**UNITED STATES BANKRUPTCY COURT**

**MIDDLE DISTRICT OF ALABAMA**

# IN RE: CHAPTER 13

**CASE NO. \_\_\_\_\_\_\_\_\_\_**

**NAME,**

**Debtor(s).**

NOTICE OF CAUSE OF ACTION REPRESENTATION

PLEASE TAKE NOTICE, that the above-named Debtor(s) have listed you and/or your law firm as representing them in a pending cause of action. Please be advised that the above-named Debtor(s) are currently in an active Chapter 13 Bankruptcy case in the Middle District of Alabama. As such, any proceeds received from the pending cause of action are property of the Debtor(s)’ bankruptcy estate. You may not pay the Debtor(s), subrogation interests, liens, or receive a fee from any settlement without first having such settlement and proposed payments approved by the Bankruptcy Court. Even if you believe the Debtor’s case had concluded, you must first receive permission from the Bankruptcy Court to distribute any proceeds. Distribution of proceeds without first obtaining permission of the Bankruptcy Court can be considered conversion of estate property; and is a serious matter in which you and your firm could be held personally responsible. **DO NOT** rely on the Debtor(s) for any information about his/her Chapter 13 case. Your representation is first to the Bankruptcy Estate of the Debtor(s).

As part of your representation, you **MUST** file the appropriate motions electronically with the Bankruptcy Court. The information and requirements for filing electronically can be located at [www.almb.uscourts.gov](http://www.almb.uscourts.gov) under the “ECF Registration” tab. Once you have an electronic filing account, you will need to file an Application for Employment of Professional Person for a Specific Purpose and Affidavit in Support of Application for Employment of Professional Person for a Specific Purpose. You may download sample forms from the Chapter 13 Trustee’s website at [www.ch13mdal.org](http://www.ch13mdal.org) under the “forms” link. If there are any other professionals who may seek or receive any fees arising out of a settlement, they must also get their employment approved. If a fee sharing agreement exists between multiple firms, one employment application may be filed disclosing the agreement, with an affidavit attached for each firm. **IT IS IMPERATIVE THAT YOU FILE THE REQUIRED APPLICATION FOR APPROVAL OF YOUR EMPLOYMENT UPON RECEIPT OF THIS NOTICE IF YOU HAVE NOT ALREADY DONE SO.**

Once your case is settled and before ANY FUNDS are to be distributed, you **MUST** have the settlement and your fees approved before distribution to ANYONE. You will need to file a Motion to Approve Settlement and an Application to Approve Attorney Fees and Expenses. You may download sample forms from the Chapter 13 Trustee’s website at [www.ch13mdal.org](http://www.ch13mdal.org) under the “forms” link.

Finally, periodic requests for updates on the status of the Debtor(s)’ claim will be sent by the Chapter 13 Trustee and/or her staff attorney in charge of all litigation matters. You **MUST** provide the Trustee’s office with an update within 30 days of receipt of any such update request. Should you have any questions, please contact the Bankruptcy Court, the Chapter 13 Trustee, and/or Debtor(s) bankruptcy attorney. FAILURE TO COMMUNICATE IS NOT AN OPTION! If you do not represent the Debtor(s), please contact the Chapter 13 Trustee immediately.

Once you receive this Notice, please acknowledge receipt of it in writing to me, and the Chapter 13 Trustee immediately.

Dated this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, 202\_.

[INSERT NAME]

By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[NAME, ADDRESS, TELPHONE,

AND EMAIL]

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing NOTICE OF CAUSE OF ACTION REPRESENTATION on the parties listed below by either electronic mail or placing same in the United States Mail, postage prepaid and properly addressed, this \_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_, 202\_.

/s/

Attorney for Debtor

[Name and address of Debtor(s) Lawsuit Attorney]

Courtesy copies to:

[Name and address of Debtor(s)]

[Name of Debtor(s) Trustee] , via electronic mail