



# THE BANKRUPTCY ADVISOR



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For questions or comments regarding this newsletter, please contact Julie Gibson at (850) 521-5014 or [Julie\\_Gibson@fnb.uscourts.gov](mailto:Julie_Gibson@fnb.uscourts.gov).

## Preventing Orders Denying Due to Failure to Serve

Failure to timely file a Certificate of Service of a notification of hearing (e.g., Notice of... or Order and Notice of...) can cause that hearing to be cancelled and the motion or other matter in dispute to be denied without prejudice for failure to prosecute.

In the Northern District of Florida Bankruptcy Bar Association Annual Meeting in September 2014, and in the December 2014 issue of *The Bankruptcy Advisor*, attorneys were notified of the need to execute service of court documents effective January 1, 2015. The docket text of any document required to be served by an attorney contains instructions that the document is to be served within three (3) days. The Court reiterates this directive here. One courtesy reminder will be docketed by the Clerk's Office.

To avoid cancellation of a hearing and denial of a motion due to delay in filing the Certificate of Service, attorneys or their staff should serve the document and file the Certificate of Service immediately.

The [Forms](#) page of our website contains a "Certificate of Service—Instructions & Sample" ([Local Form 5-Inst](#)) and [Certificate of Service \(Local Form 4\)](#) documents for your use. The instructional document contains samples of Certificates of Service attached to a pleading and filed separately after the filing of a document or service of a document pursuant to Court directive. These examples are the preferred method of showing service.

[Local Form 4, Certificate of Service](#), is a fillable form and contains sections for service via Notice of Electronic Filing (NEF), U.S. Mail, Personal delivery or other non-standard delivery options. Please be mindful that facsimile or email service are not routine methods of service in this district and may only be used with the consent of the parties being served and in only exceptional situations (e.g., emergency hearings).

Heeding these guidelines will aid the Court in efficiently and effectively managing the Court calendar.

## ECF Essentials

### Prevent Your CM/ECF Account from Being Locked/Deactivated

Pursuant to the Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means I.C.2.a. registered users are required to “[m]aintain all applicable user account information on the System including your current address, telephone numbers, and email address(es).”

Upon receipt of notification of a delivery failure from these emails your account may be locked until you contact our office for reactivation and to provide current contact information.

Please periodically review your account information to ensure that all contact information is correct. Additionally, please add the “uscourts.gov” domain to the “safe” list with your email program and/or your internet service provider to eliminate the possibility of our emails being returned as undeliverable.

### Requirements for Chapter 13 Discharge

By Latonia Isom, Case Administrator

Pursuant to 11 U.S.C. § 1328 and Local Rule 4001-1 concerning compliance with the requirements discharge in a chapter 13 case, the debtor(s) must file the Statement/Certification Regarding Requirements for Discharge in a Chapter 13 Case ([FLNB Local Form 13-37](#)). The Court will issue a reminder of this requirement upon the filing of the Chapter 13 Trustee’s “Notice of Filing Intention to Close Case.” Failure to file the Statement/Certification will result in the case being closed without a discharge. To obtain a discharge after case closing, the debtor(s) will be required file a Motion to Reopen Case, pay the full filing fee, and file the Statement/Certification.

### Holiday Closings

The U.S. Bankruptcy Court for the Northern District of Florida will be closed in observance of the following federal holidays, pursuant to 5 U.S.C. 6103:

**Monday, September 7 - Labor Day**

**Monday, October 12 - Columbus Day**

**Wednesday, November 11 - Veterans Day**

**Thursday, November 26 - Thanksgiving Day**

**Friday, December 25 - Christmas Day**

CM/ECF and PACER will be available during these times for online filing and/or access to case information.

### Sign Up for RSS Feed of Our Website

For instant notification of announcements from our court, subscribe by clicking the icon in the upper right corner of our homepage at [www.flnb.uscourts.gov](http://www.flnb.uscourts.gov).



### In Recognition of Your Service

We wish to thank the following attorneys for volunteering their time over the past quarter to assist debtors in the Northern District of Florida who cannot afford legal representation

**James Coombs**  
**Scott Manion**

*Thank you!*

**Ann Laritz - 25 Years****Case Administrator - Pensacola**

Ann joined us as an Intake Clerk in the Pensacola Division a few years after moving to Florida from Alabama. That assignment turned out to be a short one, as after only a week she was trained and prompted to Case Administrator where she has served since. During her time with us, Ann has seen the court progress from typewriters and paper documents to computers, NIBS, and paperless cases in CM/ECF. She has served under two judges and three Clerks of Court. Ann is the senior Case Administrator in the Pensacola office where her friendly attitude and knowledge of processes and procedures are invaluable.

**Janet Nah - 15 Years****Courtroom Deputy to Judge Specie**

Janet's court experience spans over thirty years, including twenty years with the Broward County Clerk of Courts, two years with the Leon County Clerk of Courts, and finally, the last fifteen years with the Office of the Clerk, U.S. Bankruptcy Court for the Northern District of Florida. Janet began her career with the FLNB as the Courtroom Deputy for Judge Killian (retired) and is now the Courtroom Deputy for Judge Specie. Her calm demeanor and can-do attitude make her a very valuable asset to the Clerk's Office.

**Lisa Murrill - 10 Years****Judicial Assistant to Judge Specie**

Lisa came to us in 2014 from the U.S. Bankruptcy Court, Southern District of Alabama, where she served as Judge Mahoney's Judicial Assistant until Judge Mahoney announced her retirement. Prior to her employment with the bankruptcy court, Lisa managed a law office for a local attorney in Mobile for 25 years. Lisa's experience in handling a variety of administrative matters has been extremely helpful to Judge Specie, the court, and the Bar.

**Ne'Shoni Love-Beane - 5 Years****Case Manager - Tallahassee**

Ne'Shoni joined the bankruptcy court in 2010 as a Deputy Clerk Generalist and was promoted to Case Administrator in August, 2014. In addition to her case management tasks, Ne'Shoni performs intake duties at the Tallahassee office, processes Attorney Registrations, and is the "voice" of the Clerk's Office as our Help Desk attendant. Ne'Shoni's assistance to customers at the counter, her patience with unrepresented debtors who may be upset or confused, and her willingness to do whatever is needed are greatly appreciated.

**Changes to Official Bankruptcy Forms Effective December 1, 2015**

For detailed information on the upcoming changes to the Federal Rules of Bankruptcy Procedure and the official bankruptcy forms, please visit the [Pending Rules Amendments](#) and [Pending Changes in the Bankruptcy Forms](#) pages of the U.S. Courts' website.



## In Memorium Donna Hilton Faircloth

By Traci Abrams, Clerk of Court

It is with a heavy heart that we share with you the passing of our friend and coworker Donna Faircloth. Donna began her career with the Judiciary in February 1991 with the U.S. Bankruptcy Court, Northern District of Florida.

As the court's Financial and Budget Administrator, Donna was responsible for managing the court's accounts and our decentralized budget under the supervision of the Clerk. She maintained the court's internal controls document which details the nature of our financial procedures, and ensured that internal and external auditors had the files they needed to do their work. She often answered financial questions from staff and provided impromptu learning sessions when a particular concept required more explanation.

Donna could always be counted on for maintaining accurate files, knowing where to find information at a moment's notice, and for faithfully following the financial rules and regulations set out by the Judiciary and this court. She made her job look easy even though it was quite complicated. During her tenure, the court enjoyed a pristine audit record with no audit findings beyond "best practice" recommendations resulting from evolving national procedures.

Donna had a very straight forward way of looking at life. She was very easy to talk to and always tried to find solutions to problems. When seeking her counsel, a colleague could count on her to see through to the heart of an issue. She was an integral part of our office, a friend to all who knew her, and is deeply missed. Donna is survived by her husband, Rickey, son Ryan (April), daughter Beth (Michael), and four grandchildren.

### **HELP DESK HINTS... Office Closures Due to Inclement Weather**

When I first moved to Florida, someone told me that we do, in fact, have four seasons in north Florida... almost summer, summer, still summer, and Christmas. Unfortunately, with all that "summer," we experience our share of heavy rain and flooding, tornadoes, and hurricanes activity in the area. Regardless of the situation, we want to ensure that any interruption in service to our customers will be brief and painless. To do this, we have emergency operations plans which address disruptions of automation or telephone services, personnel coverage, and many other day-to-day functions of the Court.

In the event of office closures, the need to reschedule or relocate court, or other interruption in services, you will be advised through phone message recordings, *Announcements* posted to the Court's web-site ([www.flnb.uscourts.gov](http://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 determine that 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).



# The Judges are Coming! are You?

**First Time  
NCBJ Attendee  
Consumer Lawyers –  
Register before Aug 28  
Reduced Rate: \$475**

**SEPTEMBER 27–30, 2015**

## **89th Annual NCBJ Conference FONTAINEBLEAU MIAMI BEACH**

*Attend all the included programs and get up to 12 CLE in 3 Days  
Schedule Highlights: Consumer-oriented Sessions & Social Time*

### **SUNDAY, SEPT 27**

5:30 – 7:30 pm AIRA Welcome Reception – *Everyone Invited*

### **MONDAY, SEPT 28**

7:30 – 8:45 am

- TMA hosted full breakfast with an all judge game show program

10:30 am

- Show Me the Money – Debtor's Attorney's Fees in Consumer Cases
- Student Loans – Issues & Strategies in Litigation

11:45 am

- Take My House – Please ! Getting Rid of Encumbered Property in Consumer Cases
- The Good, the Bad, The Ugly: A Discussion of Mortgage Servicers, Loss Mitigation, Modifications & Claims in Consumer Bankruptcy

3:15 – 5:30 pm

- CLLA programs

7:15 pm

- Welcome to the Jungle!  
Jungle Island Party – *Everyone Invited*  
Free buses begin 7:15 - Party 8–11 pm

### **TUESDAY, SEPT 29**

9 am – 12:45 pm

- 8 ABI-NCBJ Roundtables with business & consumer case topics

11:45 am – 12:45 pm

- Buying Claims in Consumer Cases

1 – 3 pm

- ABI Luncheon & Keynote: Louis Freeh – *Ticketed \$85 fee*

3:30 – 6 pm

- BAPCPA at Ten Symposium

6:30 – 10 pm

- NCBJ Final Night Dinner & Tower of Power Concert & Dancing – *Ticketed \$85 fee*

10 pm – 2 am

- Late Night – the party that you've heard about – *Everyone Invited*

### **WEDNESDAY, SEPT 30**

8 – 10 am

- There's still a chance for 2 more CLE with programs on Social Media & Ethics and the Supreme Court in Review

**[www.NCBJmeeting.org](http://www.NCBJmeeting.org)**

**Register! Get a Room! Detailed Schedule!  
Education Session Info! Everything You Need Know  
For this MUST GO Gathering**

**Over 180 Judges from Florida and Across the Country  
Hear What They Have To Say About Issues Important To Your Cases**

**NCBJ** National Conference  
of Bankruptcy Judges

**FLNB Resources**

Rev. 03/15

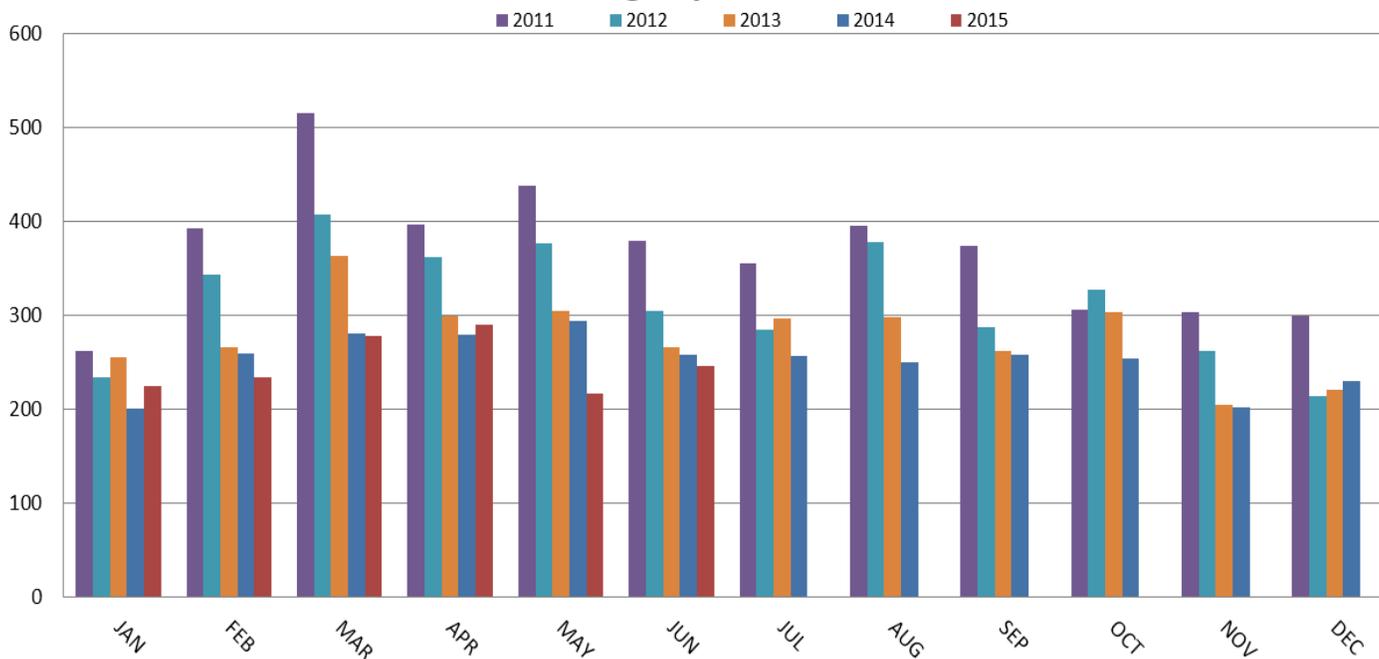
Cases in the Northern District of Florida are randomly assigned to Case Administrators throughout the district shortly after filing. The name of the Case Administrator to whom a case is assigned is located at the top of the docket report in CM/ECF.

Ann Laritz (850) 470-3060	Latonia Isom (850) 521-5012	Melanie Lawrence (407) 237-8021 <i>For cases assigned to judge Jennemann (FLMB) only</i>	Janet Nah Courtroom Deputy & Calendar Clerk (850) 521-5009
Carolyn Romine (850) 470-3062	Libby Deroche (850) 470-3061	Ne'Shoni Love-Beane Help Desk (850) 521-5002 (888) 765-1752	Tammi Boswell CM/ECF Login & Password (850) 521-5001 (866) 765-1752
Claire Bikowitz (850) 521-5016	Lisa Davis (850) 521-5010		

*The Clerk's Office phones are answered from 9:00 a.m. until 4:00 p.m., Monday through Friday, except 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](mailto:CMECF_HelpDesk@flnb.uscourts.gov)  
 Please visit us on the web at [www.flnb.uscourts.gov](http://www.flnb.uscourts.gov)

**Case Filings by Month 2011 - 2015**



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](http://www.flnb.uscourts.gov). Statistical information will be available by the 15th of each month.