



BANKRUPTCY BUZZ USBC SDFL

LOCAL NEWS AND INFORMATION

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UNITED STATES
BANKRUPTCY COURT
SOUTHERN DISTRICT OF
FLORIDA

December 2011

JUDGE MARK REFLECTS ON 21 YEARS OF SERVICE ON THE BENCH

As we near the end of another busy year, we note that one of our judges, Robert A Mark, has served 21 years as a judge of this court. In this interview, Judge Mark reflects on his experiences as a judge and the many changes in bankruptcy practice and case administration that have occurred since he joined the court on November 1, 1990.



Judge Robert A. Mark

The most obvious change has been the growth of the court. In 1990, when Judge Mark began his career as a bankruptcy judge, he was one of three judges who were all chambered in Miami. Today there are seven judges and three fully staffed divisional offices. There were 9,856 cases filed in 1990, and the clerk's office was staffed with 37 employees. This year, we expect filings to reach 36,000, and the clerk's office staff has more than doubled at 78 positions.

Judge Mark recalled that, although he was assigned to chambers in the Miami Division, during the first few years of his career he was assigned all cases filed in the West Palm Beach Division. At that time, the bankruptcy court's presence in West Palm Beach consisted of a small clerk's office intake area staffed by one intake clerk and a small chambers and courtroom in the Paul G. Rodgers Federal Building. All files, judges' chambers and clerk's office staff were located in Miami. Although the court was beginning its transition to electronic dockets, all files were maintained in paper format. Judge Mark would schedule West Palm Beach calendars once a week and would travel with stacks of paper files that had been manually pulled and "clipped" by Miami clerk's office staff.

Another major change was the implementation of CM/ECF in 2005. Judge Mark noted that automation of court records has facilitated access to information and saves time for both the court and the public. The courtroom environment has also benefitted from technological advances. All bankruptcy courtrooms are equipped with new sound systems and audio visual equipment. Parties are also permitted to appear telephonically in non-evidentiary hearings if they are unable to be present in the courtroom. The CM/ECF docketing system links related docket events and allows judges to electronically "pull" them from the file as a chain of events for review in the courtroom, in chambers or even while working remotely from other loca-

(Continued on page 2)

ENTRY OF AO 11-03 AMENDS CHAPTER 13 PROCEDURES

In conjunction with amendments to the Bankruptcy Rules and Official Bankruptcy Forms effective December 1, 2011, [Administrative Order 11-03 "Order ADOPTING INTERIM LOCAL RULES AND CLARIFYING STATUS OF LOCAL FORMS RELATED TO CHAPTER 13 CASE MATTERS ADDRESSED IN LOCAL RULE 3070-1 AND RELATED TO LOCAL RULES 2002-1 AND 4004-3"](#) was entered on November 18, 2011. This Order adopts interim amended local rules, abrogates several local forms referenced in these local rules and amends and renames the Local Form "Order Confirming Mortgage is Current" to [Local Form "Order Determining Debtor has Cured Default and Paid All Required Postpetition Amounts."](#) A chart summarizing new Bankruptcy Rule 3002.1, as supplemented by local procedures adopted by AO 11-03, is printed on page 9 of this issue. A complete review of the federal bankruptcy amendments which were effective 12/1/11 appeared in the October issue of Bankruptcy Buzz.

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Bankruptcy Cases Filed From 1/1/11 to 11/30/11:

Total Filed: 33,180

- Chapter 7 : 24,487
- Chapter 9 : 0
- Chapter 11 : 318
- Chapter 12 : 6
- Chapter 13 : 8,376
- Chapter 15 : 3

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




JUDGE MARK REFLECTS ON 21 YEARS OF SERVICE ON THE BENCH (continued from page 1)

tions. Updates to the docket are instantaneous, and can be viewed while the judge is on the bench. Judge Mark commented that although immediate 24/7 access to court information is advantageous, remote access capability also has its downside, since court staff and case participants are no longer limited to regular office hours and frequently extend work into the evening and weekends, encroaching on personal and family time.

During Judge Mark's 21 years on the bench, there have been numerous changes in the federal bankruptcy law itself. Judge Mark, as chief bankruptcy judge and chair of several local rules committees, has participated in the implementation of many new local rules and guidelines that have resulted in improved processes and procedures in the court. Judge Mark also complimented Judge Kimball for his outstanding work as Local Rules Committee Chair, and noted that he enthusiastically supported Judge Kimball's lifetime appointment to that position.

Judge Mark has presided over some memorable cases ranging from one particularly litigious individual to several large aircraft cases: Atlas Air, Polar Air and Piper Aircraft. Piper Aircraft proved particularly interesting because the parties and the Court had to determine how to deal with *unknown future claimants* injured

in post-confirmation crashes of planes built by the debtor prior to bankruptcy.

When asked if he had any advice for law students thinking of entering bankruptcy law, Judge Mark suggested that students need a good mentor. Judge Mark emphasized the importance of not only taking bankruptcy courses, but also participating in clinics, moot court competitions and conferences in order to interact with experienced bankruptcy lawyers.

Judge Mark had great things to say about his colleagues on the bench and the court staff he has worked with over the years. Judge Mark stated "In a time when it's easy to be cynical about the federal government and congress, I am happy and proud to be a member of the federal judiciary and particularly, to be a judge in this court." He commends former Clerk of Court Karen Eddy for fostering a strong sense of court family and a commitment to serving the public, and the current Clerk, Kathy Gould-Feldman, and her team for continuing that tradition and for building upon it by encouraging strong leaders. Judge Mark reminisced that his working relationship with Mrs. Gould-Feldman predates both their service at the bankruptcy court since she served as judicial assistant to U.S. District Court Judge Aronovitz at the same time he served as the judge's law clerk. Judge

Mark also praised his "immediate family" at the court who he has been with since his appointment - his judicial assistant, Marcy Gatell, and courtroom deputy, Elaine Howlan, extraordinary co-workers and great friends.

Judge Mark expressed that he has been fortunate to have excellent law clerks, many of whom have become life-long friends. Annually, Marcy gathers them together for a luncheon at Joe's Stone Crabs, where they catch up on each other's lives and share old war stories about notable cases.

In closing, Judge Mark made reference to an article he read in the "Op-Ed Column" of the New York Times. The columnist, David Brooks, requested that readers submit "Life Reports" - little essays in which people evaluate their own lives. Judge Mark noted that there were quite a few essays by people bemoaning their lives and jobs. This made the judge think about how fortunate he is to have a job he loves and people he loves to work with. He has no regrets. Judge Mark ended the interview with this advice: "Find something that you like to do, hopefully something that you're good at, and do it with good people."

~ Dawn Leonard

ABOUT JUDGE ROBERT A. MARK

The Honorable Robert A. Mark was appointed as judge of the U.S. Bankruptcy Court for the Southern District of Florida in 1990 in Miami and served as Chief Judge from 1999-2006. Prior to his appointment, Judge Mark served as head of the bankruptcy department of the Miami firm Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson. He has served on the National Conference of Bankruptcy Judges Endowment for Education and frequently lectures at continuing education seminars, including the National Conference of Bankruptcy Judges and the Federal Judicial Center's educational programs for bankruptcy judges. Judge Mark is a Fellow of the American College of Bankruptcy and is an author for Collier on Bankruptcy. His community activities include participation in a program that offers internships to minority law students, and participation in financial education programs for high school students through the Bankruptcy Bar Associations's CARE program, which teaches students about the dangers of credit card abuse. Judge Mark is a graduate of Boalt Hall School of Law, University of California at Berkeley. Judge Mark is also an avid runner who has completed nine marathons, including qualifying for, and running two Boston Marathons.



JUMPSTART YOUR PDF/A COMPLIANCE

Case Management

CM / ECF

Electronic Case Filing

The United States Bankruptcy Court, Southern District of Florida recently upgraded to CM/ECF 4.2. Currently, CM/ECF accepts PDF and PDF/A documents. In the future, the Judiciary will require that all electronically filed documents uploaded in CM/ECF be in the PDF/A format. This move to a PDF/A standard is viewed as a necessary step to enhance CM/ECF security and to improve the archiving and preservation of case-related documents.

To help you jumpstart your transition this will be one of many articles that will provide helpful information to get you started.

Why PDF/A?

When e-filing began, the Judiciary embraced the PDF standard for documents filed in CM/ECF. Since it was first adopted, the PDF standard has evolved to include new features, some of which have raised concerns about the security and long-term archival storage of the documents. PDF/A eliminates those security risks, improves the archiving and preservation of case-related documents, and also enhances the ability to archive with the National Archives and Records Administration (NARA).

Getting Started

1. Develop in-house expertise in creating, using, and verifying PDF/A documents.
2. Review how you currently create PDF documents and determine if those same methods can easily produce PDF/A compliant documents.
 - A. Word processing software
 - B. PDF writers/readers
 - C. Application plug-ins or add-ons
 - D. Scanners/all-in-one printers
3. Verify documents to be filed in CM/ECF are PDF/A compliant

As you prepare your office, start using PDF/A for electronically filed documents. PDF/A will be the required filing format. Start now. With advanced practice and preparation, you will avoid problems once PDF/A filings are mandatory.

Resources:

Acrobat for Legal Professionals: <http://blogs.adobe.com/acrolaw>

List of PDF/A compliant products: <http://www.pdfa.org/doku.php?id=pdfa:en:products>

NEWS FROM THE ADMINISTRATIVE OFFICE OF THE US COURTS: PACER ADDS 3,000 ACCOUNTS WEEKLY IN FY 2011 | SEPTEMBER 28, 2011

More than 160,000 new accounts in the federal judiciary's Public Access to Electronic Court Records (PACER) service were established in fiscal year 2011. That's an average of more than 3,000 new accounts each week.

PACER allows users to obtain case information from federal courts without having to visit a courthouse. The service allows users to request information about a particular case or party, and the data is immediately available for printing or downloading for eight cents per page.

The PACER service center, located in San Antonio, responded to about 165,000 telephone calls and about 42,000 emails in FY 2011. More than one-third of the existing 1.3 million PACER accounts were active over the course of the fiscal year that ends September 30, 2011.



NEW CM/ECF "PASSWORD RESET" FEATURE



A new "Password Reset" feature has been added to the CM/ECF login page which allows CM/ECF registered users (without clerk's office staff intervention) the ability to reset ONLY their CM/ECF password. PACER users requesting a reset of their PACER login must contact the PACER Service Center at <https://www.pacer.gov/psco/cgi-bin/pscllogin.pl>, or call (800) 676-6856.

~ Joe Falzone

Steps to resetting password:

Click on link on CM/ECF login page to indicate you have lost your password (see image one below).

Enter your ECF login ID when the next screen opens and type the word which appears in the box (see sample in image two below).

A message will appear indicating that a new password will be sent to the email address on record for you.

If you have lost or forgotten your CM/ECF (not PACER) password, [click here](#).

Authentication	<p>IMPORTANT NOTICE OF REDACTION RESPONSIBILITY: All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; and financial account numbers, in compliance with Fed. R. Bankr. P. 9037. This requirement applies to all documents, including attachments.</p> <p><input type="checkbox"/> I understand that, if I file, I must comply with the redaction rules. I have read this notice.</p>
Login:	
Password:	
Client code:	

ECF Password Changes - Florida Southern Bankruptcy

Notice

This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry or use or any use that attempts to circumvent access controls or PACER billing processes is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged. -><https://ecf.flsb.uscourts.gov>-

Enter your ECF login ID.

Please type the following in the box below and click "Submit".



CM/ECF UNIVERSAL LOGIN AVAILABLE IN FLORIDA BANKRUPTCY COURTS

In a recent PACER assessment, CM/ECF users nationwide expressed their desire to reduce the number of logins and passwords they need to retain in order to access the different courts in which they are registered users. Although this functionality may be included in the next generation of CM/ECF, the bankruptcy courts for the Southern, Middle and Northern Districts of Florida have taken steps to address this issue and have collaborated to develop a new, easy to remember, voluntary login structure that will allow users to have the same login and password for all three courts.

To facilitate this new option, each Florida Bankruptcy Court has posted a link on their website to a Universal Login Request form. Since this is a collaborative effort, on the request form we ask that you submit your request to the court where you file the most frequently.

Should you wish to have the same password in all three courts, you may change your password by logging into the individual courts CM/ECF programs and changing your password through the Utilities menu. More specific instructions will be provided to you when you are assigned your new login ID.

It should be noted that the CM/ECF systems in each court are not linked and therefore you will still be required to log into each district separately to perform any filing function in the individual districts. However, we hope the use of the same login and password structure is a step toward making CM/ECF usage easier. Additionally, the universal login assigned to you is only for access to the Florida Bankruptcy Court CM/ECF systems. This process will not change your login and/or password to the U.S. District Courts for the Southern, Middle and/or Northern Districts of Florida or any other U.S. Bankruptcy or U.S. District Court in which you may be registered. To submit your request, please click the link below to complete the form. <http://pacer.flmb.uscourts.gov/cmecf/universal/request.asp>

~ Joe Falzone



QUALITY CONTROL OF NEWLY FILED CASES

The court's website contains links for filing requirements which may be accessed by selecting the red button on the left side of the "home" page labeled "Filing & Fee Information", then select "Filing Information". From this list you may select the link for "Clerk's Filing Instructions" (for comprehensive information) or select a link for a corresponding chapter.

To assist attorneys e-filing new cases, we would like to bring to light issues that are discovered during the clerk's quality control process. Specifically, the following are issues which result in entry of a deficiency notice or require other corrective action.

- Entry of every debtor name must exactly match the PDF image of the petition. This includes all other names such as an aka, dba, fka, etc.
- If the debtor's mailing address differs from the actual street address, ensure that the mailing address is entered into the CM/ECF database. This will ensure proper noticing.
- Ensure there is a match between the attorney's CM/ECF login code and the attorney identified on page three of the petition. Attorneys may not share a login code pursuant to Local Rule 9011-4(A)(2)(b).
- Enter all data for each schedule being filed. The total of each must correspond to the Summary of Schedules and Statistical data.
- If submitting a "skeleton" petition - no schedules - ensure that the Official Form "Statement of Social Security Number (or other Individual Taxpayer-Identification Number(s) (ITIN(s)))" AND a creditor matrix are filed. If a debtor does not have a social security or tax identification number, the Official Form has a check box to indicate this information. The "Clerk's Filing Instructions" provides a list by chapter of all documents that must accompany the petition at the time of filing.
- Use of the local form "Declaration Regarding Payment Advices" is highly encouraged. Also, please attach supporting documents as required by the

form. Redact ALL personal identifiers such as a social security number.

The following CM/ECF events require their own PDF document. Do not attach these documents to the PDF image of a Petition.

- Other > Statement of Social Security Number
- Other > Plan > Chapter 13 Plan
- Other > Certification of Budget and Credit Counseling Course
- Other > Payment Advices
- Attorney-Filed Documents > Declaration Re Electronic Filing
- Attorney-Filed Documents > Disclosure of Compensation

- The local form "Declaration Under Penalty of Perjury to Accompany Petitions, Schedules and Statements Filed Electronically" should be filed after related documents have already been entered. The final docket text should contain links to the same document(s) identified within the body of the PDF image. Do not link this form to entries for Payment Advices or Credit Counseling Certificates because they do not appear on the local form.

In addition to the above, the following reminders are provided for reference.

- When filing an adversary complaint, do not include the address of a defendant unless the defendant is the debtor. This information is added by the clerk when the Summons Service Executed event is entered or when the defendant files their answer.
- Always use the local forms "Debtor's Notice of Compliance with Requirements for Amending Creditor Information" AND "Declaration Under Penalty of Perjury to Accompany Petitions, Schedules and Statements Filed Electronically" when filing any post petition schedules/statements. The first notice listed above contains check boxes advising of applicable fees and filing requirements.



RESEARCHING AND OBTAINING COPIES OF COURT RECORDS

Research and Copies of Electronically Filed Court Records

There are a variety of avenues through which researchers may obtain copies of court records. Each clerk's office intake area within the Southern District of Florida maintains public access terminals in which individuals may research cases free of charge. All documents filed after October 17, 2005 are available electronically and may also be printed for a nominal per page charge. Additionally, remote access to these documents is available for any person registered with a fee-based PACER account (Public Access to Court Electronic Records). **To obtain a PACER account, please visit <http://www.pacer.gov>.**

PACER is the designated program for researching cases online. Users may fill out an online registration form to obtain an account. One PACER account may be used for any federal court. The current charge for each billable page is \$0.08. (Note: PACER fees will increase in April 2012. See story on page 10 of this issue of Bankruptcy Buzz.

Before registering for PACER users may practice searching for cases and documents through the new Pacer Training Website <https://dcecf.psc.uscourts.gov/cgi-bin/ShowIndex.pl>. Use of the website is free of charge and has been populated with real case data from the New York Western District Court from cases filed between 1/1/2007 and 7/1/2007.

Research and Copies of Conventionally Filed Court Records

Documents filed **prior** to October 17, 2005 will not be available to print from any computer. With these cases, PACER will only provide access to the court docket. Although documents are not available in electronic format, hard copies of filed documents may be obtained by contacting the National Archives and Records Administration; Federal Records Center; Southeast Region (NARA), and the contact information is provided in our local form "Request for Copies of Archived Cases from U.S. Bankruptcy Court, Southern District of Florida." NARA has a variety of methods in which archived records may be sent; they can be faxed, mailed, emailed, sent via overnight express through FedEx or UPS, and/or scanned onto a CD or DVD. If users need to obtain a particular document versus an entire case, this is where knowledge and use of PACER is helpful. Before contacting NARA, users can research the court docket for any document number they wish to obtain copies of and have the document number(s) ready when they place their order. Before contacting NARA, users must obtain the case file location numbers from the Bankruptcy Court Helpdesk. That *accession/transfer number and box location number* is needed so that the archives administration can easily locate a case file.

The fee for the clerk's office to order and retrieve conventionally filed cases and documents is \$53.00 and copy charges are added. In many instances, it is less costly and more efficient to order and reproduce a case or document(s) directly from NARA. Also, purchasing document "packages" directly from NARA online is available at reduced costs. More detail of costs and retrieval methods is located on our local form "Request for Copies of Archived Cases from U.S. Bankruptcy Court, Southern District of Florida."

References


Local form "Request for Copies of Archived Cases from U.S. Bankruptcy Court, Southern District of Florida"

<http://www.archives.gov/research/court-records/bankruptcy.html> - General information on how to order.

<https://eservices.archives.gov/orderonline/start.swe?SWECmd=Start&SWEHo=eservices.archives.gov> - order online.



BANKRUPTCY UNSCRAMBLE ~ Jackie Antillon

INSTRUCTIONS: Unscramble each of the seven clue words below. Take the letters that appear in these boxes  and unscramble them for the final three word answer to the clue below. (Answers are at bottom of this page)






ntapealpl



pctasirnsrt

inandtoesig

lepeplae

rnmtalartist







  

ktdeco







 

efe

A TOTAL OF 117 OF THESE DOCUMENTS HAVE BEEN FILED IN CASES IN THIS COURT DURING THE TIME PERIOD FROM 1/1/11 TO 11/30/11 :

**NEWS FROM THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS:
FREE PACER TRAINING SITE AVAILABLE**

Are you interested in learning how to access federal court records online, or want to sharpen the record-searching skills you already have? A training site for the federal judiciary's Public Access to Court Electronic Records (PACER) service recently became available.

The site features data from real cases filed in the U.S. District Court for the Western District of New York in 2007. There's no charge. Current and future users of PACER can benefit from the training site., accessible via either of these links:

- <http://www.pacer.gov/announcements/general/train.html>
- <https://dcecf.psc.uscourts.gov/cgi-bin/ShowIndex.pl>

ANSWERS TO
BANKRUPTCY
UNSCRAMBLE:

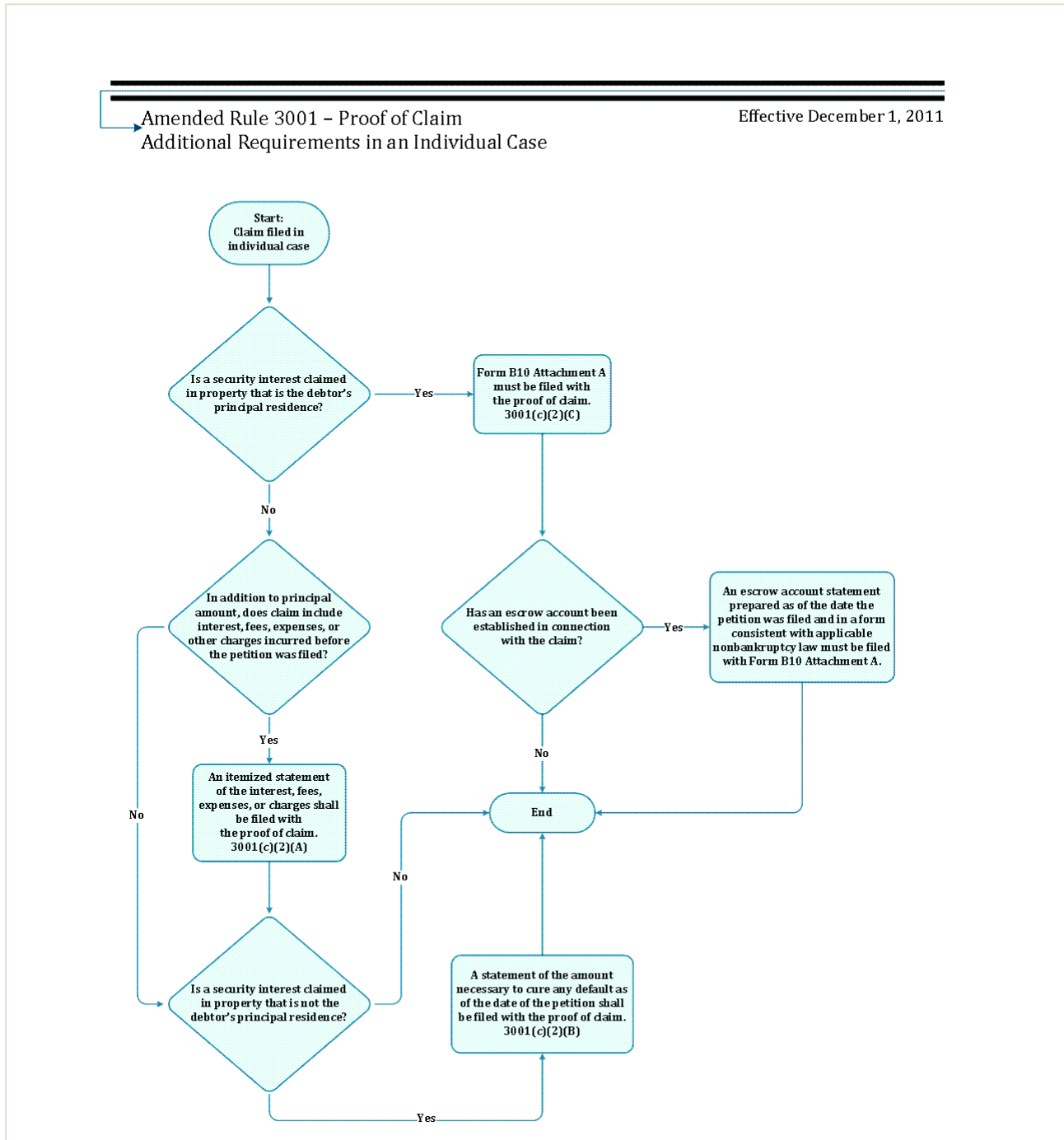
APPELLANT
TRANSCRIPTS
DESIGNATION
APPELLEE
TRANSMITTAL
DOCKET
FEE

"NOTICE OF
APPEAL"



FLOW CHART: NEW BANKRUPTCY RULE 3001 REQUIREMENTS FOR FILING CLAIMS IN INDIVIDUAL CASES EFFECTIVE 12/1/11.

(Reprinted with the permission of Douglas Young, Chief Deputy Clerk, U.S. Bankruptcy Court, Middle District of Alabama.)





BANKRUPTCY RULE 3002.1 SUMMARY CHART
 (This chart was originally created by Douglas Young, Chief Deputy Clerk,
 USBC Middle District of Alabama and has been modified to reflect USBC SDFL local requirements)

	Notice of Mortgage Payment Change	Notice of Postpetition Fees, Expenses and Charges	Motion to Determine Mortgage Fees and Expenses	Notice of Final Cure Mortgage Payment	Response to Notice of Final Cure Payment	Motion to Determine Final Cure and Mortgage Payment
Rule	3002.1(b)*	3002.1(c)	3002.1(e)	3002.1(f)***	3002.1(g)	3002.1(h)****
Purpose	To provide notice of any postpetition change in mortgage payment amount.	To provide notice of any postpetition fees, expenses or charges.	To respond and objection to notice of postpetition fees, expenses and charges.	To provide notice that debtor has paid full amount required to cure any default on claim. Notice must also inform holder of claim of obligation to file response under subdivision (g).	To provide statement indicating 1) whether holder of claim agrees that debtor has paid full amount required to cure default, and 2) whether debtor is otherwise current on all payments.	Made in objection to 3002.1(g) response to ask for a judicial determination as to if debtor has cured default and paid all required postpetition amounts.
Filed By	Creditor	Creditor	Debtor or Trustee	Trustee++	Creditor	Debtor or Trustee
When Filed	No later than 21 days before payment in new amount is due.	Within 180 days after date on which fees, expenses, or charges are incurred.	Within one year after service of notice under subdivision (c)	Within 30 days after debtor completes all payments under plan	Within 21 days after service of notice under subdivision (f)	Within 21 days after service of statement under subdivision (g)
Service	Debtor, Debtor's Counsel, and Trustee	Debtor, Debtor's Counsel, and Trustee	Creditor	Debtor, Debtor's Counsel, and Creditor	Debtor, Debtor's Counsel, and Trustee	Creditor
Form	Official Form B10 Supplement 1**	Official Form B10 Supplement 2	n/a	n/a	n/a	n/a
Filed As	Supplement to Claim	Supplement to Claim	Court Docket	Court Docket	Supplement to Claim	Court Docket
ECF Event USBC SDFL+	Bankruptcy Menu-> (Claim Actions OR Limited Filers)-> Notice of Mortgage Payment Change	Bankruptcy Menu-> (Claim Actions OR Limited Filers)-> Notice of Postpetition Mortgage Fees, Expenses and Charges	Bankruptcy Menu-> Motions/Applications-> Determine Mortgage Fees and Expenses	Trustee OR Notices Menu-> Notice of Final Cure Mortgage Payment	Bankruptcy Menu-> (Claim Actions OR Limited Filers)-> Response to Notice of Final Cure Payment Rule 3002.1	Bankruptcy Menu-> Motions/Applications-> Determine Final Cure and Mortgage Payment Rule 3002.1

NOTES TO ABOVE CHART REFLECTING USBC SDFL LOCAL REQUIREMENTS

*See USBC SDFL Administrative Order 11-03 that adopts Interim Local Rule 3070-1(B)(1), and provides that: *“The provisions of Bankruptcy Rule 3002.1 shall also apply to claims that are a) secured by a security interest on real property of the debtor other than the debtor’s principal residence (including without limitation claims of condominium associations and homeowner’s associations); and b) provided for under § 1322(b)(5) of the Code in the debtor’s plan.”*

**See USBC SDFL Administrative Order 11-03 that adopts Interim Local Rule 3070-1(B)(2), and provides that when a notice of payment change is filed addressing a claim covered under subdivision (B)(1) of Interim Local Rule 3070-1, the Official Bankruptcy Form “Notice of Mortgage Payment Change” shall be modified accordingly to reflect the actual type of claim for which the notice is being filed.

***See USBC SDFL Administrative Order 11-03 that adopts Interim Local Rule 3070-1(E), and provides that *“The provisions of Bankruptcy Rule 3002.1 shall also apply to any chapter 13 case where the debtor’s plan provided for the curing of defaults on a claim secured by a security interest on real property other than the debtor’s principal residence.”*

****2) See USBC SDFL Administrative Order 11-03 that adopts Interim Local Rule 3070-1(E)(2) and provides that a proposed order confirming a claim secured by a security interest in real property is current, submitted by a party to the court under Bankruptcy Rule 3002.1 or Interim Local Rule, 3070-1(E) shall substantially conform to this court’s Local Form “Order Determining Debtor Has Cured Default And Paid All Required Postpetition Amounts”.

- + In addition to the CM/ECF events listed in the last row of the above chart, two other USBC SDFL events have been created:
- Certificate of Service re: Rule 3002 Matter: This event will NOT appear on the court docket, only the claims register and will only allow linkage to the notice of mortgage payment change; notice of postpetition mortgage fees, expenses and charges; and/or response to notice of final cure payment.
 - Objection to Notice of Mortgage Payment Change: This event will appear on the court docket.

++ Please note that Bankruptcy Rule 3002.1(f), regarding notice of final cure payment by the trustee, also provides that *“If the debtor contends that final cure payment has been made and all plan payments have been completed, and the trustee does not timely file and serve the notice required by this subdivision, the debtor may file and serve the notice.”*

**FREE BANKRUPTCY CLINICS OFFERED TO THE PUBLIC**

Dade Legal Aid/Put Something Back Pro Bono Project, Legal Aid Society of Palm Beach, Inc., American College of Bankruptcy & The Bankruptcy Bar Association of the Southern District of Florida Present a Free Pro Se Clinic at the Bankruptcy Courthouse On the Following Dates and Times:

Miami Division: 51 SW 1 Avenue, Courtroom 1410

Friday, January 13, 2012 12 pm – 2 pm

Friday, February 10, 2012 12 pm – 2 pm

Friday, March 23, 2012 12 pm – 2 pm

Friday, April 27, 2012 12 pm – 2 pm

Fort Lauderdale Division: 299 East Broward Boulevard, Courtroom 301

Friday, January 20, 2012 12 pm – 1:30 pm

Friday, February 17, 2012 12 pm – 1:30 pm

Friday, March 9, 2012 12 pm – 1:30 pm

Friday, April 20, 2012 12 pm – 1:30 pm

West Palm Beach Division: 1515 North Flagler Drive, 8th Floor, Courtroom B

Wednesday, January 11, 2012 11:30 am – 1 pm

Wednesday, February 8, 2012 11:30 am – 1 pm

Wednesday, March 7, 2012 11:30 am – 1 pm

You cannot bring cellular phones, pagers, and other electronic devices to the courthouses. You will not be allowed entry and will not be able to access the clinic if you have any electronic devices on you.

At the clinic, 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.

FOR FURTHER INFORMATION, PLEASE CONTACT:MIAMI: amiranda@dadelegalaid.orgFORT LAUDERDALE: kimberly.salamone@ntmlawfirm.comWEST PALM BEACH: erosen@rosenwinig.com

**PACER FEES TO INCREASE EFFECTIVE APRIL 1, 2012**

In an effort to continue supporting and improving the Public Access to Court Electronic Records (PACER) system, and to develop and implement the next generation of the Judiciary's Case Management/Electronic Case Filing system, the Judicial Conference of the United States authorized a two cents per page increase. The increase in the electronic public access (EPA) fee, from \$.08 to \$.10 per page will take effect on April 1, 2012.

The EPA fee has not been increased since 2005. As mandated by Congress, the EPA program is funded entirely through user fees set by the Conference.

The Conference was mindful of the impact such an increase could have on other public entities and on public users accessing the system to obtain information on a particular case. For this reason, local, state, and federal government agencies will be exempted from the increase for three years. Moreover, PACER users who do not accrue charges of more than \$15 in a quarterly billing cycle would not be charged a fee. (The current exemption is \$10 per quarter.) The expanded exemption means that 75 to 80 percent of all users will still pay no fees.

UPCOMING COURT HOLIDAY CLOSING DATES

- Christmas: The court will close at 2 pm on Friday, December 23, 2011 and will be closed all day on Monday, December 26, 2011 (See General Order 11-1)
- New Year's Day—Monday, January 2, 2012 (See General Order 11-1)
- Birthday of Martin Luther King, Jr.- Monday, January 16, 2012
- President's Day - Monday, February 20, 2012

**CLERK'S OFFICE PARTICIPATES IN HOLIDAY GIFT PROGRAM FOR FOSTER CHILDREN**

Every year our court participates in the Holiday Gift Program. This event brings out the best in us as we open our hearts in order to brighten the holidays for the needy children in our community. This year we did it again and sponsored 35 kids. The gifts collected were wrapped and delivered to the Voices for Children Foundation in mid December just in time for the Holiday season.

~ Lourdes Paredes

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.*

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.

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West Palm Beach: (561) 514-4100

Please Note:

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