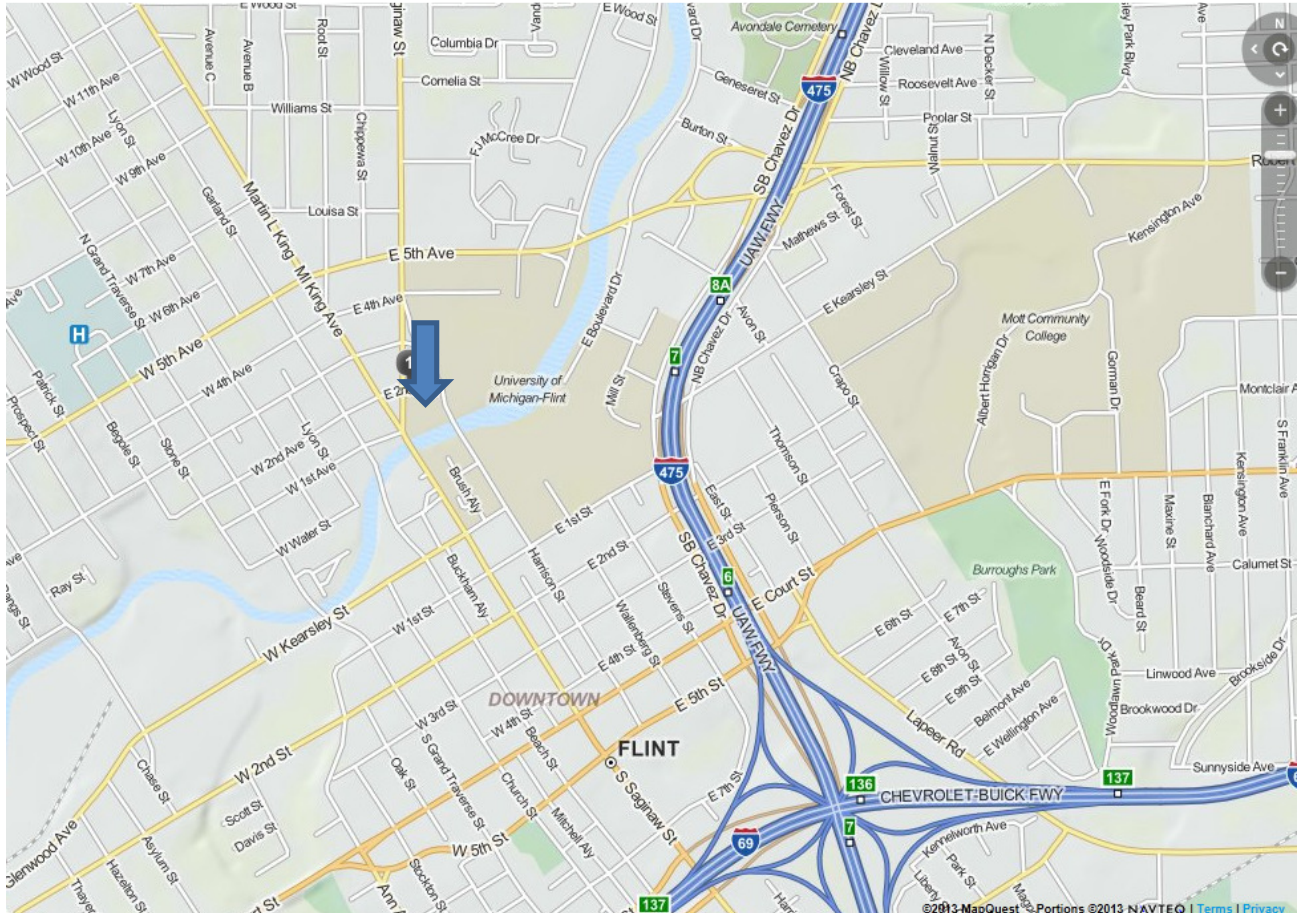
June 28, 2014 – 9:00 AM to NOON

August 2, 2014 – 9:00 AM to NOON

September 20, 2014 – 9:00 AM to NOON

October 18, 2014 – 9:00 AM to NOON

November 22, 2014 – 9:00 AM to NOON



The Northbank Center is located at the arrow. Approximately 15 minutes prior to the scheduled start time a staff member will be waiting in the lobby of the Northbank Center to direct you to the classroom. Our classroom, Suite 300, is located on the third floor next to the elevators.

The Northbank Center is part of UM Flint's campus. There is a security guard in the building and extensive camera surveillance of the surrounding area.

Parking is available on the street and at the Northbank Center Parking Garage which is located off 2nd Avenue between Saginaw and Harrison Streets. There is a \$2.00 charge to park in the garage. Parking is also available on the street.

Thank you

Leo J. Foley Jr.

Katie Quinn

The Chapter 13 bankruptcy case for your client, [Debtor Name], [Case Number] has recently been dismissed/converted on [date].

Please simply reply back to this e-mail and place a check next to the answer that best describes why your client's case has been dismissed/converted. *Failure to respond to this e-mail may result in a phone call from the Trustee.*

- Unemployed/lost job
- Reduced salary/wages
- Loss of overtime
- Increased income which allowed debtor to deal with debts directly
- Inheritance or settlement (negotiate with creditors)
- Surrendering house/assets
- Divorce
- Illness/surgery/disability
- Debtor or spouse deceased
- Chapter 20
- Increased expenses
- Tired of making plan payments
- Attorney lost contact with debtor
- Other

Thank you for taking some time to complete this survey!
If you have any questions regarding the survey, please feel free to contact the Trustee's Office.

Katie Quinn
Chapter 13 Trustee Office- Flint
Plan Account Support & Website Manager
(810) 238-4675 Ext. 229

NACCTT CHAPTER 13 STUDENT LOAN SURVEY FEBRUARY 2014

The National Association of Chapter 13 Trustees recently completed a survey regarding student loan claims in Chapter 13 bankruptcy cases. The study is based upon a geographically diverse core sampling of the treatment of student loan debt. A total of 26 trustees examined 100 consecutive cases with a beginning filing date of April 1, 2013. A total of 343,651 Chapter 13 cases were filed in 2013. The sample in this study represents approximately .76 of all cases filed. Student loan debt was found in 651 of the 2600 cases filed during the sample period or 25%.

The summary sets forth that over \$24 million in student loan debt is scheduled in the petitions. Student loan claims filed with the Court total a little less than \$22 million, with not all claims filed in the cases. Applying these same numbers in proportion to all cases filed in 2013, it is a reasonable assumption that approximately \$3.16 billion in student loan debt would be present in Chapter 13 cases pending before the United States Bankruptcy Courts throughout the country.

In an attempt to determine the impact of a Chapter 13 filing on student loan debt, respondents were asked to determine the approximate distributions on the student loans if the plans were completed as filed. From the responses it appears that only \$2.9 million would be paid under the plans. From the samples, 59 cases propose plans to fully pay and extinguish the student loan debt. The vast majority would survive a discharge, meaning the student loan debt in the sample cases of \$21.6 million and accumulated interest would pass through the bankruptcy without discharge. Likely more debt would exist for debtors after they exit bankruptcy. Clearly bankruptcy and particularly Chapter 13 provides little or no relief to most debtors having student loan debt.

Respondents were also asked to determine the amount of student loan debt that is not federally guaranteed. This is not always easy to determine as it is often not apparent from the bankruptcy schedules or the creditor's claims. Respondents reported a total of \$1.9 million in ascertainable private student loan debt. This number is far lower than the national average and actual amounts are likely to be higher.

CHAPTER 13 STUDENT LOAN SURVEY

TRUSTEE	DISTRICT	No. Cases/100	Amount of student loans listed		Student loan claims filed	Amount to be paid to student claims		Amount of student debt	
			loans listed	claims filed		not federally guaranteed	surviving discharge		
Anderson	UTAH	16	365,549.10	306,879.55	66,694.69	18,591.00	368,115.64		
Bassel	N-TX	29	1,167,422.07	835,623.63	72,987.20	85,899.87	1,023,537.28		
Beskin	W-VA	24	937,779.00	849,763.00	132,566.00	95,188.00	734,340.00		
Chael	N-IND	34	1,027,510.65	987,992.31	101,858.36	3,280.00	933,039.78		
Cohen	C-CAL	13	522,177.17	379,177.17	66,300.75	73,788.91	458,253.49		
Fitzgerald	W-SEA	17	769,801.48	853,783.36	115,949.34	43,341.58	749,348.72		
Godare	OREGON	30	1,035,156.00	978,400.69	138,761.78	31,681.89	839,625.56		
Gooding	W-AR	17	316,414.70	251,525.10	79,993.12		246,740.98		
Goodman	N-GA	25	858,691.66	934,030.97	19,748.92	67,186.20	1,027,872.49		
Greenberg	NJ	18	771,435.35	614,400.12	20,085.80	108,298.43	700,228.32		
Gustafson	N-OH	23	1,095,276.90	763,404.06	135,693.57	69,614.94	851,153.49		
Hildebrand	M-TN	26	524,085.65	487,622.83	168,731.01	6,063.00	444,717.30		
Johnson	E-CAL	19	458,565.73	345,819.43	40,624.20	6,567.53	496,013.25		
Joseph	DEL	29	1,436,671.00	1,330,065.00	273,698.88	19,800.79	1,238,906.37		
LaBarge	E-MO	33	1,123,204.48	1,107,398.15	108,648.12	7,550.33	1,082,638.41		
Leavitt	NV	15	827,565.94	751,420.61	123,692.78	372,457.44	725,786.83		
Meredith	S-GA	33	1,243,386.77	1,276,884.23	9,357.94		1,267,526.28		
Reiber	W-NY	36	1,162,830.95	1,180,220.74	280,646.03		949,234.18		
Rosen	N-OH	32	1,340,285.71	1,260,595.93	306,586.29	63,816.65	1,237,959.76		
Ruskin	E-MI	26	1,294,091.71	1,087,872.26	27,372.95		1,043,421.06		
Sensenich	VT	24	845,046.64	719,400.39	88,743.62	14,094.00	724,666.00		
Shopneck	N-OH	37	1,244,130.90	1,241,877.73	192,638.64	6,580.90	1,321,347.36		
Stevenson	W-TN	12	235,497.00	110,451.36	27,525.79		234,196.89		
Tadlock	W-NC	26	1,539,323.57	1,679,142.73	185,713.40		1,491,727.74		
Viegelahn	W-TX	31	1,425,322.59	917,088.26	87,430.97	16,037.32	900,610.71		
Winnecour	W-PA	26	712,248.76	558,550.57	39,207.57	77,489.64	519,342.93		
TOTAL		651	\$ 24,279,471.48	\$ 21,809,390.18	\$ 2,911,257.72	\$ 1,187,328.42	\$ 21,610,350.82		

Home » About DOJ » Agencies » U.S. Trustee Program » Rules, Guidelines, and Federal Register Notices » Guidelines for Reviewing Applications for Compensation » Fee Guidelines

Fee Guidelines

Guidelines for Reviewing Applications for Compensation (Fee Guidelines)

(Reprinted at 28 C.F.R. Part 58, Appendix)

(a) General Information.

(1) The Bankruptcy Reform Act of 1994 amended the responsibilities of the United States Trustees under 28 U.S.C. 586(a)(3)(A) to provide that, whenever they deem appropriate, United States Trustees will review applications for compensation and reimbursement of expenses under section 330 of the Bankruptcy Code, 11 U.S.C. 101, et seq. ("Code"), in accordance with procedural guidelines ("Guidelines") adopted by the Executive Office for United States Trustees ("Executive Office"). The following Guidelines have been adopted by the Executive Office and are to be uniformly applied by the United States Trustees except when circumstances warrant different treatment.

(2) The United States Trustees shall use these Guidelines in all cases commenced on or after October 22, 1994.

(3) The Guidelines are not intended to supersede local rules of court, but should be read as complementing the procedures set forth in local rules.

(4) Nothing in the Guidelines should be construed:

(i) To limit the United States Trustee's discretion to request additional information necessary for the review of a particular application or type of application or to refer any information provided to the United States Trustee to any investigatory or prosecutorial authority of the United States or a state;

(ii) To limit the United States Trustee's discretion to determine whether to file comments or objections to applications; or

(iii) To create any private right of action on the part of any person enforceable in litigation with the United States Trustee or the United States.

(5) Recognizing that the final authority to award compensation and reimbursement under section 330 of the Code is vested in the Court, the Guidelines focus on the disclosure of information relevant to a proper award under the law. In evaluating fees for professional services, it is relevant to consider various factors including the following: the time spent; the rates charged; whether the services were necessary to the administration of, or beneficial towards the completion of, the case at the time they were rendered; whether services were performed within a reasonable time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed; and whether compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in non-bankruptcy cases. The Guidelines thus reflect standards and procedures articulated in section 330 of the Code and Rule 2016 of the Federal Rules of Bankruptcy Procedure for awarding compensation to trustees and to professionals employed under section 327 or 1103. Applications that contain the information requested in these Guidelines will facilitate review by the Court, the parties, and the United States Trustee.

(6) Fee applications submitted by trustees are subject to the same standard of review as are applications of other professionals and will be evaluated according to the principles articulated in these Guidelines. Each United States Trustee should establish whether and to what extent trustees can deviate from the format specified in these Guidelines without substantially affecting the ability of the United States Trustee to review and comment on their fee applications in a manner consistent with the requirements of the law.

(b) Contents of Applications for Compensation and Reimbursement of Expenses.

All applications should include sufficient detail to demonstrate compliance with the standards set forth in 11 U.S.C. § 330. The fee application should also contain sufficient information about the case and the applicant so that the Court, the creditors, and the United States Trustee can review it without searching for relevant information in other documents. The following will facilitate review of the application.

(1) Information about the Applicant and the Application. The following information should be provided in every fee application:

- (i) Date the bankruptcy petition was filed, date of the order approving employment, identity of the party represented, date services commenced, and whether the applicant is seeking compensation under a provision of the Bankruptcy Code other than section 330.
- (ii) Terms and conditions of employment and compensation, source of compensation, existence and terms controlling use of a retainer, and any budgetary or other limitations on fees.
- (iii) Names and hourly rates of all applicant's professionals and paraprofessionals who billed time, explanation of any changes in hourly rates from those previously charged, and statement of whether the compensation is based on the customary compensation charged by comparably skilled practitioners in cases other than cases under title 11.
- (iv) Whether the application is interim or final, and the dates of previous orders on interim compensation or reimbursement of expenses along with the amounts requested and the amounts allowed or disallowed, amounts of all previous payments, and amount of any allowed fees and expenses remaining unpaid.
- (v) Whether the person on whose behalf the applicant is employed has been given the opportunity to review the application and whether that person has approved the requested amount.
- (vi) When an application is filed less than 120 days after the order for relief or after a prior application to the Court, the date and terms of the order allowing leave to file at shortened intervals.
- (vii) Time period of the services or expenses covered by the application.

(2) Case Status. The following information should be provided to the extent that it is known to or can be reasonably ascertained by the applicant:

- (i) In a chapter 7 case, a summary of the administration of the case including all moneys received and disbursed in the case, when the case is expected to close, and, if applicant is seeking an interim award, whether it is feasible to make an interim distribution to creditors without prejudicing the rights of any creditor holding a claim of equal or higher priority.
- (ii) In a chapter 11 case, whether a plan and disclosure statement have been filed and, if not yet filed, when the plan and disclosure statement are expected to be filed; whether all quarterly fees have been paid to the United States Trustee; and whether all monthly operating reports have been filed.
- (iii) In every case, the amount of cash on hand or on deposit, the amount and nature of accrued unpaid administrative expenses, and the amount of unencumbered funds in the estate.
- (iv) Any material changes in the status of the case that occur after the filing of the fee application should be raised, orally or in writing, at the hearing on the application or, if a hearing is not required, prior to the expiration of the time period for objection.

(3) Summary Sheet. All applications should contain a summary or cover sheet that provides a synopsis of the following information:

- (i) Total compensation and expenses requested and any amount(s) previously requested;
- (ii) Total compensation and expenses previously awarded by the court;
- (iii) Name and applicable billing rate for each person who billed time during the period, and date of bar admission for each attorney;
- (iv) Total hours billed and total amount of billing for each person who billed time during billing period; and
- (v) Computation of blended hourly rate for persons who billed time during period, excluding paralegal or other paraprofessional time.

(4) Project Billing Format.

(i) To facilitate effective review of the application, all time and service entries should be arranged by project categories. The project categories set forth in Exhibit A should be used to the extent applicable. A separate project category should be used for administrative matters and, if payment is requested, for fee application preparation.

(ii) The United States Trustee has discretion to determine that the project billing format is not necessary in a particular case or in a particular class of cases. Applicants should be encouraged to consult with the United States Trustee if there is a question as to the need for project billing in any particular case.

(iii) Each project category should contain a narrative summary of the following information:

(A) a description of the project, its necessity and benefit to the estate, and the status of the project including all pending litigation for which compensation and reimbursement are requested;

(B) identification of each person providing services on the project; and

(C) a statement of the number of hours spent and the amount of compensation requested for each professional and paraprofessional on the project.

(iv) Time and service entries are to be reported in chronological order under the appropriate project category.

(v) Time entries should be kept contemporaneously with the services rendered in time periods of tenths of an hour. Services should be noted in detail and not combined or "lumped" together, with each service showing a separate time entry; however, tasks performed in a project which total a de minimis amount of time can be combined or lumped together if they do not exceed .5 hours on a daily aggregate. Time entries for telephone calls, letters, and other communications should give sufficient detail to identify the parties to and the nature of the communication. Time entries for court hearings and conferences should identify the subject of the hearing or conference. If more than one professional from the applicant firm attends a hearing or conference, the applicant should explain the need for multiple attendees.

(5) Reimbursement for Actual, Necessary Expenses. Any expense for which reimbursement is sought must be actual and necessary and supported by documentation as appropriate. Factors relevant to a determination that the expense is proper include the following:

(i) Whether the expense is reasonable and economical. For example, first class and other luxurious travel mode or accommodations will normally be objectionable.

(ii) Whether the requested expenses are customarily charged to non-bankruptcy clients of the applicant.

(iii) Whether applicant has provided a detailed itemization of all expenses including the date incurred, description of expense (e.g., type of travel, type of fare, rate, destination), method of computation, and, where relevant, name of the person incurring the expense and purpose of the expense. Itemized expenses should be identified by their nature (e.g., long distance telephone, copy costs, messengers, computer research, airline travel, etc.) and by the month incurred. Unusual items require more detailed explanations and should be allocated, where practicable, to specific projects.

(iv) Whether applicant has prorated expenses where appropriate between the estate and other cases (e.g., travel expenses applicable to more than one case) and has adequately explained the basis for any such proration.

(v) Whether expenses incurred by the applicant to third parties are limited to the actual amounts billed to, or paid by, the applicant on behalf of the estate.

(vi) Whether applicant can demonstrate that the amount requested for expenses incurred in-house reflect the actual cost of such expenses to the applicant. The United States Trustee may establish an objection ceiling for any in-house expenses that are routinely incurred and for which the actual cost cannot easily be determined by most professionals (e.g., photocopies, facsimile charges, and mileage).

(vii) Whether the expenses appear to be in the nature nonreimbursable overhead. Overhead consists of all continuous administrative or general costs incident to the operation of the applicant's office and not particularly attributable to an individual client or case. Overhead includes, but is not limited to, word processing, proofreading, secretarial and other clerical services, rent, utilities, office equipment and furnishings, insurance, taxes, local telephones and monthly car phone charges, lighting, heating and cooling, and library and publication charges.

(viii) Whether applicant has adhered to allowable rates for expenses as fixed by local rule or order of the Court.

[61 Fed. Reg. 24890 (May 17, 1996); 28 CFR Part 58, Appendix]

Thursday, February 21, 2013 4:50 PM

**United States Bankruptcy Court
Eastern District of Michigan**

Chapter 13 Project Categories for Fee Applications

Promulgated pursuant to E.D.Mich. LBR 2016-1(a)(15)

**To be used when the cumulative amount of the applicant's
present and prior fee applications exceeds \$5000.00**

CASE ADMINISTRATION: Conferences with debtor(s) including initial consultations; preparation and filing of petition, schedules, statement of financial affairs, and all other pleadings and documents or amendments thereto, incident to the commencement of the case or thereafter; discussions and correspondence regarding the chapter 13 process, obligations of debtor(s), and options; obtaining information from debtor(s) or third parties necessary to pursue the case; making or responding to inquiries to or by creditors, the trustee and any other interested parties; periodic review of the file, TRAC, 13 NETWORK or other sources in preparation for hearings or filings, and developing advice.

CHAPTER 13 PLAN: Formulation and preparation of chapter 13 plan and any plan modifications; discussions with debtor(s) regarding same; review of plan objections; discussions and negotiations with creditors and the trustee regarding the plan; attendance at status conferences and confirmation hearings; preparation and submission of order confirming or modifying plan.

341 MEETING & 2004 EXAMINATIONS: Preparation for, and attendance at, 341 Meeting and any adjournments; preparation of trustee supplemental sheet and domestic support obligation disclosure or other forms; communications regarding scheduling or rescheduling of 341 meeting; review of trustee's 341 meeting status sheet; preparation for, and attendance at, 2004 Examination or other discovery events; assembling and review of documents in connection with same.

CLAIMS ADMINISTRATION: Analysis of, and objections to, specific claims, including preparation and filing of objections, negotiations with claimant, attendance at claim objection hearing, and submission of dispositive order.

RELIEF FROM STAY, EXTENSION & IMPOSITION OF STAY, ADEQUATE PROTECTION: Conference(s) with debtor(s); review, preparation and filing of motions or responses to motions; negotiations with creditors or involved parties; attendance at hearings; preparation and submission of stipulations or orders.

FINANCING: Agreements or authority relating to incurring debt, execution of a lease, purchase or replacement of residential property or a vehicle, including conferences with debtor(s) and involved parties, preparation and filing of motions or stipulations, attendance at hearings, preparation and submission of stipulations or orders.

SALE, REALIZATION, AND LIQUIDATION OF ESTATE PROPERTY: Conferences with debtor(s), purchaser, auctioneer, broker or other involved agents and parties; preparation and filing of motions to sell and for compensation incident thereto; settlements and dispositions of estate causes of action, such as tort, disability, employment, contract items comprising assets of the estate, and, preparation and filing of motions in reference thereto; attendance at any hearings and preparation and submissions of dispositive orders.

ADVERSARY PROCEEDINGS: All activities directly related to a specified adversary proceeding, and separated as to each separate such proceeding.

BUSINESS OPERATIONS: In cases where the debtor(s) is engaged in a business, either as a d/b/a or partner, or as the sole or part owner of an entity such as a corporation or LLC, or similar, from which debtor derives income - conferences with debtor(s) or involved parties; assembling, analysis, evaluation, and advice concerning the structure and relationship of such to the chapter 13 process and plan confirmation; and preparation of any required schedules and filings in reference to same.

FEE APPLICATION PREPARATION: Preparation and filing of fee applications for self or others, attendance at hearings regarding same.

Notes:

The Fee Guidelines of the United States Trustee relating to the Project Billing Format, and in particular paragraph (b)(4)(iii), specify the required format within each project category. *Those guidelines are to be followed in chapter 13 fee applications.* The Fee Guidelines are available through the Court's website or at:

http://www.usdoj.gov/ust/eo/rules_regulations/guidelines/index.htm

If reimbursement for travel time is requested, the travel time should be included in the applicable categories above.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

**NOTICE TO BANKRUPTCY PRACTITIONERS REGARDING REQUESTS
FOR COMPENSATION FOR TIME EXPENDED BY ATTORNEYS
FILING PAPERS IN THE COURT'S ELECTRONIC FILING SYSTEM (ECF)**

It has recently come to the Court's attention that there may exist some confusion over whether an attorney may be compensated for the time expended by that attorney electronically filing a paper in the Court's ECF systems. This notice is intended to address that issue.

ECF Procedure 2(f) defines a "Filer" as an individual with an approved login and password, registered to use the ECF system in this Court under ECF Procedure 4(a). ECF Procedure 4(a)(1) provides that attorneys admitted to practice in the United States District Court for the Eastern District of Michigan shall register as Filers in the Court's ECF system. That same ECF Procedure also provides that members of a Filer's staff are encouraged to participate in ECF training but will not themselves receive a separate login and password. ECF Procedure 4(d) provides that each Filer is required to protect the security of the assigned password. ECF Procedure 11(a) provides that an electronic filing of a paper is the equivalent of signing a paper for all purposes. ECF Procedure 11(c) provides that a Filer "shall not knowingly permit or cause to permit the Filer's . . . password to be used by anyone other than an agent specifically authorized by the Filer . . ."

The Court's ECF Procedures make clear that only an attorney may be a Filer. The attorney is responsible for the login and password. That does not mean, however, that only the attorney may perform the task of electronic filing. ECF Procedure 11(c) specifically provides authority for a Filer to authorize a secretary, clerical person or other agent of the Filer to use the Filer's password. The Court considers the performance of the electronic filing task itself to be a clerical task that can be delegated to personnel performing clerical services for such attorney and, as such, non-compensable. The Court does not consider the task of electronic filing to be a service required to be performed by an attorney. Accordingly, requests for compensation for an attorney's time in performing an ECF filing, pulling documents off of the ECF system via the internet, reviewing notices of electronic filing that merely confirm that a particular pleading has actually been filed, and pulling off of the internet ECF notifications of documents filed by such attorney, shall be denied.

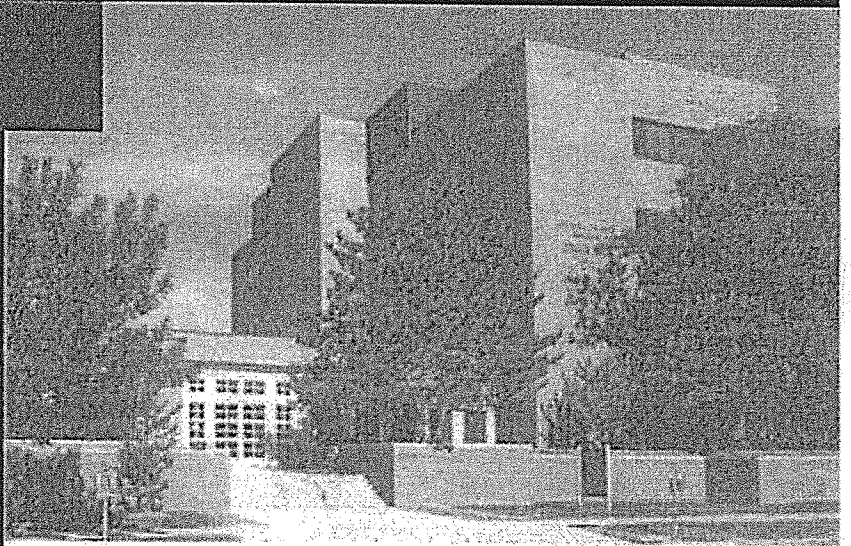
Hon. Steven W. Rhodes, Chief Judge
Hon. Marci B. Melvor
Hon. Walter Shapero
Hon. Phillip J. Shefferly
Hon. Thomas J. Tucker

Dated: June 28, 2006

STATE BAR OF MICHIGAN

2010 Economics of Law Practice Attorney Income and Billing Rate Summary Report

January 2011



SBM
STATE BAR OF MICHIGAN

- Exhibit 1
- Exhibit 2
- Exhibit 3
- Exhibit 4
- Exhibit 5
- Exhibit 6
- Exhibit 7
- Exhibit 8
- Exhibit 9

Table of Exhibits

I 2010 Attorney Income

Exhibit 1 2010 Estimated Attorney Income—Private Practitioners	5
Exhibit 2 2010 Estimated Attorney Income—Non-Private Practitioners	6

II 2010 Attorney Hourly Billing Rates

Exhibit 3 2010 Attorney Hourly Billing Rates	7
Exhibit 4 2010 Attorney Hourly Billing Rates by Years in Practice.....	7
Exhibit 5 2010 Attorney Hourly Billing Rates by Firm Size	8
Exhibit 6 2010 Attorney Hourly Billing Rates by Office Location	9
Exhibit 7 2010 Attorney Hourly Billing Rates by Field of Practice.....	10
Exhibit 8 2010 Attorney Hourly Billing Rates by Primary County of Practice.....	12
Exhibit 9 2010 Attorney Hourly Billing Rates by Primary Circuit of Practice.....	14

Economics of Law Practice in Michigan

2010 Attorney Income and Billing Rate Key Findings Report

Exhibit 1
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Exhibit 7
Exhibit 8
Exhibit 9

The State Bar of Michigan Economics of Law Practice Survey provides Michigan attorneys with a resource that allows access to the most current law practice economic information available. The survey results are provided free as a service to members of the State Bar of Michigan.

The survey has two practical objectives:

- To provide timely, relevant, and accurate information to inform and guide the practical management decisions of Michigan attorneys.
- To track and illustrate changes and trends within the legal profession.

The survey monitors and reports on several points of information useful to attorneys:

- Attorney income
- Prevailing average hourly billing rates by several indicators including fields of practice, judicial circuit, and geographic location
- Time allocated to billable and non-billable professional activities
- Time allocated to pro bono work
- Overhead expenses and management practices
- Perceptions regarding current and future economic circumstances related to the practice of law

This key findings report contains information pertaining to attorney income and billing rates. It is produced as an early and separate report to provide attorneys with this target information as quickly as possible, as it is the most requested information from attorneys. All other information will be contained in the full 2010 Economics of Law Practice Summary Report that will be available in March 2011.

Methods and Measures

The 2010 Economics of Law Practice Survey was conducted in October 2010. An electronic survey was sent to 29,475 members of the State Bar of Michigan inviting their participation. 3,775 usable returned questionnaires were tabulated and analyzed by Applied Statistics Laboratory of Ann Arbor, Michigan, led by Dr. Lawrence Stiffman, and by Dr. James McComb, independent consultant statistician.

To help interpret the information presented in the survey results, the following is a brief description of statistical terms including measures of central tendency (median and mean) and measures of dispersion (spread).

Mean—The mean (also called the average) is calculated by adding the values of all responses, then dividing by the number of responses. Example: Three responses (30, 1, 2) are reported. The average, or mean is calculated by adding $30 + 1 + 2 = 33$ and then by dividing by the number of responses (3). Thus the average is 33 divided by $3 = 11$.

Median—The median is the middle value in a series, or distribution of values which is initially rank-ordered (from low to high, or vice-versa). By definition, half the numbers are greater, and half are less than the median. Example: Three responses (30, 1, 2) are reported. The median is the middle number of the order of distribution (1,2,30), or, 2. By comparison, the average of this same distribution, as shown above, is 11.

Use of the median as a statistical metric of central tendency reduces the effects of 'outliers' (extremely high or low values, such as the data point of 30 in the previous example), while the average does not. Median values are utilized throughout the survey results to denote the measure of central tendency.

Exhibit 1
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Exhibit 7
Exhibit 8
Exhibit 9

Percentiles—In addition to the median, four other percentile values are used in the survey results to reveal the spread or dispersion of a particular data distribution. The percentiles include:

- 25th percentile—Also referred to as the 'lower quartile'. One-fourth of the values are less and three-fourths are more than this value.
- Median or 50th percentile—Also referred to as the 'median'. Half of the values are less and half are more than this value.
- 75th percentile—Also referred to as the 'upper quartile'. Three-fourths of the values are less and one-fourth are more than this value.
- 95th percentile—Ninety-five percent of the values are less and five percent of the values are more than this value.

Note of clarification. Because the survey was conducted in October 2010, income information was requested for two separate years, the actual income for 2009 and estimated income for the full year of 2010.

I 2010 Attorney Income

Exhibit 1

Exhibit 2

Exhibit 3

Exhibit 4

Exhibit 5

Exhibit 6

Exhibit 7

Exhibit 8

Exhibit 9

Exhibit 1

2010 Estimated Attorney Income—Private Practitioners

Value by Percentile

	N	25th Percentile	Median	Mean	75th Percentile	95th Percentile
Sole Practitioner, office outside of home	488	\$35,000	\$65,000	\$91,860	\$110,000	\$250,000
Sole Practitioner, working out of home office	269	11,500	30,000	44,789	60,000	125,000
Sole Practitioner sharing space	133	30,000	55,000	77,807	90,000	240,000
Managing Partner	148	80,000	155,000	263,969	300,000	800,000
Equity Partner/Shareholder	524	91,000	149,000	193,792	250,000	475,000
Non-Equity Partner	118	95,000	135,000	156,975	200,000	370,000
Of Counsel	87	50,000	95,000	103,676	130,000	250,000
Senior Associate	194	54,000	76,000	87,059	100,000	170,000
Associate	208	50,000	71,000	75,439	100,000	125,000
Assigned Counsel	8	0	27,500	34,750	54,000	115,000
All Private Practitioners	2,199	\$45,000	\$84,000	\$122,271	\$145,000	\$360,000

* Total includes categories not displayed due to insufficient number reporting within a single category.

Exhibit 1
 Exhibit 2
 Exhibit 3
 Exhibit 4
 Exhibit 5
 Exhibit 6
 Exhibit 7
 Exhibit 8
 Exhibit 9

Exhibit 2

2010 Estimated Attorney Income—Non-Private Practitioners

	Value by Percentile					
	N	25th Percentile	Median	Mean	75th Percentile	95th Percentile
In-house counsel (for-profit org.)	185	\$86,000	\$126,000	\$140,464	\$176,000	\$298,333
In-house counsel (family or closely held business)	29	75,000	100,000	122,383	170,000	275,000
Legal service agency	81	45,000	64,000	60,481	70,000	97,000
In-house counsel (not-for-profit org.)	79	75,000	105,000	105,807	125,000	197,000
City agency	18	68,000	87,700	88,869	115,000	121,613
County agency	41	62,500	88,000	81,252	102,000	118,000
State agency	114	79,000	93,500	91,283	105,000	125,000
County prosecutor	18	80,000	83,500	87,972	110,000	130,000
County assistant prosecutor	65	52,600	64,000	70,017	84,000	120,000
Public defender	12	55,500	76,500	80,700	99,000	150,000
Judge-State	57	138,000	139,000	127,867	139,919	150,000
Judge-Federal	9	147,000	160,000	152,920	160,080	176,000
Administrative law judge/referee	58	70,000	85,000	83,294	93,000	130,000
Law Clerk	45	45,000	60,000	65,262	76,000	130,000
Court Clerk	6	42,000	70,000	82,500	136,000	150,000
Non clerk attorney in court system	55	62,000	75,000	79,231	95,500	134,000
Federal prosecutor	12	122,500	142,500	136,667	153,000	160,000
Other federal agency	40	63,601	84,000	88,701	115,811	147,500
Academia/professor of law	59	65,000	85,000	103,644	140,000	225,000
Lobbyist/trade assoc./gov. relations	9	70,000	100,000	129,553	130,000	400,000
Management/nonlegal	38	79,700	108,500	121,181	150,000	272,000
Non-profit organization, not law related	17	45,000	65,000	69,041	105,000	122,000
Not practicing law but working	60	55,000	73,000	103,087	98,000	275,000
Retired	6	55,000	77,500	83,500	116,000	120,000
Other	11	10,000	22,000	25,045	36,000	60,000
All Non-Private Practitioners	1,130	\$62,000	\$88,000	\$99,125	\$123,000	\$200,000

* Total includes categories not displayed due to insufficient number reporting within a single category.

II 2010 Attorney Hourly Billing Rates

Exhibit 1

Exhibit 2

Exhibit 3

Exhibit 4

Exhibit 5

Exhibit 6

Exhibit 7

Exhibit 8

Exhibit 9

Exhibit 3

2010 Attorney Hourly Billing Rates

	N	Value by Percentile				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
Sole Practitioner, office outside of home	545	\$167	\$200	\$214	\$250	\$350
Sole Practitioner, working out of home office	297	150	175	180	200	300
Sole Practitioner sharing space	142	175	200	220	250	320
Managing Partner	169	200	250	278	315	500
Equity Partner/Shareholder	599	200	250	282	350	475
Non-Equity Partner	133	240	275	283	350	475
Of Counsel	94	200	250	267	325	460
Senior Associate	199	167	200	222	250	400
Associate	215	153	195	203	228	310
Assigned Counsel	5	125	150	210	250	500
Unemployed, looking for work	7	58	120	137	200	300
All Private Practitioners	2,415	\$175	\$215	\$237	\$280	\$425

* Total includes categories not displayed due to insufficient number reporting within a single category.

Exhibit 4

2010 Attorney Hourly Billing Rates by Years in Practice

Years in Practice	N	Value by Percentile				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
<1	29	\$125	\$150	\$154	\$190	\$200
1 to 2	158	150	163	174	200	275
3 to 5	186	150	175	189	200	310
6 to 10	229	163	200	205	240	300
11 to 15	254	175	211	232	265	400
16 to 25	523	185	228	255	300	450
26 to 30	339	180	233	248	300	425
31 to 35	335	185	233	253	300	450
>35	355	200	250	265	315	460
All Private Practitioners	2,408	\$175	\$215	\$236	\$279	\$425

Exhibit 1
 Exhibit 2
 Exhibit 3
 Exhibit 4
 Exhibit 5
 Exhibit 6
 Exhibit 7
 Exhibit 8
 Exhibit 9

Exhibit 5

2010 Attorney Hourly Billing Rates by Firm Size

Firm Size	N	Value by Percentile				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
1	949	\$150	\$200	\$203	\$250	\$350
2	224	175	214	227	253	375
3	161	175	220	226	250	350
4 to 6	312	175	225	248	294	450
7 to 10	188	175	222	233	259	400
11 to 20	173	200	260	287	350	450
21 to 50	203	192	270	276	338	460
>50	175	215	300	313	400	525
All Private Practitioners	2,385	\$175	\$215	\$235	\$275	\$420

Exhibit 6

2010 Attorney Hourly Billing Rates by Office Location

Exhibit 1

Exhibit 2

Exhibit 3

Exhibit 4

Exhibit 5

Exhibit 6

Exhibit 7

Exhibit 8

Exhibit 9

Office Location	N	Value by Percentile				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
Downtown Detroit & New Center Area	190	\$200	\$255	\$290	\$375	\$525
Detroit, not Downtown	26	167	200	195	233	300
Remainder Wayne County	155	167	200	211	250	317
Oakland County (N. of M-59)	80	161	225	251	289	542
Southfield	137	195	265	285	350	500
Oakland County (S. of M59)	557	190	250	260	300	455
Mount Clemens Area	52	160	200	210	244	350
Remainder Macomb County	91	175	200	216	250	325
Ann Arbor Area	126	200	275	272	325	425
Livingston County	31	160	200	201	225	250
Battle Creek Area	21	160	200	184	225	250
Bay City/Midland/Saginaw Area	64	150	175	182	200	250
Flint Area	92	150	188	201	225	350
Grand Rapids Area	242	185	225	246	300	420
Jackson Area	38	150	175	190	200	300
Traverse City Area	68	152	190	193	209	325
Kalamazoo Area	56	167	210	213	260	350
Lansing Area	149	155	200	221	250	375
Muskegon/Mid-Michigan Area	53	150	195	197	225	367
Other metro Areas	26	150	183	181	220	250
Out State, Lower Peninsula	123	150	180	189	208	287
Upper Peninsula	37	125	150	156	183	200
All Private Practitioners	2,414	\$175	\$215	\$236	\$278	\$425

Exhibit 1
 Exhibit 2
 Exhibit 3
 Exhibit 4
 Exhibit 5
 Exhibit 6
 Exhibit 7
 Exhibit 8
 Exhibit 9

Exhibit 7

2010 Attorney Hourly Billing Rates by Field of Practice

Field of Practice	Valid N	Value by Percentile				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
Administrative Law	64	\$180	\$225	\$243	\$300	\$420
Alternative Dispute Resolution	70	200	250	261	325	390
Appellate Law	101	185	250	259	320	450
Auto (not lemon) Law	56	150	300	358	450	900
Bankruptcy, Creditor	76	185	230	254	290	500
Bankruptcy, Debtor	136	175	200	209	250	300
Business Planning	297	200	250	246	275	390
Civil Rights	55	175	230	255	325	450
Collections, Creditor	126	155	195	198	245	300
Collections, Debtor	17	165	200	221	290	375
Condemnation Law	8	231	333	343	493	600
Construction Law	94	200	240	236	265	375
Consumer Law (including lemon law)	33	200	300	301	350	515
Criminal (Private Defendant)	233	150	200	203	250	325
Criminal (Public Defendant)	124	50	125	123	188	250
Employment Litigation (Defendant)	91	200	250	260	300	450
Employment Litigation (Plaintiff)	77	200	250	256	300	400
Environmental law	48	200	253	281	350	460
Family Law	468	150	200	199	225	300
Foreclosure, Debtor	17	175	200	211	250	350
Foreclosure, Lender	32	175	195	210	248	295
General Practice	445	175	200	207	250	300
Health & Hospital Law	51	200	250	265	320	420
Immigration Law	34	195	200	221	250	365
Insurance Law	145	135	175	240	300	500
Intellectual Property/ Trade Secrets	98	200	268	287	350	455
Labor Law (Defendant)	49	200	265	284	345	485

Exhibit 7

2010 Attorney Hourly Billing Rates by Field of Practice

Field of Practice	Valid N	Value by Percentile				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
Labor Law (Plaintiff)	27	144	175	181	200	325
Landlord/Tenant (Commercial)	29	195	250	232	275	350
Landlord/Tenant (Residential)	49	150	175	175	200	250
Medical Malpractice (Plaintiff)	50	250	400	374	450	600
Medical Malpractice (Defendant)	50	140	150	155	170	210
Other Civil Law	375	195	250	262	300	455
Other Professional Liability	29	185	250	280	350	485
Personal Injury (Defendant)	115	135	150	166	180	250
Personal Injury (Plaintiff)	223	225	300	327	400	600
Probate, administration, decedent's estates, guardianship & conservatorship.	326	160	200	204	240	305
Probate litigation, decedent's estates, guardianship & conservatorship.	109	190	220	224	250	320
Probate, Trust Administration	144	200	225	238	275	380
Probate, Trust Litigation	32	240	288	298	334	455
Product Liability	45	225	250	274	325	500
Public Benefits	19	175	200	230	250	500
Public Corporation Law (including city & municipal)	76	125	150	167	188	285
Real Estate	367	180	225	232	250	380
Securities Law	27	245	290	287	350	410
Tax Law	94	225	275	285	335	425
Workers' Compensation, Employee	31	150	200	203	250	350
Workers' Compensation, Employer	19	90	100	124	145	375
All Private Practitioners	5,281	\$175	\$205	\$233	\$275	\$410

Exhibit 1

Exhibit 2

Exhibit 3

Exhibit 4

Exhibit 5

Exhibit 6

Exhibit 7

Exhibit 8

Exhibit 9

Exhibit 1
 Exhibit 2
 Exhibit 3
 Exhibit 4
 Exhibit 5
 Exhibit 6
 Exhibit 7
 Exhibit 8
 Exhibit 9

Exhibit 8

2010 Attorney Hourly Billing Rates by Primary County of Practice

Primary County of Practice	Valid N	Value by Percentile				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
Allegan	35	\$180	\$200	\$231	\$250	\$420
Alpena	6	150	160	168	190	200
Antrim	17	150	185	184	200	300
Arenac	7	150	150	187	200	425
Barry	13	200	220	212	240	300
Bay	47	150	180	184	200	275
Benzie	12	170	185	178	220	240
Berrien	31	150	200	211	250	325
Branch	12	150	195	189	213	240
Calhoun	43	150	200	188	230	300
Cass	6	180	200	192	220	225
Charlevoix	7	200	200	211	225	275
Cheboygan	6	150	200	184	200	205
Chippewa	6	150	155	148	175	200
Clare	10	150	190	209	250	327
Clinton	40	150	200	214	250	350
Delta	9	150	175	173	185	225
Dickinson	6	125	138	150	175	200
Eaton	69	150	200	213	250	375
Emmet	13	180	200	215	270	350
Genesee	138	150	200	213	250	400
Gladwin	5	150	175	160	200	225
Grand Traverse	72	175	200	204	225	350
Gratiot	7	150	165	183	200	275
Houghton	8	110	150	133	163	200
Huron	6	175	178	198	185	295
Ingham	161	175	200	231	265	425
Ionia	10	150	163	175	200	250
Isabella	14	150	188	180	210	275
Jackson	57	150	200	222	250	350
Kalamazoo	77	150	220	223	280	365
Kent	259	180	240	251	300	420
Lapeer	23	150	195	214	250	350
Leelanau	28	175	200	195	233	250
Lenawee	13	175	200	213	250	400
Livingston	75	150	200	209	250	350
Macomb	457	175	225	235	275	400
Manistee	11	150	185	170	195	225
Marquette	17	150	175	180	200	390
Mason	11	160	190	194	225	310
Mecosta	5	165	200	173	200	225
Menominee	6	125	175	192	200	350

2010 Attorney Hourly Billing Rates by Primary County of Practice

Value by Percentile

Primary County of Practice	Valid N	25th Percentile	Median	Mean	75th Percentile	95th Percentile
Midland	23	175	200	200	235	250
Missaukee	5	175	180	182	190	200
Monroe	23	150	175	176	220	250
Montcalm	18	150	200	191	225	350
Muskegon	58	150	185	200	230	385
Newaygo	12	163	193	183	225	275
Oakland	993	185	250	254	300	450
Oceana	13	160	185	214	225	400
Ogemaw	6	125	150	149	150	200
Osceola	5	125	180	191	225	300
Otsego	6	175	208	209	250	290
Ottawa	141	175	220	231	265	405
Roscommon	6	150	150	188	175	350
Saginaw	59	150	175	192	225	365
Sanilac	20	178	205	204	238	300
Schoolcraft	12	150	195	191	223	280
St. Joseph	20	150	175	192	213	375
Tuscola	12	138	168	162	188	250
Van Buren	18	170	210	207	255	325
Washtenaw	193	200	250	261	300	440
Wayne	942	180	230	255	300	485
Wexford	8	180	188	195	200	250
Statewide	58	215	300	307	400	525
All Private Practitioners	4,548	\$175	\$210	\$236	\$275	\$425

* Total includes counties that had less than five respondents.

Exhibit 1
 Exhibit 2
 Exhibit 3
 Exhibit 4
 Exhibit 5
 Exhibit 6
 Exhibit 7
 Exhibit 8
 Exhibit 9

Exhibit 9

2010 Attorney Hourly Billing Rates by Primary Circuit of Practice

Circuit	Valid N	Value by Percentile				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
2 Berien	31	\$150	\$200	\$211	\$250	\$325
3 Wayne	942	180	230	255	300	485
4 Jackson	57	150	200	222	250	350
5 Barry	13	200	220	212	240	300
6 Oakland	993	185	250	254	300	450
7 Genesee	138	150	200	213	250	400
8 Ionia, Montcalm	23	150	185	184	225	275
9 Kalamazoo	77	150	220	223	280	365
10 Saginaw	59	150	175	192	225	365
11 Alger, Luce, Mackinac, Schoolcraft	16	150	195	194	238	280
12 Baraga, Houghton, Keeweenaw	11	55	150	117	150	200
13 Antrim, Grand Traverse, Leelanau	117	175	200	199	225	300
14 Muskegon	58	150	185	200	230	385
15 Branch	12	150	195	189	213	240
16 Macomb	457	175	225	235	275	400
17 Kent	259	180	240	251	300	420
18 Bay	47	150	180	184	200	275
19 Benzie, Manistee	23	160	185	175	210	225
20 Ottawa	141	175	220	231	265	405
21 Isabella	14	150	188	180	210	275
22 Washtenaw	193	200	250	261	300	440
23 Alcona, Arenac, Iosco, Oscoda	21	150	175	194	200	300
24 Sanilac	20	178	205	204	238	300
25 Marquette	17	150	175	180	200	390
26 Alpena, Montmorency	10	150	160	174	200	250
27 Newaygo, Oceana	25	160	185	199	225	300
28 Missaukee, Wexford	13	180	185	190	200	250
29 Clinton, Gratiot	47	150	195	210	250	350
30 Ingham	161	175	200	231	265	425
32 Gogebic, Ontonagon	5	90	100	82	100	100
33 Charlevoix	7	200	200	211	225	275
34 Ogemaw, Roscommon	12	150	150	168	163	350
36 Van Buren	18	170	210	207	255	325
37 Calhoun	43	150	200	188	230	300
38 Monroe	23	150	175	176	220	250

Exhibit 9

2010 Attorney Hourly Billing Rates by Primary Circuit of Practice

Circuit	Valid N	Value by Percentile				
		25th Percentile	Median	Mean	75th Percentile	95th Percentile
39 Lenawee	13	175	200	213	250	400
40 Lapeer	33	150	195	204	250	350
41 Dickinson, Iron, Menominee	14	125	150	166	175	350
42 Midland	23	175	200	200	235	250
43 Cass	6	180	200	192	220	225
44 Livingston	75	150	200	209	250	350
45 St. Joseph	20	150	175	192	213	375
46 Crawford, Kalkaska, Otsego	6	120	175	158	200	225
47 Delta	9	150	175	173	185	225
48 Allegan	35	180	200	231	250	420
50 Chippewa	6	150	155	148	175	200
51 Lake, Mason	14	160	193	194	225	310
52 Huron	6	175	178	198	185	295
53 Cheboygan, Presque Isle	7	150	200	186	200	205
54 Tuscola	12	138	168	162	188	250
55 Clare, Gladwin	15	150	180	193	250	327
56 Eaton	69	150	200	213	250	375
57 Emmet	13	180	200	215	270	350
84 Statewide Practice	58	215	300	307	400	525
Total	4,548	\$175	\$210	\$236	\$275	\$425

* Total includes counties that had less than five respondents.

Exhibit 1
 Exhibit 2
 Exhibit 3
 Exhibit 4
 Exhibit 5
 Exhibit 6
 Exhibit 7
 Exhibit 8
 Exhibit 9

SBM

STATE BAR OF MICHIGAN

MICHAEL FRANK BUILDING
306 TOWNSEND STREET
LANSING, MI 48933-2012

www.michbar.org