

The Disclosure Statement

U.S. Bankruptcy Court, Northern District of Florida

Revision to Voluntary Petition Regarding “Other Names” Used by Debtors

The language on questions 2 and 4 of [Official Form B 101](#), the *Voluntary Petition for Individuals Filing Bankruptcy*, was modified effective December 1, 2022 to clarify the information requested regarding other names the debtor has used in the past eight years.

Question 2 now specifies that all other names used by the debtor should include any assumed, trade names, or *doing business as*

names and **exclude** the names of separate legal entities (e.g., corporations, partnerships, LLCs, etc.) in which the debtor holds interest but which are not filing the voluntary petition.

Pursuant to the Committee Notes on this change, this revision to Question 2 on the Voluntary Petition is to make it clear that the only names to be listed on the Voluntary Petition are

names that were used by the debtor personally in conducting business, not names used by other legal entities. See also [N.D. Fla. LBR 1005-1](#) requiring the same.

Committee Notes regarding this change are provided at www.uscourts.gov/forms/individual-debtors/voluntary-petition-individuals-filing-bankruptcy.

Amendments to Federal Rules Effective December 1, 2022

On December 1, 2022, amendments to the Appellate, Bankruptcy, Civil, and Criminal rules and forms became effective along with new Bankruptcy Rule 3017.2 and new Supplemental Rules for Social Security Review Actions under 42 U.S.C. § 405(g). Please read the House Documents for the text of the amended rules and accompanying committee notes available at www.uscourts.gov/rules-policies/current-rules-practice-procedure.

Inside this issue:

Nominations Open for 2023 William Hoeverler Judicial Professionalism Award	2	FLNB Employment Opportunity	4
Pro Bono Honor Roll	2	U.S. Trustee Case Audits to Resume	4
Zoom Hearings: Pro Bono Initiative	2	Debtor's Statement of Social Security Number Required to be Filed	4
NextGen 1.7.1 Web Browser Compatibility	2	Avoiding Submission Errors	5
Court Opinions & Postings of Note	2	FLNB Caseload Activity	6
News & Views from the Bench	3	2023 Federal Holidays	7
		Court Contact Information	7



The Court will be closed Monday, December 26, 2022 in observance of Christmas Day in accordance with 5 U.S.C. 6103 (b) and/or Exec. Ord. 11582, Feb. 11, 1971.

*Happy Holidays from
our family to yours.*

Florida Bar Accepting Nominations for the 2023 William H. Hoeverler Judicial Professionalism Award

The Florida Bar's Standing Committee on Professionalism is now accepting applications for its William M. Hoeverler Judicial Professionalism Award. The purpose of this award is to recognize a judge who best exemplifies strength of character, competence, commitment and civility as a jurist, lawyer and public servant. Nominees should be judges in active service who have communicated their dedication to the ideals of justice and demonstrated diligence in inspiring others to the mission of professionalism, though any judge who served in active or senior capacity with one year preceding the deadline of February, 10, 2023 is eligible for nomination. The Hoeverler Award will be awarded at the Florida Bar's Annual Convention during the Judicial Luncheon.

The nomination process can be completed online at www.floridabar.org/prof/pawards/william-m-hoeverler-judicial-professionalism-award/, and you may add as many attachments to your submission as you like. **The deadline for nominations is February 10, 2023.**

Pro Bono Honor Roll

We take pleasure in recognizing the efforts of attorneys who provide free legal assistance to those who face substantial economic hardship so they are able to navigate through the bankruptcy process. This assistance greatly benefits the bankruptcy system and all of its components. Those volunteer efforts include *pro bono* legal representation for qualifying parties in bankruptcy cases, adversary proceedings, reaffirmation agreements, and stay relief. We thank the following *pro bono* volunteers for their current and continued support in serving the people of our district since our last newsletter:

Robert Bruner
Bruner & Wright, P.A.

◆ **India Footman** ◆
Footman Law Firm, P.A.

◆ **Kevin Forstoefel** ◆
Ausley & McMullen, P.A.

Sharon Sperling
Law Office of
Sharon T. Sperling

Zoom Hearings: Pro Bono Initiative

Attorneys who are volunteering their time for the NDFL Bankruptcy Bar Association Pro Bono Initiative program while attending Zoom hearings will be asked by the Courtroom Deputy to provide their name, phone number, and email address by sharing this information on their screen. This will allow pro se attendees the opportunity to capture the contact details prior to court. This exchange will occur prior to Judge taking the bench.

Web Browser Compatibility With NextGen Release 1.7.1

This court recently upgraded to NextGen Release 1.7.1.1 which was tested and is compatible with the following browsers:

- Edge (ver. 98.0.1108.62 - 99.0.1150.55)
- Firefox (ver. 97.01.1 - 98.0.2)
- Chrome (ver. 98.0.4758.102 - 99.0.4844.92)
- Internet Explorer 11 (note that IE is no longer supported by Microsoft)
- Safari (MacOS 12.2)

Court Opinions and Postings of Note

Eleventh Circuit holds that a text message is a personal guaranty under Florida law.

Brewfab, LLC v. 3 Delta, Inc., Case No. 22-11003, 2022 WL 7214223 (11th Cir. Oct. 13, 2022).
(For Lexis users – 2022 U.S. App. LEXIS 28429).

**News and Views from the Bench
Honorable Karen K. Specie**

HAPPY HOLIDAYS!

It is almost unbelievable that Thanksgiving is behind us, and a new year is around the corner. On behalf of our entire court, I wish each and every one of you a happy and healthy holiday season and a wonderful new year. May we all see more of each other in 2023.

LIVE HEARINGS ARE RETURNING TO FLNB

TALLAHASSEE: Beginning in January 2023, the Court welcomes attorneys and their clients, especially those in and around Tallahassee, back to the courtroom for all hearings and trials.

PENSACOLA and GAINESVILLE: The Court anticipates traveling to these divisions from time to time. Read Docket Entries and Notices of Hearing carefully to ensure that when hearings will be live, you won't be the last to know!

Although Zoom.gov will still be an option, the Court encourages everyone who is able to come to court in person.

**A TRIBUTE TO JUDGE MICHAEL G. WILLIAMSON:
*a huge loss and difficult farewell. RIP "Mike"***

On November 3, 2022, Florida lost an incredible bankruptcy judge and very good person: Hon. Michael G. ("Mike") Williamson, bankruptcy judge for the Middle District of Florida, succumbed to stage-4 Esophageal cancer. Diagnosed in May, Judge Williamson was only 71 years of age.

I met Mike Williamson in 1981 at my first ever Florida Bar Business Law Section meeting. I was a first year associate at Fowler, White, in Tampa; I knew no one and was intimidated by the 20-25 seasoned lawyers in the room. Mike Williamson was one of the first lawyers to introduce himself and welcome me to the BLS. He and I remained friends and colleagues ever since.

Judge Williamson's writing, and talents as a lawyer, and then a bankruptcy judge (beginning March 1, 2000), are legendary. While in private practice, Judge Williamson authored more than twenty publications and served as a panelist or moderator at more than 100 seminars. While on the bench, Judge Williamson taught at nearly 300 seminars and authored more than 220 reported decisions. Judge Williamson was a founder and driving force behind the View From the Bench annual bankruptcy seminar, now in its 40th year. Judge Williamson's contributions to commercial and bankruptcy law around the world may never be matched; Judge Williamson assisted with commercial laws in ten (10) countries, including Afghanistan, where he drafted a new bankruptcy law from scratch. To read more, go to: <https://www.dignitymemorial.com/obituaries/tampa-fl/michael-williamson-11005285>.

ANOTHER HUGE LOSS – BUT A FOND “BON VOYAGE”

With mixed emotions, we are preparing to say “farewell” to my Career Law Clerk of over six years, and valuable member of our Court, Samantha Kelley. On a personal level, we are all excited that “Sam” has decided to spread her wings and venture into private practice. On a professional level, we (I especially) will feel Sam's absence and miss her sunny disposition. Please join us in wishing Samantha the very best in her new career in private practice. Feel free to call and give Sam your best wishes before

Continued on Page 4

News & Views from the Bench, continued from Page 3

she leaves our Court in mid-January. Happily, no doubt many of you will be seeing, hearing from, and working with Sam in the years to come. (And yes, we are looking for Sam's replacement; see [OSCAR.uscourts.gov](https://oscar.uscourts.gov).)

FOR THE GOOD OF THE ORDER

- ⇒ The Court's new **RAP (Reaffirmation Assistance Program)** program is working extremely well! Thanks to every lawyer who has volunteered for this program, which has already (in only two months) helped numerous unrepresented debtors through the reaffirmation process.
- ⇒ Congress has still not approved a FY 2023 budget, so the federal government, including the judiciary, is operating on a continuing resolution ("CR") that is currently due to expire on December 16, 2022. Congress will likely need to pass another CR to maintain government funding and avoid a shut-down through at least December 23, 2022. Hopefully by that time Congress will enact a final spending package.
- ⇒ Be on the lookout for Local Rules changes and more form orders and motions in 2023.



FLNB Employment Opportunity

The Northern District of Florida Bankruptcy Court is seeking candidates for an Application Administrator I position in our Tallahassee courthouse.

The position announcement for this important technical support position may be found on our website at: https://www.flnb.uscourts.gov/sites/flnb/files/CL25_ApplicationsAdminI_2022.pdf.

U.S. Trustee Case Audits to Resume

Effective March 13, 2023, the United States Trustee Program (USTP) will resume the designation of individual chapter 7 and chapter 13 cases for audit. These audits were suspended in March 2020 due to public health concerns associated with the COVID-19 pandemic.

As authorized in section 603(a) of Public Law 109-8, the USTP established procedures for independent audit firms to audit petitions, schedules, and other information in consumer bankruptcy cases. Pursuant to 28 U.S.C. § 586(f), the USTP contracts with independent accounting firms to perform audits in cases designated by the USTP.

ECF Essentials: Debtor's Statement of SSN Required in Voluntary Individual Debtor Cases Beginning December 1, 2022

Effective December 1, 2022, the *Statement About Your Social Security Number (Official Form 121)* must be filed at the same time as the Voluntary Petition in all voluntary cases for individual debtors per Fed. R. Bankr. P. 1007(f). **This document should not be redacted in accordance with Fed. R. Bankr. P. 9037 and will be automatically restricted by CM/ECF at the time of filing to protect the debtor's privacy.**

The filing event "**Statement of Social Security Numbers/SSN (Restricted Access)**" will allow you to file the original Statement or an Amended Statement, if necessary. The document will be restricted at the time of filing and will be available for viewing only by the filer, the Court, the trustee, and the U.S. Trustee.

We notified the major bankruptcy petition preparation software providers of this change so that they may update their software to include this document for filing at the time of filing the petition. Please check with your software provider to determine if an update is available.

Avoiding Submission Errors



The Case Administrators are responsible for quality control (QC) review of the dockets to ensure accuracy and compliance with the Code, Rules, Local Rules, and established procedures and practices. They are duly authorized to notify filers of violations of these rules and practices and/or deficiencies which must be resolved before the document or pleading can be processed. To do so, they docket Submission Error Notifications (SENs); an entry on the docket to advise what needs to be remedied (a paper copy is sent to self-represented filers). This court has issued 1152 SENs during 2022 as of the date of this writing, most of which required that the document(s) be refiled correctly. To lessen the chances of receiving an SEN on your filings:

- Review the **PDF** prior to uploading the document into CM/ECF to confirm:
 - all pages are included in the PDF file(s),
 - all pages are in the correct order,
 - all pages are legible and properly oriented (e.g., no upside down pages), and
 - the document is signed in compliance with Fed. R. Bankr. P. 1008 and 9011 and N.D. Fla. Loc. R. 5.1(D) or (E) and (F)
- Review the document to insure a proper and complete **Certificate of Service** is included pursuant to Section III. B. of the [Administrative Procedures](#) and N.D. Fla. Loc. R. 5.1(F):
 - The Certificate of Service contains a complete list of parties served, the method by which they were served, and the addresses and/or email addresses at which they were served;
 - The Certificate of Service is signed and is signed separately from the document or pleading to which it relates as required by Fed. R. Bankr. P. 1008 and 9011 and N.D. Fla. Loc. R. 5.1(F);
 - If filing the Certificate of Service separately from the document or pleading to which it relates, ensure that the correct docket number and title of the pleading or document to which it relates are noted in the Certificate of Service.
- Review our Court's **local practices** outlined in the [Local Rules](#), [Administrative and Standing Orders](#), and [Style Guide](#) for guidance and requirements relating to the type of pleading or document you are filing.
- Use the "Search" button in the CM/ECF menu bar to find the appropriate **filing event**. This is a keyword search feature which will show you all filing events which contain the word(s) or partial word you enter (e.g., you can search for "confirm" and it will display all events containing the words "**confirmed**," "**confirming**," and "**confirmation**").

Many of the filing events in CM/ECF perform actions that are not necessarily seen by the user, so it is critical that the correct filing event is used. For instance, events frequently:

- Collect and report BAPCPA statistics to the Administrative Office of the U.S. Courts for reporting to Congress;
- Set or terminate deadlines and case flags;
- Alert the Case Administrator or Courtroom Deputy of time-sensitive matters that should be reviewed immediately;

Continued on Page 6

Help Desk Hints (continued from Page 5)

- Collect fees or use prompts to collect information to determine that a fee is not necessary;
- and many other “behind the scenes” actions that are essential to the expedient handling of cases.
- **Call us if you have questions.** The Clerk’s Office cannot give legal advice (e.g., what type of document you should file or the information it should contain) but we can assist you with procedural practices and CM/ECF questions you may have.

You can reach our Help Desk at 866-639-4615 or by email at CMECF_HelpDesk@flnb.uscourts.gov.

Northern District of Florida 2022 Caseload Activity through November 30

Bankruptcy Case Openings	GVL	PNS	TLH	PCY	TOTAL
Ch 7	130	518	261	101	1010
Ch 11	3	11	7	7	28
Ch 12	0	0	0	0	0
Ch 13	63	155	116	45	379
Ch 15	0	0	0	0	0
Total	196	684	384	153	1417
Bankruptcy Case Activity	GVL	PNS	TLH	PCY	TOTAL
Reopenings	6	7	8	5	26
Split Cases	0	1	0	0	1
Interdistrict Transfer Cases	0	2	1	1	4
Intradistrict Transfer Cases	0	0	0	0	0
Conversions	3	5	13	7	28
Stay Motions	27	73	52	27	179
Bankruptcy Case Closings	GVL	PNS	TLH	PCY	TOTAL
Ch 7	145	595	281	102	1123
Ch 11	6	8	7	6	27
Ch 12	1	0	0	1	2
Ch 13	73	140	100	48	361
Ch 15	0	0	0	0	0
Total	225	743	388	157	1513
Adversary Case Openings	GVL	PNS	TLH	PCY	TOTAL
	5	18	10	1	34
Adversary Case Closings	GVL	PNS	TLH	PCY	TOTAL
	2	19	25	5	51
Pro se Cases Filed:	GVL	PNS	TLH	PCY	Total
Ch 7	14	16	59	7	96
Ch 11	1	0	0	0	1
Ch 12	0	0	0	0	0
Ch 13	32	21	11	4	68
Ch 15	0	0	0	0	0
Total	47	37	70	11	165

Our Mission: To administer justice fairly while providing excellent assistance to those we serve.



**U.S. Bankruptcy Court
Northern District of Florida**

Chief Bankruptcy Judge Karen K. Specie
Traci E. Abrams, Clerk of Court
110 East Park Avenue, Suite 100
Tallahassee, Florida 32301
(850) 521-5001 / (866) 639-4615

Please direct questions or comments about this newsletter to Julie.Gibson@flnb.uscourts.gov.

We have to inspire our children and grandchildren to take on challenges and risks that at first may seem to be overwhelming. They need to understand that the only failure is not trying.

~ [James E. "Jimmy" Carter](#)
39th U.S. President

2023 Federal Holidays

The Court and Clerk's Office will be closed on the dates listed below in observance of the following national holidays:*

January 02 *	New Year's Day
January 16	Birthday of Martin Luther King, Jr.
February 20	Washington's Birthday
May 29	Memorial Day
June 19	Juneteenth Nat'l Independence Day
July 4	Independence Day
September 4	Labor Day
October 9	Columbus Day
November 10 *	Veterans Day
November 23	Thanksgiving Day
December 25	Christmas Day

**Observance of a holiday that falls on a Saturday or Sunday pursuant to 5 U.S.C. 6103(b) and/or Exec. Ord. 11582, Feb. 11, 1971.*

Visit our website for the latest [COVID Court Operations Update](#).

Contact Us

Audrey Thurman, Bankruptcy Generalist.....	(850) 470-3061
Carolyn Romine, Case Administrator	(850) 470-3062
Janet Weems-Cainion, Courtroom Deputy & Calendar Clerk	(850) 521-5009
Jestin Hawkins, Case Administrator.....	(850) 521-5016
Latonia Isom, Court Operations Specialist	(850) 521-5012
Sloane Akinsanya, Case Administrator	(850) 521-5010
Tammi Boswell, Director of Operations	(850) 521-5011
Clerk's Office Main Line	(850) 521-5001
Help Desk	(850) 521-5001 or (866) 639-4615
Help Desk Email.....	CMECF_HelpDesk@flnb.uscourts.gov

*Clerk's Office phones are answered 9:00 a.m. to 4:00 p.m., Monday through Friday, except on federal holidays or other days the court is closed. Case Administrators may assist with procedural or CM/ECF questions only. **We are not permitted to answer legal questions or to provide guidance as to the content or types of documents that may be required.***