

Rule 2016-1

Application for Compensation of Professionals

(a) Compensation. Any professional seeking interim or final compensation for services and reimbursement of expenses under 11 U.S.C. §§ 330, 331, 503(b)(2), 503(b)(4), or 506(b) must file an application for compensation and reimbursement. The application must conform generally with Fed. R. Bankr. P. 2016. It and any attachments must comply with the United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses, issued on January 30, 1996, reprinted at 28 C.F.R. Part 58, Appendix, or as may be amended in the future. The following rules also apply:

(1) Trustee Services. If the trustee is also serving as his/her own attorney, the trustee's attorney application must contain a certification that no compensation has been or will be sought for services as an attorney which are properly trustee services.

(2) Contingent Fee Matters. Time records must be kept on contingent fee matters.

(3) Travel Time. The court may allow professional travel time at one-half of the professional's normal hourly rate, unless otherwise justified. This is because time spent traveling is generally unproductive or, if productive, is rarely spent solely on the case for which the professional is traveling. Travel of one (1) hour or less round-trip is not compensable.

(4) Certification. Each application must contain a certification by the professional that:

(A) the professional has read the application;

(B) to the best of the professional's knowledge, information and belief, formed after reasonable inquiry, the compensation and reimbursement of expenses sought conforms with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the United States Trustee Guidelines, and these LBRs;

(C) the compensation and reimbursement of expenses requested are billed at rates no less favorable to the debtor/estate than those customarily employed by the applicant generally.

(b) Expenses. An applicant has the burden of establishing that his/her expenses are both actual and necessary. The following rules also apply:

(1) Photocopying. An applicant must identify the particular documents copied, the number of copies made, and the actual cost per copy – not to exceed 25 cents per page.

(2) Computerized Research. Computerized research is reimbursable at actual cost, without markup for handling or administrative charges.

- (3) Messenger Service/Overnight Delivery.** Messenger or overnight delivery services should only be used when the use of first-class mail is impractical. If reasonably incurred, reimbursement for these services will be allowed at actual cost. In-house messenger services are not reimbursable for more than the cost of comparable services outside the firm.
- (4) Postage.** Postage is reimbursable at actual cost.
- (5) Long Distance Telephone Charges.** Long distance telephone charges are reimbursable at actual cost.
- (6) Facsimile Transmissions.** Facsimile transmissions are reimbursable at actual cost, if reasonably incurred. For outgoing transmissions, the actual cost of the telephone charges are reimbursable. Facsimile transmissions received are reimbursable at actual cost – not to exceed 25 cents per page.
- (7) Travel – Air transportation.** Reimbursement for air travel is limited to the amount spent on full or coach fare, whichever is lower.
- (8) Travel – Within Puerto Rico.** Automobile travel within Puerto Rico is reimbursable at a rate to be published by the Clerk’s office and based upon the mileage information available through the Puerto Rico Highway and Transportation Authority’s website, www.dtop.gov.pr/act.
- (9) Travel accommodations and meals.** Reimbursement is allowed for reasonable hotel and meal expenses. Luxury accommodations are not reimbursable.
- (10) Meals – Working.** Working meals at restaurants or private clubs are generally not reimbursable. Reimbursement may be requested for working meals only when food is catered to the professional’s office during a meeting with clients – such as a creditor’s committee – to permit the meeting to continue through a normal meal period.
- (11) Amenities.** Charges for entertainment, alcoholic beverages, tobacco, newspapers, dry cleaning, etc., are generally not reimbursable.
- (12) Miscellaneous fees.** Filing fees, court reporter fees, witness fees, and service of process fees are reimbursable at actual cost.
- (c) Sanctions For Non-compliance.** The court may deny an application for compensation and expenses *sua sponte* if it does not comply with the requirements set forth in this LBR.