

The Disclosure Statement

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

Pending Amendment to Fed. R. Bankr. P. to Include Requirement of Certificate of Completion of Personal Financial Management Course

Absent Congressional action, Fed. R. Bankr. P. 1007(b)(7) will be amended effective December 1, 2024, as follows pursuant to the blackline version of the Congressional package: "Unless an approved provider has notified the court that the debtor has completed a course in personal financial management after filing the petition or the debtor is not required to complete one as a condition of discharge, an individual debtor in a Chapter 7 or Chapter 13 case—or in a Chapter 11 case in which § 1141(d)(3) applies—must file a statement that such a course has been completed (Form 423) certificate of course completion issued by the provider." Official Form 423 will no longer be accepted to satisfy the requirement regarding the instructional course. For more information on this and other pending Rules amendments, please visit www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments.

**Our offices will be closed
Thursday, July 4, 2024,
in observance of Independence Day.**

We wish you and yours a safe
and Happy Fourth!



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FLNB Quick-Click Resources

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- ◆ [Court National Guard and Reservists Debt Relief Act of 2008](#)
- ◆ [Judgment Book](#)
- ◆ [Mortgage Modification Mediation](#)
- ◆ [N.D. Fla. Bankruptcy Bar Association and Pro Bono Information](#)
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News & Views from the Bench
Honorable Karen K. Specie, Chief Bankruptcy Judge

FLNB PRO BONO INITIATIVE NEEDS YOU!

We are grateful to all attorneys who have volunteered by taking *pro bono* cases and with the RAP (“Reaffirmation Assistance Program”) (see *Pro Bono Honor Roll* below), but the same attorneys do so over and over again. **PLEASE - SIGN UP TO HELP.** EVERY ATTORNEY IN OUR DISTRICT should provide *pro bono* services; all attorneys who practice here are WELCOME to participate. RAP only requires an attorney once or twice per month, and all reaffirmation hearings are virtual. **FLNB has the 7th highest percentage of *pro se* cases out of all 90 bankruptcy courts in the U.S. PLEASE HELP!**

To volunteer for the Pro Bono Initiative, visit:
<https://www.flnb.uscourts.gov/ndflbba-pro-bono-initiative>

PRO BONO HONOR ROLL

These attorneys have handled, or are handling, cases or matters *pro bono* so far this year: **Robert Bruner, India Footman, Samantha Kelley, Logan Sliva, and Michael Wynn.**

These attorneys have volunteered for the RAP, sponsored by the NDFLBBA: **Samantha Kelley, Brian Rich, Logan Sliva, and Trey Wright.**

Please join me in thanking these attorneys. They help each and every one of us!

HEARING CALENDAR CHANGES ARE COMING

Starting in August, routine Chapter 11 hearings will be scheduled on certain Wednesday mornings rather than Tuesday afternoons; Chapter 13 hearings will be scheduled on certain Thursdays.

MOTIONS, OBJECTIONS AND RESPONSES
IMPORTANT REMINDERS and NOTICE

MOTIONS FOR RELIEF FROM STAY: N.D. Fla. LBR 4001-1(B) requires the movant to file evidentiary support for the motion, as appropriate. N.D. Fla. LBR 4001-1(C) requires any party opposing the motion to file an objection within fourteen (14) days, accompanied by supporting documents that show the movant is not entitled to relief.

ALL MOTIONS: N.D. Fla. LBR 9013-1(A)(1) prohibits motions from requesting more than one type of relief, unless in the alternative. N.D. Fla. LBR 9013-1(A)(1) requires counsel for the moving party to **confer with counsel for the opposing party in good faith before** filing the motion, and to file a certificate of conferral. N.D. Fla. LBR 9013-1(B) and (C)(1) require every motion and objection to include a memorandum or citation of authority. These requirements pertain to contested matters and motions in adversary proceedings.

NOTICE: On and after August 1, 2024: Objections that contain no substance, such as those stating that the party will address the issue at some future time, may be stricken or overruled. Motions filed without supporting documentation and a statement of a good faith conference may be denied. Objections filed without supporting documentation may be overruled.

CHAMBERS STAFF UPDATES

We are pleased to welcome a wonderful addition to Chambers: Jacob Cohen has joined us as my new Term Law Clerk. Originally from Boston, Mr. Cohen came to Tallahassee last month from Indiana after graduating from Indiana University Maurer School of Law. During law school, Mr. Cohen interned for

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Bankruptcy Judge James M. Carr in the Southern District of Indiana. Mr. Cohen hopes to practice bankruptcy law in Florida when his clerkship term ends in 2026.

CHAPTER 13 STUDY GROUP

The Court invites attorneys and a representative from the NDFL U.S. Trustee's Office to join the Chapter 13 *Ad Hoc* Committee. This committee meets periodically to review Chapter 13 policies and procedures. Currently, the committee is reviewing the Chapter 13 Plan, Order Confirming Plan, and related documents. In addition, the Court will ask this group to suggest and consider possible changes to FLNB Chapter 13 procedures. Topics on which the Court will likely seek input include: the form and effect of "strict compliance" orders; implementation of play payments by electronic means rather than by (or in addition to) check or money order; the length of time it takes most cases to get to confirmation; and recent case law from the Seventh, Ninth, and Tenth Circuits regarding Chapter 13 fees in cases dismissed prior to confirmation. Expect to receive a sign-up message from us soon. A meeting of the Chapter 13 *Ad Hoc* Committee is planned after the Tallahassee brown bag luncheon on July 24, 2024, and may be attended in person or via Zoom. Committee members will receive a calendar invitation from Traci Abrams.

"BROWN BAG" LUNCHESES

GAINESVILLE & PENSACOLA: The "brown bag" lunches on March 12, 2024, in Pensacola, and May 22, 2024, in Gainesville were a great success! About 15-20 practitioners, friends, and colleagues joined me and my staff at each lunch. It was wonderful to break bread in person and catch up on families, careers, etc. Special thanks to the NDFLBBA and President Travis Morock, for their help.

TALLAHASSEE: The "brown bag" lunch in Tallahassee will be held in the 341 Meeting room on the basement floor of the bankruptcy courthouse on Wednesday, July 24, 2024, at 12:00 p.m. (EST). Everyone is to bring their own food; drinks will be provided. Attorneys and staff are welcome.

UPCOMING SEMINARS AND CONFERENCES

Judge Specie will be attending and participating in the following seminars and conferences, and encourages all FLNB practitioners to attend:

- [**Jacksonville Bankruptcy Bar Association 2024 Annual Seminar**](#)
August 16, 2024; Sawgrass Marriott Golf Resort & Spa, Ponte Vedra Beach, FL
- [**Florida Bar Business Law Section \(BLS\) Annual Labor Day Retreat**](#)
August 30–September 2, 2024; Ritz Carlton, Naples, FL
- [**NDFLBBA 2024 Annual Cocktail Reception, Meeting and Seminar**](#)
September 26–27, 2024; The Henderson Beach Resort, Destin, FL
- [**The Michael G. Williamson View From the Bench**](#)
 - ◇ November 7, 2024, CAMLS (Center for Advanced Medical Learning and Simulation), 124 S. Franklin Street, Tampa, FL.
 - ◇ November 8, 2024, Kovens Conference Center, Florida International University, 3000 NE 151st Street, North Miami, FL.



Florida's Chief Bankruptcy Judges Caryl Delano (Middle District of FL), Erik Kimball (Southern District of FL), and Karen Specie (Northern District of FL) attended the judges' dinner at the recent Eleventh Circuit Conference in Point Clear, AL.

Proposed Amendments to Federal Rules Effective December 1, 2024

Barring action by Congress, amendments to the following federal Rules will become effective on December 1:

- **Appellate Rules** 32, 35, 40, and Appendix on Length Limits
- **Bankruptcy Rules** Parts I through IX restyled, amendments to Rules 1007, 4004, 5009, 7001, 9006, and proposed new Rule 8023.1
- **Civil Rule** 12
- **Evidence Rules** 613, 801, 804, 1006, and new Rule 107

For the full text of these amendments, including a blackline version with committee notes, please visit <https://www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments>.

QC Cues

Quality Control Reminders from the Case Administrators

- ◆ **Order Halting Payroll Deduction:** Chambers will not entertain proposed orders in dismissed cases. Once the case is dismissed, the Order Dismissing Case is the ruling document.
- ◆ **Attorney Signatures vs Attorney Accounts:** When filing on behalf of multiple attorneys, Filing Agents must ensure that the account on whose behalf you are filing matches the attorney's signature on the document(s) being filed. Please ensure you have selected the correct attorney for whom you are filing before proceeding.
- ◆ **Proposed Orders #1:** Pursuant to N.D. Fla. LBR 9072-1(E), all proposed orders should be submitted within three (3) business days of a hearing or expiration of a response deadline.
- ◆ **Proposed Orders #2:** If you need to email us after submitting a proposed order (e.g., you realize you submitted the wrong document, etc.), please email us at CMECF_HelpDesk@flnb.uscourts.gov so that the Case Administrators are notified. Replies to the system-generated email from the Proposed Orders program go to a system email account that is not regularly monitored.
- ◆ **Chapter 13 Discharge Reminders:** We cannot issue a discharge in chapter 13 cases until a certificate of completion of financial management course is filed as well as certifications regarding the completion of plan payments, domestic support obligations, and compliance regarding exemptions—all of which may be done using Local Form 13-37, *Statement/Certification Regarding Requirements for Discharge in a Chapter 13 Case*. These items should be filed as soon as practicable after completion of all payments under the plan.
- ◆ **Certificates of Service:** Certificates of Service contained within a pleading or other document require a signature separate from the document in which it is included. For example, an attorney who files a motion with a certificate of service included within the same document must include a signature block and sign below the motion text and must include a signature block and sign below the certificate of service text.

Subchapter V and Chapter 13 Debt Thresholds to Sunset

Website announcement 6/11/24

Despite months of educational outreach to members of Congress by numerous bankruptcy judges, including Judge Specie, and members of the bankruptcy bar nationwide, bipartisan legislation to continue the current debt limits for Subchapter V and Chapter 13 is stalled in the U.S. Senate. Unless Congress acts, the current debt thresholds to qualify for Subchapter V (\$7,500,000.00) and Chapter 13 (\$2,750,000.00) relief will sunset on June 21, 2024.

Absent action by Congress, the debt limits for these cases will revert to the amounts in effect in March of 2020. The Subchapter V debt limit will drop to \$3,024,725. The Chapter 13 threshold of \$2,750,000 for both secured and unsecured debt will revert to a two-part test that limits eligibility to a maximum of \$465,275 for unsecured debt and \$1,395,625 for secured debt.

Recent Opinions from FLNB

23-0037-KKS Goodman v. Adair: Memorandum Opinion and Order Granting Defendant's Motion to Dismiss First Amended Complaint for Failure to State a Claim upon Which Relief Can Be Granted (ECF Doc. 31), entered by Chief Bankruptcy Judge Karen K. Specie on March 18, 2024.

23-30572-KKS Bluewater Wellness Group LLC: Order Denying Motion of April Lee, D.C. to Allow Filing of Proof of Claim After Bar Date (ECF Doc. 33), entered by Chief Bankruptcy Judge Karen K. Specie on April 8, 2024.

To view all opinions from the U.S. Bankruptcy Court for the Northern District of Florida, use the [Written Opinions \(Searchable\)](#) link on our website or search or in CM/ECF.

Opinion Search

Case Number:	<input type="text"/>
Code Number:	<input type="text"/>
Rule Number:	<input type="text"/>
Judge:	Specie <input type="button" value="v"/>
Party Involved: (Debtor, Defendant, Plaintiff)	<input type="text"/>
Date Range: mm/dd/yyyy	From: <input type="text"/> To: <input type="text"/>
Keyword:	<input type="text"/>
	<input type="button" value="Search"/> <input type="button" value="Reset"/>



Public Calendar Locations Updated

The [Public Calendar](#) (accessed via the "Daily Docket" link on our website's home page) now displays all hearing locations. Hearings scheduled at a physical location will display the divisional location where the hearings will be held (e.g., if scheduled for any location at the Winston E. Arnow Federal Building, the Public Calendar will display "Pensacola"); Zoom or Telephone locations will display as such.

As always, please carefully read the scheduling document or review the docket for detailed location information, including telephone call-in numbers or Zoom registration instructions.

CM/ECF 1.7.2 Coming Soon



Our court is making preparations for a maintenance upgrade to CM/ECF version 1.7.2. This upgrade consists of mostly technical patches and will not require training for our users.

Once we have installed and tested the upgrade on our Test and Train databases, we will post an announcement to our website advising of the date (s) that our Live CM/ECF will be unavailable while we install and test the 1.7.2 upgrade.

If you use petition preparation software, please contact your software provider to determine if an update to your program is required with this upgrade and proceed accordingly.

Have you Tried ChapMobile?

Practitioners in the U.S. Bankruptcy Court for the Northern District of Florida can use ChapMobile on their Apple or Android devices to access court calendar and 341 meeting data anytime, anywhere, and free of charge. With ChapMobile you can:

Hearing Calendar*

View hearings organized by judge; select your "favorite" judge(s) calendar to view; searchable by debtor or case number. Calendars will display location information, including Zoom or telephone information, as applicable

My Lists

Create "favorites" for attorneys, debtors, and case numbers for easy and convenient tracking

Locations

View court office locations, contacts, and court websites



341 Calendar*

View 30-days of 341 Meetings listed by Trustee. Searchable by Attorney, Debtor, Case Number

Attorney Search

View hearings by Attorney name

Settings

Set preferences for your "favorite" courts and other settings

To find the app in your app store, search for "chapmobile." After downloading the app, select your court (s) and then personalize your settings. ChapMobile was developed and is maintained by the U.S. Bankruptcy Court for the District of Utah who hosts a [ChapMobile App](#) webpage with additional information and training videos.

* To avoid excessive load time, our court calendar will display only the next 15 days of hearings. If there are no hearings scheduled within that time frame, the Hearing Calendar screen will be blank. The 341 Calendar will display 30 days of meetings.



The Eiffel Tower is Taller in the Summertime

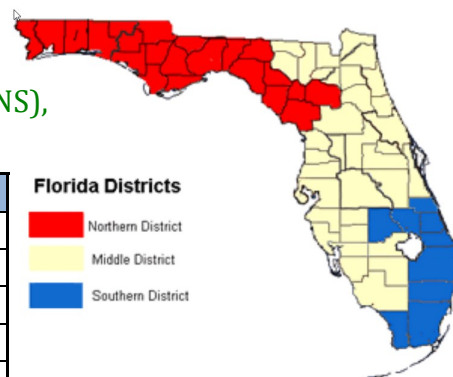
According to [LiveScience.com](#), the Eiffel Tower gains about six inches in height during the warmer summer months. The famous landmark is mainly constructed of metal which expands in heat. In addition, the top of the tower may shift away from the sun by as much as seven inches due to the thermal expansion on the side facing the sun.

For more "only in the summer" facts, check out Reader's Digest's [20 Weird and Amazing Things That Only Happen in the Summer](#). (Pssst... Keep #5 in mind as you're setting off fireworks next month!)

There are only two days in the year that nothing can be done. One is called yesterday and the other is called tomorrow. So today is the right day to love, believe, do, and mostly to live. ~ Dalai Lama XIV

U.S. Bankruptcy Court for the Northern District of Florida 2024 Caseload Activity through May 31, 2024

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	77	354	154	51	636
Ch 11	9	4	5	6	24
Ch 12	0	0	0	0	0
Ch 13	34	78	72	26	210
Ch 15	0	0	0	0	0
Total	120	436	231	83	870

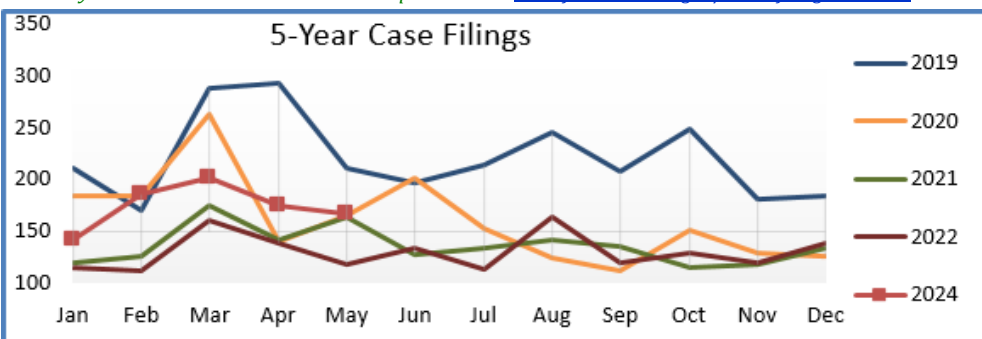
BK Activity	GVL	PNS	TLH	PCY	TOTAL
Reopenings	2	3	5	1	11
Split Cases	0	0	0	0	0
Interdistrict Transfer	1	0	0	0	1
Intradistrict Transfer	0	0	0	0	0
Conversions	3	9	4	0	16
Stay Motions	10	59	42	14	125

BK Case Closings	GVL	PNS	TLH	PCY	TOTAL
Ch 7	68	288	136	52	544
Ch 11	4	4	6	2	16
Ch 12	0	0	0	0	0
Ch 13	18	78	57	28	181
Ch 15	0	0	0	0	0
Total	90	370	199	82	741

Adversary	GVL	PNS	TLH	PCY	TOTAL
Case Openings	4	9	2	0	15
Case Closings	7	10	2	1	20

Pro se Cases Filed:	GVL	PNS	TLH	PCY	Total
Ch 7	7	13	22	3	45
Ch 11	0	0	0	0	0
Ch 12	0	0	0	0	0
Ch 13	7	12	4	4	27
Ch 15	0	0	0	0	0
Total	14	25	26	7	72

Monthly and annual caseload statistics are published at www.flnb.uscourts.gov/court-filing-statistics.



FLNB County	YTD
Alachua	87
Bay	43
Calhoun	6
Dixie	2
Escambia	233
Franklin	4
Gadsden	37
Gilchrist	5
Gulf	4
Holmes	7
Jackson	15
Jefferson	7
Lafayette	4
Leon	133
Levy	18
Liberty	6
Madison	6
Okaloosa	71
Santa Rosa	96
Taylor	13
Wakulla	22
Walton	37
Washington	8
Outside District	2
Outside Florida	2
Outside U.S.	2
Total Filings	870
Gainesville Div.	120
Pensacola Div.	437
Tallahassee Div.	230
Panama City Div.	83



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.

Upcoming Federal Holidays

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

July 4	Independence Day
September 2	Labor Day
October 14	Columbus Day
November 11	Veteran's Day
November 28	Thanksgiving
December 25	Christmas Day
January 1	New Year's Day
January 20	B'day of Dr. Martin Luther King, Jr.
February 17	Washington's Birthday
May 26	Memorial Day
June 19	Juneteenth Nat'l Indep. Day



We have become not a melting pot but a beautiful mosaic. Different people, different beliefs, different yearnings, different hopes, different dreams.

~ James Earl "Jimmy" Carter
39th President of the United States



*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-Gainion, 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.***