



THE BANKRUPTCY ADVISOR



A Periodic Publication of the U.S. Bankruptcy Court for the Northern District of Florida

August 2018

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CHANGES TO FLNB MORTGAGE MODIFICATION MEDIATION PROCESS EFFECTIVE JULY 25, 2018

Administrative Order 15-001 Prescribing Procedures for Mortgage Modification Mediation was amended effective July 25, 2018 regarding portal providers. As part of this change, Local Forms 3 and 3PS, *Verified Ex Parte Motion for Mortgage Modification* have been amended, as has the *Order Granting Motion for Referral to Mortgage Modification Mediation*. Please visit the [Mortgage Modification Mediation](#) page of our website for more information.

U.S. COURTS LOOK-A-LIKE DOMAIN USED IN RANSOMWARE PHISHING CAMPAIGN

Cybercriminals have registered a U.S. Courts look-a-like domain, **uscourtsgov.com**, which is hosted on a Russian server and includes email authentication making it more likely that the emails will get delivered. The domain was registered in April through NameCheap Inc, a popular web hosting service that uses WhoisGuard to mask the website owner information. The phishing campaign began as early as May using addresses such as “ilnd.uscourtsgov.com,” “www.casd.uscourtsgov.com,” “mail2.uscourtsgov.com,” “notice1.uscourtsgov.com” and about 80 other similar names, all ending in **uscourtsgov.com**. Please be mindful of potential cyber threats when opening your email.

NEW FLNB STYLE GUIDE

A new [Style Guide, Local Form 6-Inst](#), created by the chambers of Chief Bankruptcy Judge Karen K. Specie, has been made available on the Forms page of our website under “Instructional documents.” This Guide contains a Short Guide to Bluebook, Format of Orders, and an example of a proposed order. Please reference this Guide when creating your pleadings and proposed orders. Correct style and citation will reduce the possibility of your proposed order being returned to you for incorrect formatting.

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

AMENDMENTS TO FED. R. BANKR. P. AND REVISED BANKRUPTCY FORMS EFFECTIVE DECEMBER 1, 2018

Change to the following Rules and official bankruptcy forms will take effect on December 1, 2018, barring any action to the contrary by Congress:

- 3002.1 Notice Relating to Claims Secured by Security Interest in the Debtor
- 5005 Filing and Transmittal of Papers
- 7004 Process; Service of Summons, Complaint
- 7062 Stay of Proceedings to Enforce a Judgment
- 8002 Time for Filing Notice of Appeal
- 8006 Certifying a Direct Appeal to the Court of Appeals
- 8007 Stay Pending Appeal; Bonds; Suspension of Proceedings
- 8010 Completing and Transmitting the Record
- 8011 Filing and Service; Signature
- 8013 Motions; Intervention
- 8015 Form and Length of Briefs; Form of Appendices and Other Papers
- 8016 Cross-Appeals
- 8017 Brief of an Amicus Curiae
- (New) 8018.1 District Court Review of a Judgment that the Bankruptcy Court Lacked the Constitutional Authority to Enter
- 8021 Costs
- 8022 Motion for Rehearing
- 9025 Security: Proceedings Against Sureties
- (New) Part VIII Appendix: Length Limits Stated in Part VIII of the Federal Rules of Bankruptcy
- Director's Form 4011A —> Official Form 411A General Power of Attorney
- Director's Form 4011B —> Official Form 411B Special Power of Attorney

The full package transmitted to Congress, including a redline version of the changes (starting on page 141), is available at http://www.uscourts.gov/sites/default/files/2018-04-26-congressional_package_final_posted_to_the_website_0.pdf.

ECF ESSENTIALS

FLNB is officially scheduled to migrate to the Next Generation of CM/ECF (“NextGen”) beginning late 2019. As we prepare for this change, you will notice filing option changes, specifically that filing events will only appear within single, task-specific menus instead of within multiple menus (e.g., the “Most Commonly Used” menu category will be removed all together. Those events will be available only in the *Miscellaneous*, *Motions/Applications*, or *Notices* menus). Despite this change, the “Search” feature located at the top of the screen may always be used to find any filing event. “Search” is a helpful tool, especially when you are not sure under which task-specific menu an event may fall.

Please monitor our website and watch for emails from our court for more information and actions required on your part as we progress through this project.

NEW BANKRUPTCY COURT MISCELLANEOUS FEE EFFECTIVE SEPTEMBER 1, 2018

At its March 2018 session, the Judicial Conference approved a new fee for providing copies of records in electronic form when those records are not available on PACER or stored in CM/ECF. This new fee is applicable to the appellate, district and bankruptcy courts, and is to be assessed on items for which the file format or size of the electronic file makes it difficult to store the item in CM/ECF, including but not limited to items such as document files and audio or video recordings. The fee for items of this sort is a flat \$31 per record for records provided in electronic format. The [Bankruptcy Court Miscellaneous Fee Schedule](#) on the uscourts.gov website will be updated September 1.

WELCOME SLOANE!

Sloane Akinsanya - Tallahassee

Our newest staff member, Sloane Akinsanya, joined us as a Bankruptcy Generalist on April 16, 2018, in the Tallahassee office where she manages our help desk, the intake desk, and CM/ECF accounts. Sloane is a Tallahassee native and a 2010 graduate of Florida A & M University with a Bachelor of Science degree in Political Science and Public Administration. She also completed the Certified Public Manager Program at Florida State University in 2016. Sloane enjoys spending time with her family and friends and is a youth leader at her church. Sloane's friendly and helpful demeanor, willingness to take on new tasks, and positive outlook makes her a great fit for our Clerk's Office team.

Please join us in welcoming Sloane!

CHAPMOBILE APP AVAILABLE NOW

We are pleased to announce that the public calendar for the U.S. Bankruptcy Court for the Northern District of Florida is now available via the CHAP Public Mobile Calendar App ("ChapMobile"). ChapMobile displays court calendar data and 341 meetings, viewable anytime, anywhere, and it gives attorneys and trustees the ability to view their upcoming hearings within the court.



With ChapMobile you can:

- View each judge's hearing calendar (for a range of days);
- Search hearings by Attorney, Debtor, and Case Name;
- View 341 Meetings by trustee (for a range of days);
- View court locations and contact information;
- Create your own settings for courts, judges, and attorney groups;
- Navigate to another participating court's ChapMobile application.

The ChapMobile app is available free for both Apple and Android smartphones and tablets. To find the app in your app store, search for "chapmobile." After downloading the app, select your court and then personalize your settings.

The U.S. Bankruptcy Court for the District of Utah, the program's developer, has created a [training video](#) available on YouTube or, for additional information, please see the [ChapMobile User Guide](#) created by the U.S. Bankruptcy Court for the Northern District of New York.

BANKRUPTCY TRUSTEE COMPLETES 545 MILE CHARITY BICYCLE RIDE

Congratulations to Theresa Bender, Chapter 7 Panel Trustee in the Northern District of Florida, on completing the 7-day, 545 mile journey from San Francisco to Los Angeles! Ms. Bender was a participant in the 2018 AIDS/LifeCycle charity ride to raise awareness about the ongoing HIV/AIDS epidemic and to fund testing, prevention, care, and more. Keep pedaling, Ms. Bender!



At the half-way mark



Crossing the finish line

PRO BONO HONOR ROLL

The United States Bankruptcy Court for the Northern District of Florida takes pleasure in recognizing the efforts of those attorneys who provide legal assistance, without compensation, to those who face substantial economic hardship so that they are able to navigate through the bankruptcy process. These services greatly benefit our nation's bankruptcy system and all of its components. Those volunteer efforts include *pro bono* legal representation for qualifying parties in bankruptcy cases and adversary proceedings, reaffirmation agreements, and stay relief. We recognize and thank the following *pro bono* volunteers for their current and continued support in serving the people of our district:

Amy Sliva, Law Office of Amy Logan Sliva

India Footman, Footman Law Firm, P.A.

Jeff Childers, ChildersLaw, LLC

Kevin Forsthoefel, Ausley & McMullen, P.A.

James Donohue, Ausley & McMullen, P.A.

FLNB EVENTS

By Travis Green, Chief Deputy Clerk

BANKRUPTCY COURT PARTICIPATES IN LEON COUNTY SCHOOLS' LEGAL DIVERSITY INITIATIVE

The U.S. Bankruptcy Court for the Northern District of Florida hosted a courthouse tour on March 9th for students from Godby High School in Tallahassee, Florida. During the tour, Clerk of Court Traci Abrams described the role of the clerk's office to support judicial officers through administrative management. Chief Deputy Clerk Travis Green discussed the history of the courthouse and provided an overview of bankruptcy courts as part of the federal court system. Law Clerks Samantha Kelley and John Van Hise explained the purpose of bankruptcy legal actions, described the role of Chief Judge Speie in overseeing bankruptcy proceedings, and the role of chambers staff in providing support. In the historic courtroom, Courtroom Deputy Janet Weems explained the courtroom layout, the use of courtroom technology, and described the roles of participants in court proceedings.

The courthouse tour was part of the Third Annual Leon County Public School Legal Diversity Initiative. The stated purpose of the event was to "provide Leon County high school students an opportunity to learn more about the judicial system and explore the diversity of the legal profession." Students from other high schools toured the Leon County Circuit Court and the First District Court of Appeal. After the tours, the students went to the Florida State University College of Law for program presentations, mock trials, and a networking lunch. Additional information on the diversity initiative for public schools is available from The Florida Bar at <https://www.floridabar.org/about/volbars/a-diversity-initiative-for-public-schools/>.



FEDERAL JUDICIARY EMPLOYMENT OPPORTUNITIES

Links to [employment opportunities](#) within the federal judiciary are available through the *Contacts & Misc* tab of our website. These postings may include judgeship and other legal positions, as well as positions within the clerks' and U.S. Probation offices in the Northern District of Florida and throughout the nation.





News & Views from the Bench

By: Karen K. Specie
Chief United States Bankruptcy Judge
Northern District of Florida

It is that time of year again! The Northern District of Florida Bankruptcy Bar Association's Annual Seminar is quickly approaching. This year, the Seminar will be hosted at the Sheraton Bay Point Resort, in Panama City Beach. There is a special discounted rate for those who choose to register prior to the September 1 deadline. After September 1, registration goes back to the normal rate. The NDFLBBA has even arranged for a special group rate at the Sheraton Bay Point Resort, which ends on August 28, 2018. To register for this event, or to find out more information, go to the NDFLBBA's website, www.ndflbba.com.

Many of you have been wondering about the status of the courthouse in Panama City. I will provide an update at the NDFLBBA Seminar next month.

UPCOMING HOLIDAY CLOSINGS

We will be closed in observance of the following federal holidays pursuant to 5 U.S.C. 6103:

Monday, September 3
Labor Day

Monday, October 8
Columbus Day

Monday, November 11
Veterans Day

Thursday, November 22
Thanksgiving

Tuesday, December 25
Christmas Day

**CM/ECF and PACER will be
available for use.**

PROPOSED CHANGES TO FED. R. BANKR. P. 8013(f) IMPOSE WORD LIMITS ON DOCUMENTS

The proposed changes to FRBP 8013 (f) include a *word* limit on motions or responses to motions produced using a computer and require a certification under Rule 8015(h). Official Form 417C may be used for this purpose. Note that page limits are retained for handwritten or typewritten motions and responses.

This amendment is to conform to F. R. App. P. 27(d)(2). For more information, see the pending Rules changes at http://www.uscourts.gov/sites/default/files/2018-04-26-congressional_package_final_posted_to_the_website_0.pdf.

UPDATED MEANS TEST DATA

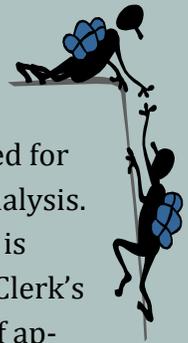
The Census Bureau's Median Family Income Data (effective in cases filed on or after April 1) and the Administrative Expense Multipliers and IRS's National Standards for Allowable Living Expenses and Local Standards for Transportation and Housing and Utilities Expenses (effective in cases filed on or after May 1) have been updated. The revised multipliers and standards are available through the website of the U.S. Department of Justice Means Testing page at <https://www.justice.gov/ust/means-testing>.

HELP DESK HINTS... NEW STATISTICAL MAPPING NOTATIONS ON DOCKET

[28 U.S.C. § 159](#)(a) and (b), part of BAPCPA, requires that bankruptcy court clerks collect certain statistical data and that the Administrative Office of the U.S. Courts ("AO") submit an annual report to Congress on this data. In addition to what is currently required for BAPCPA reporting, the AO statistically tracks several other types of filings for caseload analysis.

To ensure accurate statistical reporting, each time an amended motion or application is filed using the generic "Application - Amended" or "Motion - Amended" filing events, the Clerk's office modifies the entry behind the scenes to add the appropriate statistical "mapping," if applicable. In the near future, you will begin to see a Corrective Entry docketed upon the completion of this process. This Corrective Entry is for internal quality control purposes only to note that we have made the update and will not require corrective action on your part.

For details on the information collected or to view the reports provided to Congress, visit the U.S. Courts' [Bankruptcy Abuse Prevention and Consumer Protection Act Report](#) page.

**Proposed Rules Amendments for Public Comment**

The Judicial Conference Advisory Committees on Appellate, Bankruptcy, Civil and Evidence Rules have proposed amendments to these rules. Proposed amendments, the advisory committees' reports explaining the proposed changes, and instructions on how to submit comments are available at <http://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>. **The public comment period closes on February 15, 2019.**

GETTING TO KNOW RICK WEBBER, ZIMMERMAN, KISER & SUTCLIFFE, P.A. (ORLANDO)

I have been practicing bankruptcy law for 32 years and currently a Shareholder at Zimmerman, Kiser & Sutcliffe, P.A. in Orlando and I was appointed a Chapter 7 Trustee in the Orlando division 10 years ago.

What would you be doing if you weren't an attorney? Top Gun Fighter pilot (Fantasy: Captain of a Pirate ship sailing in warm waters looking for Spanish gold).

How do you recharge/what do you like to do in your spare time? Boating -- preferably in any Ocean, but lakes and rivers are ok, too!

What characteristic do you most admire in others? Integrity

If you ruled the world, what you would change on day 1? Completely erase evil and terror in the world

What one thing in your life are you most proud of? Educating my children

What job have you had in the past that would be a surprise to us? In 1982 after graduating from the University of Maine, I worked for Green Giant in a Minnesota Factory (12 hour shifts) canning cream corn (the only job available). I was recently engaged and my in-laws to be lived in Minnesota and were farmers.

What is the last really good book you read, and why? The Time Travelers Wife by Niffenegger. A great love story and I am a hopeless romantic!

What is your favorite sports team? Tie: Miami Dolphins for football and Boston Red Sox for baseball

What one tidbit of advice would you give to others? "24 Hour Rule" -- never respond when you are angry (wait 24 hours until you cool down and then respond).



NEW OR REVISED PROCESSES, PROCEDURES, OR ADMINISTRATIVE ORDERS IN THE NORTHERN DISTRICT OF FLORIDA

[Amended Administrative Order 15-001 Mortgage Modification Mediation Procedures](#) Rev. 7/25/18

[Style Guide - U.S. Bankruptcy Court, Northern District of Florida](#) New 7/2018

[10th Amended Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means](#) Rev. 4/10/18

2018 Northern District of Florida Bankruptcy Bar Association Annual Seminar

September 27—28

Sheraton Bay Point Resort,

4114 Jan Cooley Drive, Panama City Beach, FL 32408, USA

[Register Now](#)

[Download the Brochure Here](#)

OFFICE CLOSURES DUE TO INCLEMENT WEATHER - REMINDER

We have been very fortunate this year so far but we're not quite half way through the 2018 Florida hurricane season. In the event of preplanned or unanticipated office closures due to bad weather, the need to re-schedule or relocate court, or other interruption in services due to weather conditions, you will be advised through phone message recordings, *Announcements* posted to the Court's website (www.flnb.uscourts.gov), and/or email blasts from the Clerk's Office. To ensure that you receive all notifications from our office:

- Sign up for the RSS Feed on our website to receive instant notification of Announcements.
- Ensure that the "uscourts.gov" domain is listed as a "safe" domain with your email and/or Internet Service Provider to prevent emails from our office being rejected as "spam."
- Call our office before visiting or attending court to ensure we are open and/or to receive instructions if we are not. Our help desk numbers are 850-521-5002 (Tallahassee) or 888-765-1752 (toll free).

FLNB RESOURCES

Rev. 08/18

Cases in the Northern District of Florida are randomly assigned to Case Administrators throughout the district shortly after filing. The name of the Case Administrator to whom a case is assigned is located at the top of the docket report in CM/ECF.

Ann Laritz
(850) 470-3060

Latonia Isom
(850) 521-5012

Janet Weems
Courtroom Deputy &
Calendar Clerk
(850) 521-5009

Sloane Akinsanya
Help Desk &
CM/ECF Access
(850) 521-5001
(866) 765-1752

Carolyn Romine
(850) 470-3062

Libby Deroche
(850) 470-3061

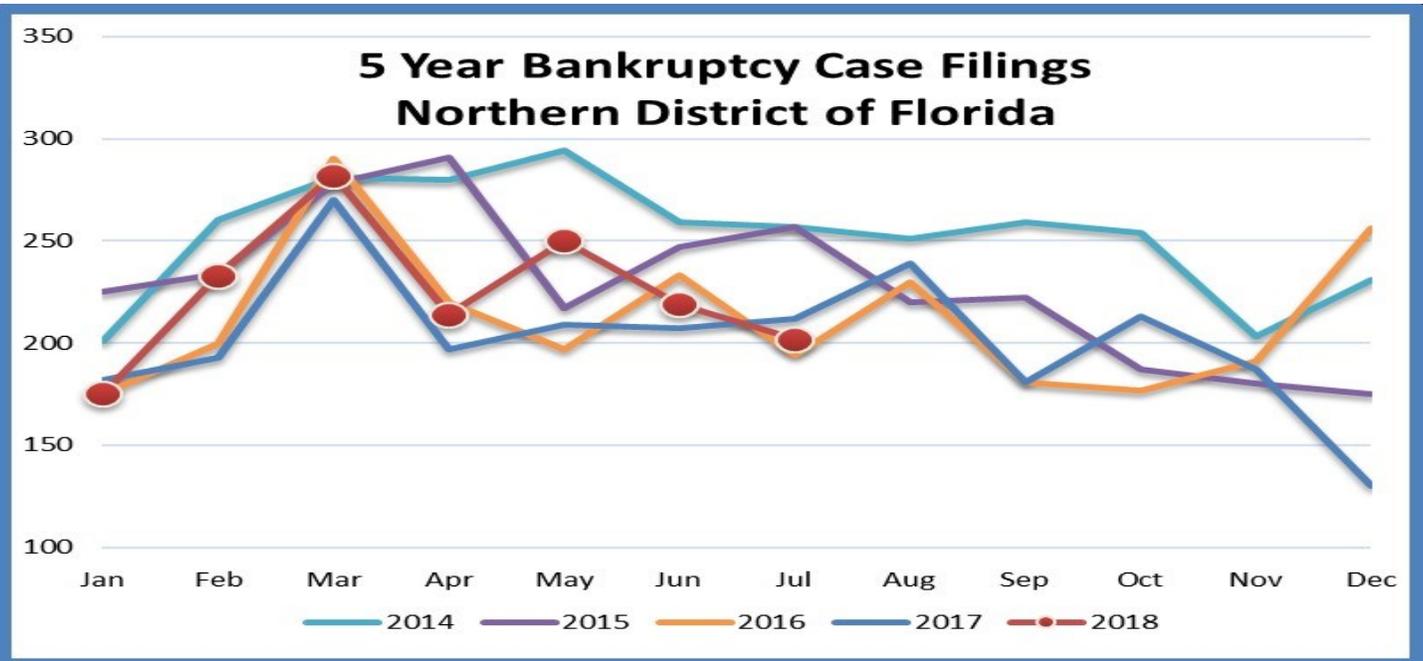
Tammi Boswell
Director of Operations
(850) 521-5011

Jestin Hawkins
(850) 521-5016

Melanie Lawrence
(407) 237-8021
For cases assigned to Judge Jennemann

The Clerk's Office phones are answered from 9:00 a.m. until 4:00 p.m., Monday through Friday, except on federal holidays. Please feel free to call or email the Case Administrators with your procedural questions. The Clerk's Office is not permitted to answer legal questions nor can they provide guidance as to the content or types of documents that may be required.

CM/ECF Help Desk
(850) 521-5001 or (866) 765-1752
CMECF_HelpDesk@flnb.uscourts.gov
Please visit us on the web at www.flnb.uscourts.gov



The monthly filing and closing statistics for the U.S. Bankruptcy Court for the Northern District of Florida are posted to the Court Resources page of our website at www.flnb.uscourts.gov/court-filing-statistics. Statistical information will be available by the 15th of each month.

Questions, Comments, or Corrections

For questions, comments, or corrections regarding this newsletter, please contact Julie Gibson at (850) 521-5014 or by email at Julie_Gibson@flnb.uscourts.gov.