



BANKRUPTCY BUZZ

LOCAL NEWS AND INFORMATION

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UNITED STATES
BANKRUPTCY COURT
SOUTHERN DISTRICT OF
FLORIDA

MARCH 2011

JUDGE ISICOFF'S "PASSION FOR PRO BONO" DRIVES COURT INITIATIVES IN ADDRESSING INCREASE IN PRO SE FILINGS

Recent statistics from the United States Courts Administrative Office ranked the U.S. Bankruptcy Court, Southern District of Florida as sixth in the nation for the highest percentage of pro se debtor filers. Judge Laurel M. Isicoff, for whom pro bono service is a long time passion, granted Bankruptcy Buzz an interview to discuss pro se filers and pro bono representation and the efforts she and the other judges are putting forth to address solutions in this area of judicial administration.



"Pro bono is a passion, pro se is a mission."

Judge Isicoff

These negative consequences and perceptions have driven Judge Isicoff throughout her legal career to work with the legal community and within the court system to address the potential crises that large numbers of pro se filers present and to improve judicial administration of these cases.

This court has enacted several local rules which address pro bono representation, including Local Rules 4008-1(B) "Required Reaffirmation Hearings for Pro Se Debtors", 9071-1 "Settlements in Cases With Pro Se Debtors", and 9071-2 "Referral of Pro Se Parties to Pro Bono Representation".

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Bankruptcy Cases Filed From 1/1/11 to 2/ 28/11:

- Total Filed: 5,495**
- Chapter 7 : 4,007
 - Chapter 9 : 0
 - Chapter 11 : 65
 - Chapter 12 : 2
 - Chapter 13 : 1,421
 - Chapter 15 : 0

Additional filing statistics are available on the court website home page under this tab:



LOCAL RULES ADVISORY COMMITTEE UPDATE

The local rules business and consumer subcommittees of this court's Local Rules Advisory Committee have been meeting monthly since August 2010. Each subcommittee has identified issues and drafted and approved proposed rules and forms amendments and all items which address both consumer and business practice have been reviewed by both subcommittees. The Local Rules Advisory Committee's proposed amendments have been submitted to the judges of this court for review. After incorporation of any judicial changes to the committee's drafts, the court will establish a deadline for the public to review and comment on the proposed amendments to rules and forms.



JUDGE ISICOFF'S "PASSION FOR PRO BONO" DRIVES COURT INITIATIVES IN ADDRESSING INCREASE IN PRO SE FILINGS (continued from page 1)

In addition, there are clerk's instructions and court guidelines posted on the court website and available in hard copy in each of the three divisional locations which provide information on filing requirements and other local court requirements. The court website includes separate pro se pages with information in general for all pro se filers, for pro se debtors and for pro se creditors. This site is accessible from the main court website www.flsb.uscourts.gov at the "Information for Individuals Filing without an Attorney" link. In addition, as a result of Judge Isicoff's suggestion, televisions have been placed in each divisional office public intake area which display a continual loop of "Bankruptcy Basics", a thirty-six minute video that follows an individual through the bankruptcy filing process. This video is also accessible in English, Spanish and Creole on the court's pro se debtor web page at this link: http://www.flsb.uscourts.gov/Pro_Se/pro_se_frame.html. A pro se filer webpage is now available on the Federal Judiciary's national web site at:

<http://www.uscourts.gov/bankruptcycourts/prose.html>.

Judge Isicoff is also currently working in conjunction with local attorneys to create a set of instructional schedules that provide examples of information to be included on the schedules.

Judge Isicoff noted that the court is working with the local legal community in creating programs to provide pro bono assistance to the public. A program has been established in conjunction with the Bankruptcy Bar and the Put Something Back program to provide regular free Pro Se Bankruptcy Clinics at each of the court's three divisional locations. Information about upcoming clinics is posted in the clerk's office and can be found on the Bankruptcy Bar Association of the Southern District of Florida website at this link: <http://bbasdf.org/>.

Another program that was created to help pro se filers is the One Campaign that was launched in 2009 by the Florida Supreme Court's Standing Committee on Pro Bono. This program pro-

vides statewide and local opportunities for attorneys to utilize their training and their talents by remembering that last line in their Oath of Admission to The Florida Bar, "never reject the cause of the defenseless or oppressed or delay anyone's cause for lucre or malice". Information about the One Campaign can be obtained at this website: Onepromiseflorida.org

Judge Isicoff noted that additional resources for filers seeking representation can be local law schools. The University of Miami, Florida International University as well as St. Thomas University provide law students the opportunity to assist these individuals. Judge Isicoff said she presided over a trial where both parties were represented by law school students. The trial was a success.

Judge Isicoff stated that from as early as law school, she saw the need for pro bono work and has made it her passion ever since. She concluded the interview by stating, "pro bono is a passion, pro se is a mission".

~ Dawn Leonard

ABOUT JUDGE ISICOFF

LAUREL MYERSON ISICOFF took the oath of office on February 13, 2006. Prior to becoming a judge, Judge Isicoff specialized in commercial bankruptcy, foreclosure and workout matters both as a transactional attorney and litigator for fourteen years with the law firm of Kozyak Tropin & Throckmorton, after practicing for approximately 8 years with Squire, Sanders & Dempsey. Judge Isicoff also developed a specialty in bankruptcy and SEC receiverships involving Ponzi schemes. After graduating from University of Miami School of Law in 1982, Judge Isicoff clerked for the Honorable Daniel S. Pearson at the Florida Third District Court of Appeal before entering private practice. In March, 2006 Judge Isicoff was inducted into the American College of Bankruptcy and was recently appointed to serve as a director of the American College of Bankruptcy Foundation. Judge Isicoff is a past President of the Bankruptcy Bar Association (BBA) of the Southern District of Florida, and, until she took the bench, served as the Chair of the Pro Bono Task Force for the BBA. Judge Isicoff taught the inaugural year of the Bankruptcy Assistance Clinic at St. Thomas Law School, a program which she helped design, and for which she served as a mentor. Judge Isicoff also served as a student mentor the University of Miami School of Law bankruptcy clinic until her appointment. Judge Isicoff holds an AV rating from Martindale-Hubbell, and has been recognized several times in The Best Lawyers in America, published by Woodward/White, recognized in Chambers USA (America's Leading Lawyers for Business) - 2005 Client's Guide" by Chambers & Partners (recognition as a leading individual in the field of bankruptcy), as well as recognized several times as a Top Lawyer in South Florida by The Florida Trend. Judge Isicoff speaks extensively on bankruptcy and pro bono service around the country, and to high school and college students in the South Florida area on financial literacy.



FREE BANKRUPTCY CLINICS OFFERED TO THE PUBLIC

Free pro se clinics have been scheduled during March and April in each of the three bankruptcy court locations as follows:

Miami : Bankruptcy Courthouse in Downtown Miami, 51 SW 1 Avenue, Courtroom 1410
Friday, March 18, 2011, 12pm - 2pm
Friday, April 15, 2011, 12pm - 2pm

Sponsored by Put Something Back and the Bankruptcy Bar Association of the Southern District of Florida. For further information contact: PSB@DADELEGALAID.ORG

Ft. Lauderdale: Bankruptcy Courthouse in Downtown Fort Lauderdale, 299 East Broward Boulevard, Courtroom 301
Friday, March 11, 2011, 12pm - 2pm
Friday, April 15, 2011, 12pm - 2pm

Sponsored by The Bankruptcy Bar Association of the Southern District of Florida, For further information contact: Grobson@HoughRobson.com

West Palm Beach: Bankruptcy Courthouse in Downtown West Palm Beach, 1515 North Flagler Drive, 8th Floor, Courtroom B, WPB, FL 33401.
March 23, 2011 11:30 am to 1 pm

Sponsored by the Legal Aid Society of Palm Beach County, Inc. & The Bankruptcy Bar Association of the Southern District of Florida . For further information contact: hries@foxrothschild.com

At the clinics, there will be a 45 minute video presentation outlining procedures for filing bankruptcy. Next, there will be a question and answer session. Then, you may meet with a bankruptcy attorney to discuss your case and get advice on general bankruptcy matters.

Please note that the project/volunteers do NOT represent you and take no responsibility for your case. You are responsible for responding to any pleadings and for protecting your own legal rights.

You cannot bring cell phones, pagers or other electronic devices to this courthouse or you will not be allowed entry. You will not be able to access the clinic if you have any electronic devices on you.



CLERK'S INITIAL CASE FILING DEFICIENCY NOTICES REVISED

The notices which the clerk serves under Local Rule 1017-2 (A)(1) to notify debtors of deadlines to correct deficiencies related to the filing of their bankruptcy petitions have been revised. These notices set forth the deadlines for debtors to file required documents, (such as schedules, a plan, or payment advices), or to correct deficiencies (such as use of nonconforming forms or filing unsigned documents). The notices were revised to provide more details about the deficiencies noted and to indicate under each item the specific date by which each deficiency must be corrected. The notices also advise debtors that their case may be dismissed without further notice for failure to meet these deadlines and reminds that Local Form "Debtor's Notice of Compliance with Requirements for Amending Creditor Information" and the Official Bankruptcy Form

"Declaration Concerning Debtor's Schedules" must accompany the filing of any paper submitted subsequent to the filing of the initial service matrix.

There are two versions of these notices. The "Notice Of Deadline(s) To Correct Filing Deficiency(ies)" is prepared in chapter 7, 11, and 12 cases and is only served on the debtor and the attorney for the debtor. The "Notice Of Filing Of Chapter 13 Case And Notice To Debtor Of Deadline(s) To Correct Filing Deficiencies" is served on all parties of record to meet the 21 day deadline under Bankruptcy Rule 2002(o) for the clerk to provide notice of the filing of the case because the clerk's "Notice of Commencement of Case", which advises recipients of the filing of the case and sets a 341 meeting and confirmation hearing, is not mailed in a chapter 13 case until

a plan is filed. In a chapter 7, 11 or 12 case, the "Notice of Commencement" is mailed to all parties of record shortly after the case is filed and serves as the required notice under Bankruptcy Rule 2002(o) for those chapters.

If a deficiency notice is entered in your case, immediate attention is required to avoid dismissal. For information about the filing requirements in this court for each chapter and case type (individual or non-individual) review the "Clerk's Filing Instructions" which are accessible under this link on the court website



and at all three clerk's office locations.

~ Debbie Lewis

NEW BANKRUPTCY NOTICING CENTER (BNC) ENHANCEMENTS

Effective March 2011, you will notice several enhancements to the court's "Certificate of Notice." In an effort to eliminate potential confusion for CM/ECF users, the BNC will change the order of the "Certificate of Notice" so that the certificate page(s) appears first followed by the originally filed document. Also, the "Certificate of Notice" will now include the case caption (e.g., debtor name, chapter and case number). When this court upgrades to CM/ECF version 4.1, the "Certificate of Notice" will now include those notice recipients who were noticed by NEF (Notice of Electronic Filing). This information will be appended to the end of the "Certificate of Notice." Also, in 4.1, registered ECF debtors' attorneys will begin receiving "Undeliverable Bypass Notices" via email instead of paper.

~ Joe Falzone



FILING AMENDED MOTIONS AND UPLOADING AMENDED ORDERS



Non-Fee Amended Motions

When filing an amended non-fee based motion, the filer must use the original dedicated event. In effect, the motion is re-filed and a prefix drop-down menu should be used to ensure that the docket text closely matches the PDF image. In the example below, “Amended” is selected from the prefix list.

Docket Text: Modify as Appropriate.

Amended Motion to Avoid Lien with GMAC

Filed by Creditor GMAC . (Cradic, Cam)

This method ensures that the Notice of Hearing properly captures the event title, that the court calendar is properly updated, that contested matters are registered in our database, and that entries can be searched by running a code-driven inquiry.

Fee-Based Amended Motions

Fee-based amended motions are handled differently. If the original dedicated event is used, a second fee will be charged. To avoid invoking the fee module, the filer will select the event “Amended Motion” and the system will prompt the filer to link the amended motion to the previously filed motion. An example is listed below.

Docket Text: Modify as Appropriate.

Amended Motion ([643] Motion for Relief from Stay

[Fee Amount \$150]) Filed by Creditor

GMAC . (Cradic, Cam)

When filing any amended motion, the filer must NOT link an amended motion to any Notice of Hearing or entered order. Good filing practice also requires that the word “Amended” be included in the title of the motion and filers are highly encouraged to include a footnote on the first page describing the amended content.

Amended Orders

When uploading any amended order, link it to the motion being ruled upon.

~ Dawn Leonard

RESOURCES FOR INFORMATION ABOUT BANKRUPTCY COURT FEES

THE FOLLOWING DOCUMENTS CAN BE ACCESSED BY OPENING THIS LINK

Filing & Fee
Information

ON THE COURT WEBSITE WWW.FLSB.USCOURTS.GOV BY SELECTING “FEE INFORMATION”

CLERK’S SUMMARY OF FEES

ADMINISTRATIVE OFFICE OF THE US COURTS BANKRUPTCY FEE COMPENDIUM

LATEST CHANGES TO BANKRUPTCY COURT FEE SCHEDULE

ELECTRONIC PUBLIC ACCESS FEE SCHEDULE



COMING SOON – CM/ECF VERSION 4.1!



CM/ECF version 4.1 was officially released to the court community on January 21. Version 4.1 is a significant software upgrade that offers many new features and enhancements. Due to the complexity of this upgrade, over the next several months we will install this software in an environment which will allow us to thoroughly and completely test the full functionality of the application. The following is a list of the key modifications which have been incorporated in this new release. For more information, please visit our CM/ECF web page at: http://www.flsb.uscourts.gov/cm_ecf/cmecf_frame.html

Release 4.1 was tested with Firefox 3.5, Internet Explorer 7 and 8. Mozilla Firefox 2 and Internet Explorer 6 are no longer supported.

Password security has been improved. All ECF passwords MUST be a minimum of 8 characters, and must include both upper and lower case alphabetic characters and at least one digit or special character [e.g., 0-9, @, #, \$, %, &, *, +]. Also, after five invalid login attempts, your account will be locked out for five

minutes. The first time you login after the court upgrades to version 4.1, a display will prompt the user to update their password.

Users will now have the ability to choose whether to receive notification of bankruptcy matters if their appearance has only been entered in an adversary proceeding.

The Cases Report has been modified to allow a search by attorney name or Bar ID. Also, the report has been limited to a 31-day range period to prevent users from unintentionally requesting a large data set thereby accruing unnecessary PACER fees.

The Query Report has been modified to display additional information (e.g., case name/number, chapter, date filed/closed and party role).

The BNC Certificate of Notice will now list ALL parties who received a NEF through CM/ECF, along with the date of electronic notification, party name/email address.

The Internet Payments Due module has been reprogrammed as a display panel, instead of a pop-up window, so that it is not affected by pop-up blocker settings. Users will now have the option to pay directly from a checking account debit, Automated Clearing House (ACH) payment. Also, users will have the option to pay some or all fees in a given transaction by various forms of payment.

A new feature has been added to the Query screen for tracking installment filing fee balances and adversary proceedings where the filing fees are deferred.

RSS Feeds – 4.1 will offer an RSS feed to court-selected types of documents that have been docketed within the last 12 hours. RSS feed is updated hourly. Standard PACER fees apply when viewing a docket sheet and/or document, but not fee is charged to view RSS feed report.

(Trustees Only), the Trustee's 341 Filings module has been enhanced to allow sorting by time and allow multiple meetings to be continued simultaneously.

~ Joe Falzone

CLERK'S OFFICE INITIATES COURT WEBSITE REDESIGN PROJECT

As part of the clerk's office efforts to provide the highest level of public service possible, the court website will be redesigned. To assist us in completing this project, a customer service survey was posted on the website to obtain information about visitors' experience with the current website and to seek suggestions for improvements. The feedback received will guide our efforts in redesigning the site to better meet your needs. The improved website may include the following new features: user-friendly navigation, customized views, enhanced search capabilities, and MS Word file formats. As the redesign progresses, we will post public updates. If you have any suggestions for this project please send them to:

Webmaster_FLSB@flsb.uscourts.gov

~ Dailin Pena



COURT FACILITIES SPACE UPDATE

MIAMI

The clerk's office completed a major renovation of the three Miami courtrooms, to install new audio/visual systems and counsel tables designed to support the systems. The courtrooms now have evidence presentation capabilities, enhanced audio for teleconferencing and enlarged displays. The court has arranged with the vendor and the Bankruptcy Bar Association to conduct a brown bag luncheon for attorneys on Thursday, March 10, 2011 at noon in courtroom 1406 to demonstrate the equipment.

FT. LAUDERDALE

In Ft. Lauderdale, Judge Ray's courtroom renovation continues on schedule to be completed by the end of April. This project includes the replacement of spectator seating, new carpeting, painting, refinishing of the judges bench and removal of the jury box. In addition, a new audio visual system, attorney tables and witness box will also be installed in his courtroom.

FORT PIERCE

Construction on the Ft. Pierce courthouse continues on schedule and substantial completion is scheduled for November 2011 with an occupancy of early 2012. The court anticipates having a visiting judges chamber and conference room in the space.

~ Jose Rodriguez

**PLEASE NOTE THE FOLLOWING CORRECTION AND UPDATE TO INFORMATION CONTAINED
IN PRIOR ISSUES OF BANKRUPTCY BUZZ**

Correction: In the section titled "Bankruptcy Reference Information" on page 2 of the December 2010 Bankruptcy Buzz, an incorrect program name "Legal Aid Service of Greater Miami" was listed. The correct name of this program is "**Legal Services of Greater Miami, Inc.**". This program serves low income clients living in Miami-Dade and Monroe Counties and can be reached by phone at 305-576-0080.

Update: The September 2010 issue of Bankruptcy Buzz contained an article about a free online credit counseling course offered by *ConsumerBankruptcyCounseling.info*. This organization recently initiated a \$5 fee to obtain the certification of completion of the course which you must have to file with the court. Information about this fee is posted on their site at the following link:

<http://www.consumerbankruptcycounseling.info/cbcp/important-info-regarding-cost.html>

The main website for this provider is: <http://www.consumerbankruptcycounseling.info/>

Prior to choosing any provider, verify that it is still on the approved list and that it can provide the service that permits a debtor to timely comply with pre-filing credit counseling requirements.

To view a list of all approved credit counseling providers in this district, visit the United States Trustee website at the following link:

http://www.justice.gov/ust/eo/bapcpa/ccde/cc_approved.htm



BANKRUPTCY WORD SEARCH

~ Judy Shafron

	V	G	W	T	W	C	O	U	R	T	R	O	O	M	J	R	E
Attorney	Y	W	C	P	D	C	R	C	P	W	W	U	W	O	W	W	R
Bankruptcy	D	A	T	N	W	K	R	E	L	C	H	E	U	L	I	L	T
Calendar	U	T	R	Q	W	O	F	E	U	M	M	O	T	I	O	N	K
Chambers	F	T	A	F	S	C	H	E	D	U	L	E	S	B	G	U	Q
Claim	W	O	D	I	K	S	Q	E	M	I	A	L	C	M	G	U	V
Clerk	V	R	N	L	U	I	G	N	O	I	T	I	T	E	P	I	F
Courthouse	S	N	E	E	P	D	J	E	G	R	A	H	C	S	I	D	T
Courtroom	R	E	L	K	U	T	U	G	N	I	D	E	E	C	O	R	P
Discharge	E	Y	A	J	E	P	R	S	E	L	T	E	K	C	O	D	E
Docket	B	S	C	T	Q	W	Y	R	E	D	R	O	B	G	X	W	C
File	M	S	R	L	C	N	E	B	A	N	K	R	U	P	T	C	Y
Hearing	A	U	G	L	Z	E	F	Y	S	G	M	Z	M	X	J	H	E
Judge	H	L	F	Y	E	S	U	O	H	T	R	U	O	C	G	Q	M
Jury	C	T	V	G	T	J	Y	O	U	H	B	S	I	A	Q	R	K
Motion	E	B	M	Q	Z	D	W	O	X	D	A	A	T	T	D	O	B
Order	Y	H	E	A	R	I	N	G	T	D	T	D	H	D	L	F	W
Petition																	
Proceeding																	
Schedules																	

FAST FACTS: 2010 CALENDAR YEAR FILINGS IN THIS COURT

Total number of Cases Filed: 39, 651 which was a nearly 37 % increase over 2009 calendar year filings.

Filings by division were: Miami-Dade: 18,526 Broward: 11,705 West Palm Beach: 9,420

Filings by Chapter: Chapter 7: 29,000 Chapter 11: 389 Chapter 12: 5 Chapter 13: 10,251 Chapter 15: 6

Pro Se debtor case filings : 4,253 which was an 81% increase over 2009 calendar year pro se filings.



Brown Bag Seminars

Miami's New Bankruptcy Courts:A Tutorial on the New Audio/Visual Equipment

Thursday, March 10, 2011 @ 12:00 p.m. - 1:30 p.m.

51 S.W. 1st Ave, Room 1406, Miami, Florida 33130

Come check-out Miami's new look! The Miami Division's courtrooms have been recently renovated with state-of-the-art audio/visual equipment to facilitate and enhance the Bankruptcy Bar's presentations to its Court.

Please join your colleagues and the Miami Judges as we enter the 21st century together.

CLE Ethics Training - Miami

Thursday, April 14, 2011 @ 12:00 p.m. - 1:30 p.m.

51 S.W. 1st Ave, Room 1406, Miami, Florida 33130

The University of Miami Center for Ethics and Public Service and the Bankruptcy Judges of the Miami Division are pleased to present this year's Ethics and Professional Responsibility Program. This program is specifically geared to help bankruptcy professionals navigate today's ethical waters. CLE credit is available for attendees.

Upcoming Court Holiday Closing Dates

Memorial Day— Monday, May 30, 2011

Independence Day— Monday, July 4, 2011

COURT MISSION STATEMENT

To promote public trust and confidence in the administration of bankruptcy cases:

- *through easy access to comprehensible, accurate information about the court, its procedures, and records;*
- *by the efficient, respectful, and dignified conduct of business at all levels of the court—clerk's office, chambers and courtroom;*
- *through adjudication of bankruptcy cases by a fair and impartial tribunal that is designed to provide relief to the honest debtor, equitable distribution of available assets to creditors, and preservation of jobs and value through successful business reorganizations.*

**THE INSIDE BUZZ:
CLERK'S OFFICE
ANNOUNCEMENTS**
NEW MIAMI STAFF

Maggie Ferere, Operations Manager, transferred from the Bankruptcy Court in Maryland and joined our court family in late December. Maggie brings over 16 years of bankruptcy operations experience, including operations supervisory and management experience.

Jeanne Cote-Suarez, Case Administrator, joined our court family in January. She brings 17 years of experience in the legal field. Jeanne gained her work experience with the State of Florida and Miami Dade County.

Melissa Long, Procurement Specialist, joined our court family in November. Melissa brings over 10 years of procurement and inventory management experience gained in the private sector, as well as the military.

~ Lourdes Strong

**CONTACT BANKRUPTCY BUZZ
PUBLICATION STAFF**

If you have any comments regarding this issue or want to suggest ideas for future articles, please contact "Bankruptcy Buzz" staff at the following email address

Debbie_Lewis@flsb.uscourts.gov.

Please do not use the above email address to file or send papers to the court or to ask questions about court procedure or status of a particular case. Contact the clerk's office at any of the following numbers for assistance in these matters. Visit the court website www.flsb.uscourts.gov for local filing information.

Thank you.

Miami: (305) 714-1800

Ft. Lauderdale: (954) 769-5700

West Palm Beach: (561) 514-4100

Please Note:

Clerk's office staff is not permitted to give legal advice.