

The Disclosure Statement

A publication of the U.S. Bankruptcy Court, Northern District of Florida

Administrative Orders in Response to Hurricane Idalia

In response to the devastating effects Hurricane Idalia had on communities within the Northern District of Florida, Chief Bankruptcy Judge Karen K. Specie has entered the following administrative orders applicable to Tallahassee and Gainesville division cases:

AO 23-003 Emergency Order Regarding Deadlines Extended Due to Hurricane Idalia

AO 23-004 Second Emergency Order Regarding Hurricane Idalia: Chapter 13 Plan Payments

AO 23-005 Third Emergency Order Regarding Hurricane Idalia: Emergency Grants, Loans, Insurance Payments, And Other Assistance.

Motions to be Denied for Proposed Order Deficiencies

Beginning October 1, 2023, when an attorney fails to submit a proposed order in accordance with **N.D. Fla. LBR 9072-1** the request for relief may be denied, disapproved, overruled without prejudice, or other judicial action may be taken. Proposed orders are to be submitted electronically through the *Submit Proposed Orders* link in CM/ECF. Do not upload/file the proposed order on the docket. Please see the **Proposed Order Guide** and **FLNB Style Guide** for requirement details.

In this issue:

Views & News from the Bench <i>by Chief Bankruptcy Judge Karen K. Specie</i>	<u>2</u>	Bankruptcy Filings Rise 10 Percent	<u>6</u>
Tech Tips: Petition Software Time Stamps	<u>4</u>	QC Cues: Corrective Entries	<u>6</u>
Reminder Regarding Third-Party Access	<u>4</u>	Caseload Activity through August 31	<u>7</u>
Amendments to Fed. R. Bankr. P. Effective 12/1	<u>4</u>	Contact Information	<u>8</u>
FLNB Administrative Orders Updates	<u>4</u>		
Public Comment Period for Proposed Amendments to Rules and Official Forms	<u>5</u>		
Help Desk Hints: Mass Substitution of Counsel	<u>5</u>		
Training Offered for Zoom 341 Meetings	<u>5</u>		
New Negative Notice Legend for Objections to Claim	<u>5</u>		

341 Meetings by Zoom

Beginning October 15, 2023, Chapter 7, 12, and 13 § 341(a) meetings of creditors in the this district will be held via Zoom.

See **page 5** for more information and instructions to register for an information session hosted by the U.S. Trustee's Office.

News & Views from the Bench

Honorable Karen K. Specie

THE THIRD QUARTER of 2023 has passed as quickly as the first two! We are fast approaching holiday season and the end of 2023. The good news is that our case filings as of July 31 are up by about 26% overall, with Chapter 11 case filings up by about 76% from one year ago. The bad news is that the House and Senate budget committees have thus far voted to reduce the FY 2024 budget for the federal judiciary by very large amounts. The Administrative Office of the Courts, Federal Bar Association, and other organizations are urging Congress to approve 100% of the judiciary's FY 2024 budget request, but it is far from certain Congress will do so. Further, it appears likely that we will begin FY 2024 with a Continuing Resolution rather than an approved budget. If the judiciary's budget is approved at the current levels suggested by the House and Senate, our Court's operations, like many others, may be significantly adversely impacted, especially with filings on the rise. Our Court is hoping for the best but planning for the worst.

"SPOTLIGHT" ON ORDERS

To celebrate and incentivize excellence in the proper and timely submission of proposed orders, this quarter the Court recognizes an order entered in Case No. 21-30594-KKS (ECF No. 38) prepared by **attorney Betsy C. Cox, Rogers Towers, P.A.** This order clearly and concisely sets forth the facts, and an agreement of the parties as to adequate protection and stay relief in the event of a default. Take a look at this order for drafting ideas.

REMINDER

To ensure fairness to all parties, and as is clearly set forth on this Court's website, Federal Rule of Bankruptcy Procedure 9003 and Judge Specie prohibit *ex parte* communication with any member of Judge Specie's chambers about a particular case or proceeding (<https://www.flnb.uscourts.gov/court-contact-info>). The only exception is for emergency motions, as provided in N.D. Fla. Loc. R. 9073-1(a)(1). Failure to comply may result in sanctions.

PRO BONO HONOR ROLL

THE COURT IS GRATEFUL FOR ALL PRO BONO SERVICES BY ATTORNEYS:

These attorneys have handled, or are handling, cases *pro bono* so far this year: **Robert Bruner, India Footman, Samantha Kelley, and Trey Wright.**

These attorneys have volunteered for the **RAP (Reaffirmation Assistance Program)**, sponsored by the NDFLBBA: **Mary Colón, Jodi Dubose, Kevin Forsthoefel, Samantha Kelley, Scott Manion, Michael Niles, Brian Rich, Logan Sliva, Trey Wright, and Michael Wynn.**

Please join me in thanking these attorneys! Every time an attorney donates his or her time to a case or debtor, it benefits the Court and each of you. And please volunteer for the Pro Bono Initiative, by calling 866-944-6421. For more information, visit: <https://www.flnb.uscourts.gov/ndflbba-pro-bono-initiative>.

Continued on Page 3

Fight for the things that you care about, but do it in a way that will lead others to join you.

~ Justice Ruth Bader Ginsburg

VETERANS FINANCIAL LITERACY PROGRAM – VOLUNTEER TODAY!

The NDFLBBA, in partnership with the Florida Bar Business Law Section, will present a statewide Veterans Financial Literacy Program on Saturday, December 9, 2023,* in Pensacola, Florida. During this program, volunteers will counsel military veterans about a variety of financial issues. The materials from a prior program are posted online at: <https://flabizlaw.org/pro-bono-pledge/veterans-financial-literacy-program/>. Contact any NDFLBBA Board Member or register at <https://www.ndflbba.com/events/veterans-financial-literacy-program> to volunteer for this outstanding public outreach opportunity.

**Post-publication edit. Program originally scheduled for and published as November 4.*

HEARING CALENDAR CHANGES ARE COMING

The Court's draft hearing calendar for 2024 is complete. The goal for 2024 is efficiency.

After consulting with our ad hoc Chapter 13 Committee and Leigh Duncan, the Chapter 13 Trustee, beginning in January of 2024 we will schedule all routine Chapter 13 hearings to be held via Zoom on the same day, rather than on different days for each division. We intend to schedule routine Chapter 11 hearings in the same manner. We will continue to schedule evidentiary hearings and trials as time allows; some may be conducted by Zoom and others must be live.

We look forward to everyone's cooperation and input as we continue our efforts to handle bankruptcy cases and adversary proceedings in the Northern District of Florida as smoothly, efficiently, and inexpensively as possible.

THANK YOU to Courtroom Deputy, Janet Weems-Cainion, and Career Law Clerk, Cassandra Crosby, for their excellent work on this project.

UPCOMING SEMINARS AND CONFERENCES

- **Florida Bar Business Law Section (BLS) Annual Labor Day Retreat** — September 1–4, 2023; Naples, FL: <https://flabizlaw.org/calendar/#!event/2023/9/1/bls-annual-labor-day-retreat>
- **NDFLBBA 2023 Annual Cocktail Reception, Meeting and Seminar** — September 28–29, 2023; The Henderson Beach Resort, Destin, FL.
- **The Michael G. Williamson View From the Bench** — Live, November 2, 2023 (Tampa, FL) & November 3, 2023 (Miami, FL).

**If you have a family or professional event or milestone that you would like featured here, please submit a brief article (maximum 120 words) and photo (optional) to: Julie Gibson at Julie.Gibson@flnb.uscourts.gov. Do not submit information that may create a personal safety issue for you or your family. The Court will publish a maximum of one contribution per issue on a first-submitted, first-published basis.*

SCHEDULE CHANGES FOR HEARINGS BEFORE JUDGE SPECIE

Beginning on January 1, 2024, most hearings before Chief Bankruptcy Judge Karen K. Specie **will be scheduled for Eastern Time, regardless of the division in which the case is pending.** You must carefully review your hearing notices to ensure that you make your appearance at the correct time.

This change does not affect scheduling of the § 341(a) creditor meetings.

TECH TIPS

Petition Software Time Stamps

Please be certain that the option to include a time stamp on your documents is ***not*** selected if you use petition preparation software. This notation can cause confusion when viewing the petition document in CM/ECF. The *official* date and time of filing for electronically filed documents is at the time the filing is *completed* in CM/ECF (not when the filing process was initiated) as displayed in the Notice of Electronic Filing ("NEF"). Any other date and/or time is not valid.

Case 23- Doc 1 Filed 08/17/23 Page 1 of 53

8/17/23 11:41AM

Fill in this information to identify your case:

United States Bankruptcy Court for the:
NORTHERN DISTRICT OF FLORIDA

Case number (if known) Chapter you are filing under:
Chapter 7

Reminder Regarding Third-Party Access to Restricted Information in CM/ECF

Sharing your PACER credentials with third-party service providers or designating that provider as a secondary recipient of a Notice of Electronic Filing could give access to sealed or restricted case information and documents in violation of court order.

You are urged to use caution in your computer security practices to ensure that sealed and restricted documents to which you have been granted access are not disclosed to others.

Amendments to Federal Rules Effective December 1, 2023

Absent Congressional action, the following amendments will take effective December 1:

- ♦ Federal Rules of Bankruptcy Procedure 3011, 8003, 9006, and new Rule 9038
- ♦ Federal Rules of Appellate Procedure 2, 4, 26, and 45
- ♦ Federal Rules of Civil Procedure 6, 15, 72, and new Rule 87

Visit www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments for details, redline versions, and committee notes regarding these amendments.

FLNB Administrative Orders Updates

- AO 23-002:** Administrative Order Concerning Photography, Video Recording, and/or Broadcasting — *Signed 8/9/23*
- AO 20-006:** Administrative Order Temporarily Suspending Requirement for Attorneys to Obtain and Retain Original Signatures from Debtors for Electronic Filings — *Vacated 9/1/23*
- AO 20-004:** Administrative Order Regarding Extension of Deadlines in Connection with Postponement of Section 341 Meetings — *Vacated 7/21/23*
- AO 20-003:** Administrative Order Implementing Procedures for COVID-19 Outbreak — *Vacated 7/21/23*

Public Comment Period for Proposed Amendments to Rules and Official Forms

The Judicial Conference Committee on Rules of Practice and Procedures has published for public comment the following proposed amendments to existing Rules, official bankruptcy forms, and a new Civil Rule:

- Appellate Rules 6 and 30
- Bankruptcy Rules 3002.1 and 8006
- Official Bankruptcy Forms 410, 410C13-M1, 410C13-M1R, 410C13-N, 410C13-NR, 410C13-M2, and 410C13-M2R
- Civil Rules 16, 26, and new Rule 16.1

The proposed amendments, supporting materials, and instructions to submit or review comments are available at <https://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>. The comment period is open from August 15, 2023—February 16, 2024.



Mass Substitution of Counsel

When filing a Substitution of Counsel in many cases, please contact the Help Desk for guidance. Our Help Desk can be reached at 866-639-4615 or by email at CMECF_HelpDesk@flnb.uscourts.gov. A Notice of Substitution must be filed in each case and then the Clerk's Office should be notified so that we can complete the substitution process. We will then docket a paperless notification that the substitution was completed.

Training Offered for Zoom 341 Meetings

On October 6, 2023 at 10:00 a.m. ET, the United States Trustee's Office will hold an information session for attorneys and staff in the Northern District of Florida via TEAMS concerning its transition to Zoom for § 341(a) Meetings effective October 15, 2023. For questions, more information, or to register, contact Michelle.Brooks@usdoj.gov at the United States Trustee's Office. The training will cover changes to the Clerk's Notice for § 341 Meetings to reflect a specific Zoom URL and meeting number for each trustee as well as requirements for verifying a Debtor's ID, and other matters.

Please note, this training is not sponsored or hosted by the U.S. Bankruptcy Court. All questions should be directed to Ms. Brooks at the U.S. Trustees' Office at the email provided above.

New Negative Notice Legend for Objections to Claims

FLNB's [Negative Notice List](#) was updated July 26, 2023, to include a new negative notice legend specifically for objections to claims. The legend is available on the [Forms](#) page of our website as Local Form 13 ([LF-13](#)) Negative Notice Legend for Objections to Claim and may not be used for objections to claims of federal government entities which require a 30-day notice.

Bankruptcy Filings Rise 10 Percent

Published July 31, 2023 at www.uscourts.gov

Personal and business bankruptcy filings rose 10 percent in the twelve-month period ending June 30, 2023, compared with the previous year.

According to statistics released by the Administrative Office of the U.S. Courts, annual bankruptcy filings totaled 418,724 in the year ending June 2023, compared with 380,634 cases in the previous year.

Business filings rose 23.3 percent, from 12,748 to 15,724 in the year ending June 30, 2023. Non-business bankruptcy filings rose 9.5 percent to 403,000, compared with 367,886 in the previous year.

Bankruptcy totals for the previous 12 months are reported four times annually. Filings over any 12-month period have increased only rarely since filings peaked in 2010. Bankruptcies fell sharply after the pandemic began in early 2020, despite some early COVID-related disruptions to the economy.

- ◆ Business and non-business bankruptcy filings for the 12-month period ending June 30, 2023 ([Table F-2, 12-Month](#))
- ◆ A comparison of 12-month data ending June 2022 and June 2023 ([Table F](#)),
- ◆ Second quarter filings, ([Table F-2, 3 Month](#)); and filings by month ([Table F-2, April, May, June](#)),
- ◆ Bankruptcy filings by county ([Table F-5A](#))
- ◆ Historic [caseload statistics data tables](#)

For more information and chapter-specific data tables, visit www.uscourts.gov/news/2023/07/31/bankruptcy-filings-rise-10-percent.

QC Cues

Quality Control Reminders from the Case Administrators

The list below contains most common filing errors "fixed" by the Case Administrators this year. All corrections made by the Clerk's Office are documented with a "Corrective Entry" notation on the docket. Your attention to these details in the future will be greatly appreciated!

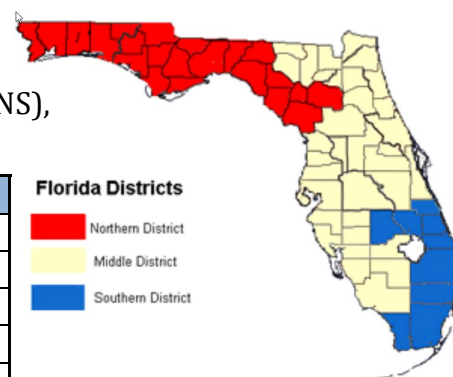
- The PDF document or certain pages of the document were scanned and uploaded sideways (landscape orientation) instead of upright (portrait orientation). The Case Administrator must upload a copy of the document with all pages in the correct orientation;
- Completion date of Credit Counseling entered into CM/ECF changed to match the date on the Certificate;
- Debtor's alias(es) not entered into CM/ECF when filing the Petition;
- Filer failed to link amendments, responses, objections, or certificates of service to applicable entry on the docket - or - linked to the wrong entry on the docket;
- Statistical data entered into CM/ECF does not match selections marked on the Petition.



Did you know that we have just survived the Earth's hottest three-month period ever recorded? According to [Forbes Magazine](#) (September 4, 2023) citing the EU's Copernicus Climate Change Service, over 6500 heat records were broken in the U.S. June - August, with multiple cities in Florida making the list over 30 times during that period.

U.S. Bankruptcy Court for the Northern District of Florida 2023 Caseload Activity through August 31, 2023

The U.S. Bankruptcy Court for the Northern District of Florida is comprised of 23 counties in the panhandle and "big bend" region of the state, separated into four divisions: Gainesville (GVL), Pensacola (PNS), Tallahassee (TLH), and Panama City (PCY).



BK Case Openings	GVL	PNS	TLH	PCY	TOTAL
Ch 7	109	440	239	91	879
Ch 11	6	14	10	4	34
Ch 12	0	0	0	0	0
Ch 13	44	166	102	38	350
Ch 15	0	0	0	0	0
Total	159	620	351	133	1263

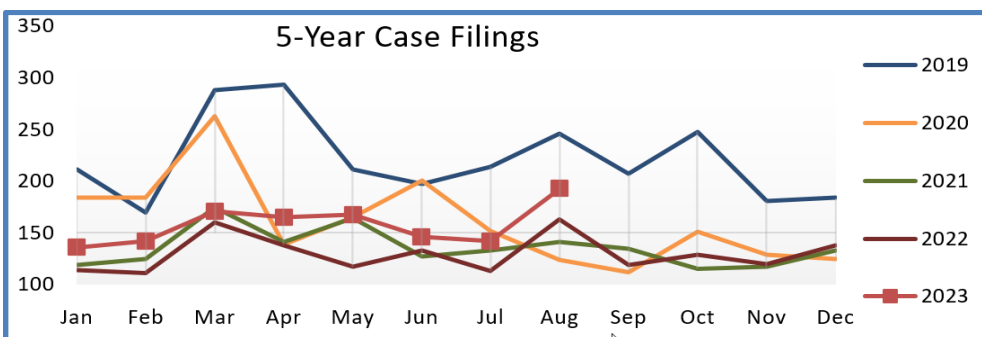
BK Activity	GVL	PNS	TLH	PCY	TOTAL
Reopenings	1	5	7	2	15
Split Cases	0	0	0	0	0
Interdistrict Transfer	1	0	3	1	5
Intradistrict Transfer*	0	0	0	0	0
Conversions	1	10	9	0	20
Stay Motions	18	78	62	30	188

BK Case Closings	GVL	PNS	TLH	PCY	TOTAL
Ch 7	102	419	190	96	807
Ch 11	1	6	9	2	18
Ch 12	0	0	0	0	0
Ch 13	34	112	95	42	283
Ch 15	0	0	0	0	0
Total	137	537	294	140	1108

Adversary	GVL	PNS	TLH	PCY	TOTAL
Case Openings	6	7	7	5	25
Case Closings	3	7	5	2	17

Pro se Cases Filed:	GVL	PNS	TLH	PCY	Total
Ch 7	9	21	39	7	76
Ch 11	0	0	0	0	0
Ch 12	0	0	0	0	0
Ch 13	15	25	16	6	62
Ch 15	0	0	0	0	0
Total	24	46	55	13	138

*Transfers occurring after the case was opened in another division within the Northern District of Florida.



FLNB County	YTD
Alachua	109
Bay	66
Calhoun	9
Dixie	10
Escambia	357
Franklin	5
Gadsden	51
Gilchrist	12
Gulf	6
Holmes	11
Jackson	26
Jefferson	8
Lafayette	3
Leon	231
Levy	23
Liberty	7
Madison	7
Okaloosa	96
Santa Rosa	125
Taylor	9
Wakulla	30
Walton	42
Washington	14
Outside District	4
Outside Florida	3
Outside U.S.	0
Total Filings	1264
Gainesville Div.	159
Pensacola Div.	620
Tallahassee Div.	350
Panama City Div.	135

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.

The worst bankrupt in the world is the man who has lost his enthusiasm. Let a man lose everything else in the world but his enthusiasm and he will come through again to success.

~ [H.W. Arnold](#)

Upcoming Federal Holidays

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

October 9	Columbus Day
November 10*	Veterans Day
November 23	Thanksgiving Day
December 25	Christmas Day
January 1	New Year's Day
January 15	B'day of Martin Luther King, Jr.
February 19*	Washington's Birthday
May 27	Memorial Day
June 19	Juneteenth Nat'l Indep. Day
September 2	Labor 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.

Contact Us

Audrey Thurman, Case Administrator (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, Operations Team Leader (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.***