

Presumptive Fee Guidelines
Frequently Asked Questions
Updated 1/20/2021

- 1) There will be cases that were filed before January 31, 2021 and the chapter 13 Plan has not been filed. For those cases, can they elect to file the Notice of Election to Accept the Presumptive Fee in a Chapter 13 case?

No. The program is in effect for the bankruptcy case filings filed on February 1, 2021 and later.

- 2) Can the Plan be modified to include a simple box indicating willing _____ or _____ will not be accepting the presumptive fee?

No. The form was created to be done at the beginning of a case. The Plan can be modified several times and can create confusion as to whether or not the presumptive fee was chosen.

- 3) Is the Notice required on the same day as the filing of the Plan?

Yes. The guidelines indicate they are to be filed concurrently, which is understood to mean the same day.