



[Presenter: Samantha Kelley, Law Clerk to Judge Specie]

An area that always seems to raise a lot of questions is the area of proposed orders. In hopes of saving your offices time and money, we thought we would take just a few moments and provide some helpful tips to make sure your orders are ready for Judge Specie's consideration when they are submitted. To begin, it might be helpful to point out some of the Court's resources that will assist you in your quest to draft great proposed orders.

COURT RESOURCES: Proposed Order Guidelines

- Start with our website! www.flnb.uscourts.gov
- Once there, find the "Filing Requirements" tab.

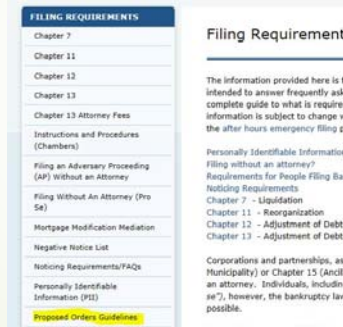


The screenshot shows the website for the Northern District of Florida Bankruptcy Court. The header reads "Northern District of Florida STATES BANKRUPTCY COURT". Below the header are three tabs: "Online Filing", "Filing Requirements", and "Mortgage Mo". The "Filing Requirements" tab is selected. Below the tabs, there is a section titled "ONLY USED" with a list of items: "ication Mediation" and "rd Reset". To the right of this list is a decorative image of a person in traditional attire.

The first resource will provide you some basic guidelines that apply to all orders. This document is appropriately titled "Proposed Order Guidelines." To find it, simply go to our website, www.flnb.uscourts.gov. From there, click on the "Filing Requirements" tab.

COURT RESOURCES: Proposed Order Guidelines Cont'd

- Locate the "Proposed Order Guidelines" option on the left side



Once the tab opens, you will see an option on the left hand side for proposed order guidelines.

COURT RESOURCES: Proposed Order Guidelines Cont'd

- The PDF document will pull up. This will help with some common questions.

United States Bankruptcy Court
Northern District of Florida

Proposed Order Guidelines
(Rev. 08/17/16)

This will pull up the PDF that will answer a lot of the common questions that might arise when preparing proposed orders. We will review some of those in a couple of minutes, but this is a great resource to start with when questions come up.

COURT RESOURCES: Local Forms and Sample Orders

- From our website, you can find this link:



- This will take you to the lists pictured on the next slides.

Another great resource provides links to some of our local forms, and even some examples of orders for common motions that are filed on a regular basis. To access this resource, go to our website and hit the “Forms” tab.


COURT RESOURCES: Local Forms and Sample Orders Cont'd

Find local forms here:

Form Number	Form Description
Administrative Forms	
A1	Credit Card One Time Authorization
A6	Application for Filing Agent Accounts in ECF
A7	Application for Login and Password to ECF-Child Support Creditor
A8	Clerk Work Request
A9	Application for Admission to Registry of Mediators Qualified Under Florida Uniform Mortgage Modification Mediation Program
NAFF 90	Archives Request
Instructional Documents	
Instructional Documents - Forms Description	
1-Inst	Instructions for Creating a Creditor Mailing Matrix
3-Inst	ECF Group Permissions Explanations
4-Inst	Proposed Orders Guidelines
5-Inst	Certificate of Service - Instructions & Sample
Local Forms	

Forms created by and required (as applicable) only in the U.S. Bankruptcy Court for the Northern District of Florida. Chapter-specific forms are preceded by the chapter number in which they may be used. All other forms are not chapter specific and may be used in any chapter as applicable (e.g., LP-1).

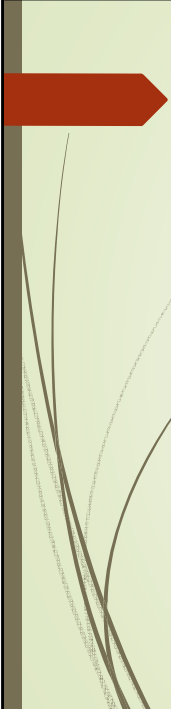
This tab opens up the various local forms, and sample orders you can browse for whatever situation you need. It would be helpful to familiarize yourself with what is available under this tab so that you can go right to it if the need arises.



COURT RESOURCES: Local Forms and Sample Orders Cont'd


- And sample orders here:

13-37	Statement/Certification Regarding Requirements for Discharge in a Chapter 13 Case
13-39	Notice of Scheduled Mortgage Mediation
Sample and Form Orders	
The Local Sample Orders below are provided for your convenience. Highlighted areas in each document are required information and should be contained in your proposed order whether or not you choose to use the sample provided.	
LSO-1	Order Granting Motion to Determine Secured Status & Strip Junior Lien on Debtor's Principal Residence
LSO-2	Order Granting Motion for Relief from Stay
LSO-3	Order Sustaining Debtor's Objection to Claim
LSO-4	Order Granting Consent Motion to Extend Pretrial Deadlines
LSO-11	Order of Deposit and Investment
The following Local Form Orders are entered by the Clerk's Office in accordance with Standing Order #5 and are provided here for your convenience due to the length of and complexity of each.	
LFO-1	Order Establishing Duties of the Debtor and Chapter 13 Trustee, Adequate Protection of Secured Claims, Allowance of Administrative Expenses, and Confirmation Procedures (orddo)
LFO-2	Order Granting Motion for Referral to Mortgage Modification Mediation (ormmm) (Rev. 10/07/15)



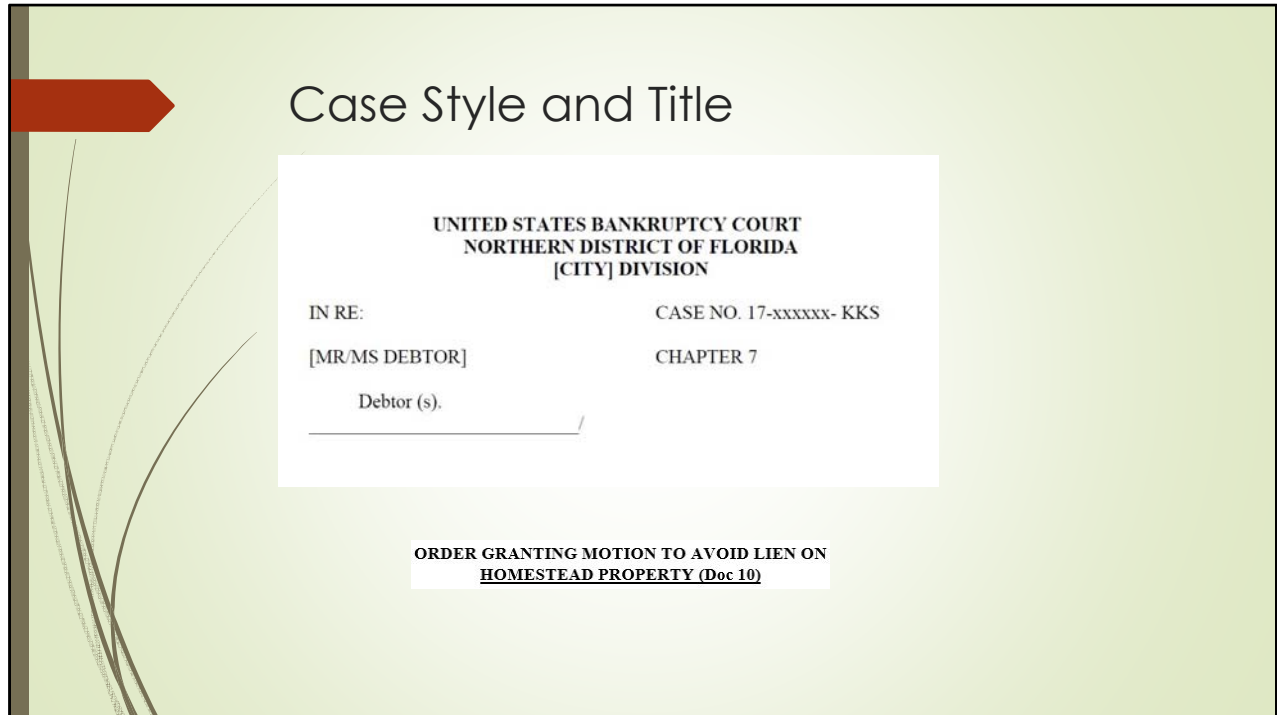
BACK TO BASICS: PROPOSED ORDERS TIPS AND TRICKS

- Size 14
- Easy to Read font, Keep it Consistent!



Century Schoolbook

Now, I would like to discuss some helpful tips and tricks to save time on proposed orders. Let's start with the basics: Judge Specie prefers orders to be in a size 14 font that is easy to read. Times New Roman or Century are great choices, but anything similar works as well. Please just make sure the font is consistent throughout. We have had to send many orders back that contained three or more fonts at times.



Case Style and Title

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
[CITY] DIVISION

IN RE: CASE NO. 17-xxxxxx- KKS
[MR/MS DEBTOR] CHAPTER 7
Debtor (s). _____ /

**ORDER GRANTING MOTION TO AVOID LIEN ON
HOMESTEAD PROPERTY (Doc 10)**

As far as the case style, just make sure to include the chapter, debtor/defendant's name, and the case number with Judge's initials. As far as the title, all Orders should say they are an Order, and should reference the specific Document they are referring to. The title should also have the proper disposition of the document (granting, sustaining, disapproving, etc), and should contain the Docket Number of the document. Ensuring that the case style, and title have the correct information helps us locate the document quickly and efficiently, and helps your orders go up to the Judge for approval, and not back to your office.



DISPOSITION

- MOTIONS = GRANTED/DENIED
- APPLICATIONS = APPROVED/DISAPPROVED
- OBJECTIONS = SUSTAINED/OVERRULED

The slide features a light green background with a dark green border. On the left side, there is a vertical decorative element consisting of thin, curved lines. A red arrow points to the right from the top left corner. Below the list, there are two large, stylized icons: a thumbs up (white hand with blue outline) and a thumbs down (blue hand with white outline).

A quick note on disposition: Motions are Granted or Denied, Applications are Approved or Disapproved, Objections are Sustained or Overruled. This is how the order should reference each document described above.

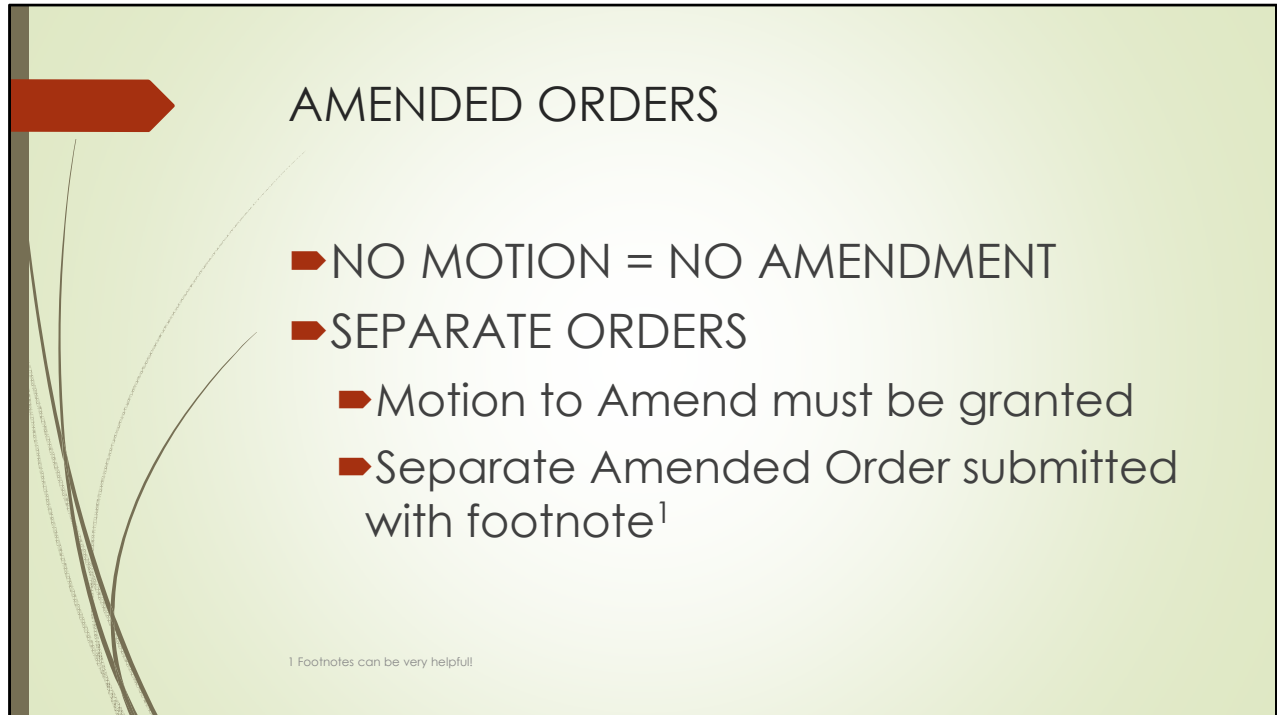
“PREPARED BY” AND SERVICE LANGUAGE

This Order prepared by:
Joe Smith Law Offices, P.A.

SERVICE LANGUAGE: Proposed orders will be required to include one of these service statements:

- **For an Attorney:** “Attorney [Name of submitting attorney] is directed to serve a copy of this order on interested parties and file a certificate of service within 3 business days of entry of the order”
- **For a Trustee:** “Trustee [Name of submitting trustee] is directed to serve a copy of this order on interested parties and file a certificate of service within 3 business days of entry of the order”

It is also important to make sure to include the name of the attorney who prepared the order, just in case it needs to be sent back. Something you will also want to include is the service language, directing an attorney or the court, to serve the document.



AMENDED ORDERS

- NO MOTION = NO AMENDMENT
- SEPARATE ORDERS
 - Motion to Amend must be granted
 - Separate Amended Order submitted with footnote¹

¹ Footnotes can be very helpfull

If you need an order to be amended, there are two steps you will need to go through: 1) the court cannot amend an order without a motion, so there will need to be a motion filed and granted before the order can be amended; 2) once a motion to amend is granted, a separate amended order will need to be submitted that contains a footnote explaining why the order is being amended. The orders need to be separate from each other, one granting a motion to amend, and a second separate amended order.

NEGATIVE NOTICE AND HEARING DATES

- If a document is served on negative notice, SAY SO! Also mention whether any party objected.



- If the document was heard at a hearing, give us the date for easy reference!



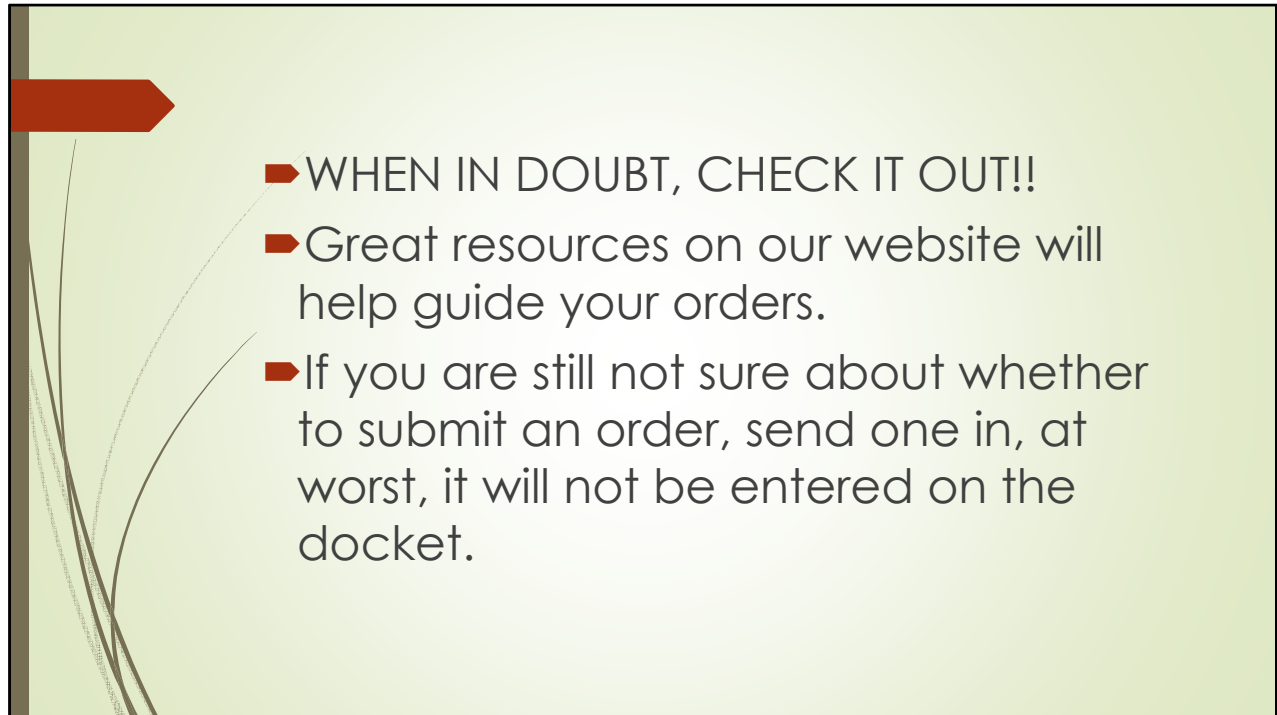
If a document is served on negative notice, make sure to say so, and more importantly, make sure to include whether a party has objected or not. Judge Specie likes to make clear why and how the document is being resolved. Also, if a matter came before the court for a hearing, make sure to include the hearing date. This will help everyone be able to reference when the matter was decided. Basic grammar is also always helpful.

GRAMMAR – CHECK IT!

- Read through the proposed orders before submitting them to make sure there are no simple grammar mistakes.



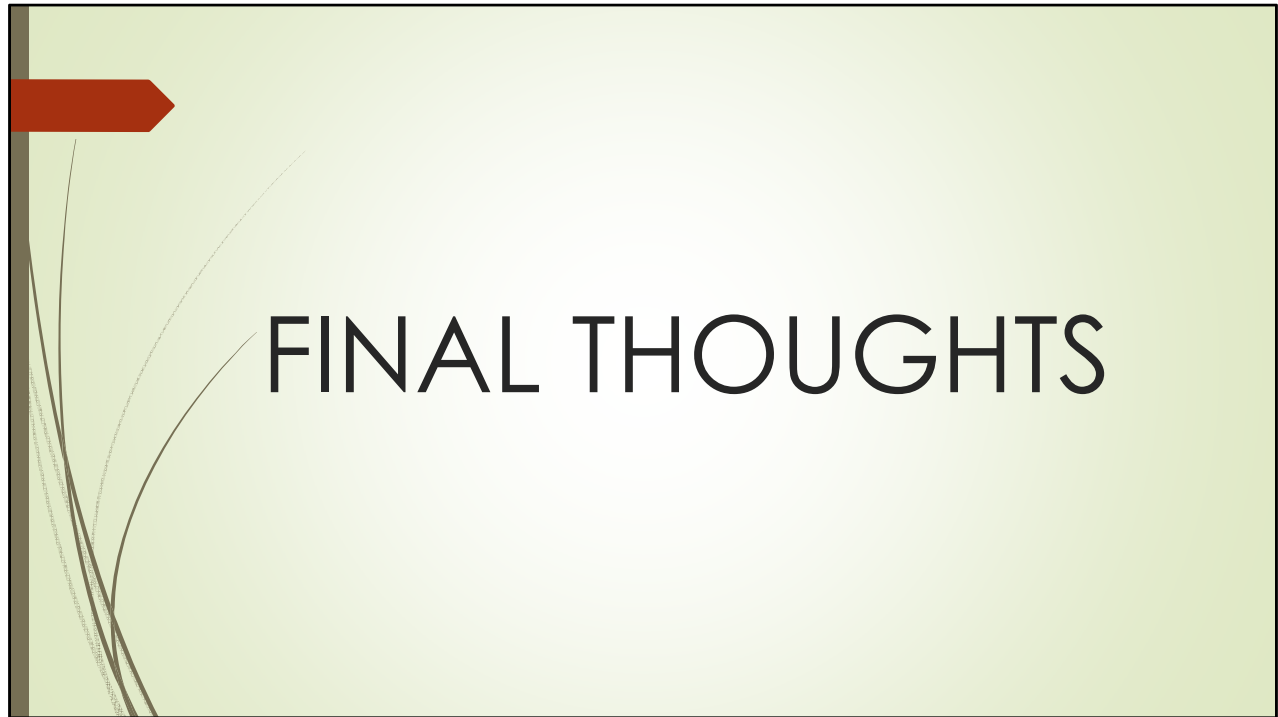
Basic grammar is also always helpful. Make sure to read the proposed order through to ensure there are no incomplete sentences, or sentences that are missing information.



▶ WHEN IN DOUBT, CHECK IT OUT!!

- ▶ Great resources on our website will help guide your orders.
- ▶ If you are still not sure about whether to submit an order, send one in, at worst, it will not be entered on the docket.

If you are not sure whether to submit a proposed order, submit one! Worst case, it will not be entered because it doesn't need to be.



Our goal is to have proposed orders run through each step of the process smoothly, and with your help, we can make that happen, and ensure they get entered on the docket as quickly as possible. Most times, what holds orders up are simple mistakes that can be avoided. But with these tips and the resources on our website, proposed orders can be easy! Are there any questions?