

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
www.flnb.uscourts.gov

In re:

)	Administrative Order
HURRICANE HELENE)	No. 24-002
)	
_____	/	

SECOND EMERGENCY ORDER REGARDING HURRICANE HELENE:
CHAPTER 13 PLAN PAYMENTS

The Court recognizes that some Chapter 13 debtors in the Tallahassee and Gainesville Divisions may be unable to make required plan payments to the Chapter 13 Trustee and directly to certain lenders due to losses sustained and ongoing issues with infrastructure, cell and telephone service, and power due to Hurricane Helene. For that reason, it is

ORDERED:

1. It is customary for the Chapter 13 Trustee to file motions to dismiss Chapter 13 cases if a debtor is two monthly payments in arrears. This practice should be suspended through November 1, 2024, in the Gainesville and Tallahassee Divisions.

2. If a debtor is unable to make required payments to the Chapter 13 Trustee or direct plan payments to creditors because the debtor was substantially and adversely affected by Hurricane Helene, the Court will consider the appropriate method of addressing those missed payments at a hearing on a motion to modify the Chapter 13 plan.
3. Motions to modify plans for missed plan payments for the period September 26 through November 30, 2024 should be filed not later than Friday, January 10, 2025.
4. Parties are discouraged from filing motions seeking a payment moratorium. The Court will consider motions to suspend wage orders on an expedited or emergency basis.
5. If an agreed order conditioning the automatic stay contains default provisions that mandate that a debtor must timely make all payments direct to the lender or to the Chapter 13 Trustee, and failure to make such payments is due to Hurricane Helene's substantial and adverse effect on a debtor, missed payments for the period from September 26 through November 30, 2024, will be a default only if the Court

so determines after a motion, required notice, and opportunity for a hearing.

6. Debtor(s) who are able to maintain their payments must do so.
7. This Order applies to all cases and proceedings pending in the Tallahassee and Gainesville Divisions of the United States Bankruptcy Court for the Northern District of Florida.
8. Debtors in the Pensacola and Panama City Divisions may seek relief under this Order if they have suffered, and have evidence of, substantial adverse effects due to Hurricane Helene. The Court will consider Motions for such relief on a case-by-case basis.

DONE and ORDERED on September 30, 2024.

A handwritten signature in black ink, appearing to read 'K. Specie', written over a horizontal line.

KAREN K. SPECIE
Chief U.S. Bankruptcy Judge