



BANKRUPTCY BUZZ

LOCAL NEWS AND INFORMATION

UNITED STATES BANKRUPTCY
COURT SOUTHERN DISTRICT
OF FLORIDA

JUNE 2017

AO 17-2 SETS DEADLINE FOR SUBMISSION OF COMMENTS ON PROPOSED AMENDMENTS TO LOCAL CHAPTER 13 PLAN

The court has entered Administrative Order 17-2 “Proposed Amended Local Form “Chapter 13 Plan” and Opportunity for Public Comment” which establishes a deadline for submission of written comments to the court on proposed amendments to the local form.

Amendment of the current local form chapter plan is necessitated by the court’s decision to opt out of the requirement for use of a national plan form under new Bankruptcy Rule 3015.1 which is scheduled to become effective on December 1, 2017. Under Bankruptcy Rule 3015.1, a local court may opt out of the national form requirement by adopting a local form plan that meets the requirements of new Bankruptcy Rule 3015.1, including provision for an opportunity for public comment on the local form.

[Administrative Order 17-2](#) and the proposed amended local form chapter 13 plan are posted on the court website.

Any comments on the proposed amendments must be submitted in writing and mailed or delivered to Joseph Falzone, Clerk of Court, United States Bankruptcy Court, C. Clyde Atkins United States Courthouse, 301 North Miami Avenue, Room 150, Miami, FL 33128, to be received not later than June 30, 2017. Each comment must identify the specific text being addressed together with any supporting authority.

Upon adoption of the amended form, the clerk will issue a notice indicating the effective date for debtors to commence using the revised plan. Because the local rules of this court already require use of a local form, the effective date may be earlier than the December 1, 2017 effective date of Bankruptcy Rule 3015.1.

INSIDE THIS ISSUE

CHIEF JUDGE’S CORNER	2
CHIEF JUDGE HONORED FOR PRO BONO	4
JUDGESHIP POSITION IN WPB	5
ARCHIVING GUIDE-LINES	6
HELP DESK CORNER	8
LOCAL RULE REVIEW	9
SPOTLIGHT ON MOTIONS	10
WHO IS RESPONSIBLE	11
FREE BANKRUPTCY CLINIC SCHEDULE	13

Bankruptcy Cases Filed From 1/1/17 to 5/31/17: Total Filed: 6,931

- Chapter 7 : 3,622
- Chapter 9 : 0
- Chapter 11 : 75
- Chapter 12 : 1
- Chapter 13 : 3,229
- Chapter 15 : 4

Additional filing statistics are available on the court website www.flsb.uscourts.gov under the “Court Information” tab at the top of page.

Select: [“Bankruptcy Case Filing Statistics”](#)



NEW PROCEDURES FOR FILING SEALED DOCUMENTS ELECTRONICALLY



CHIEF JUDGE'S CORNER: CHANGES ARE COMING TO THE SOUTHERN DISTRICT OF FLORIDA

2017 is going to be a big year of change in the Southern District of Florida. First, and most significant, Judge Paul G. Hyman, Jr., who has served on the Court since October 4, 1993 - the last ten as Chief Judge, has announced he intends to retire in 2018. And, thanks to a one year extension of our two temporary bankruptcy positions, the Eleventh Circuit is now accepting applications for Judge Hyman's replacement. Thus, we will have our first new bankruptcy judge since 2008, when Judge Kimball came to the bench. Most importantly, at least from Judge Kimball's perspective, we will have a new judicial chair for the local rules committee.

However, even though our two temporary positions are amongst the seven whose expiration were delayed until May 25, 2018, the positions are still temporary. What that means is, if any position is vacated after May 25, 2018, the first two vacancies will not be filled. Thus, it is still critically important that our two temporary positions are converted to permanent positions.

There is legislation pending in the House and the Senate that would convert our two temporary positions, as well as twelve others, to permanent positions, and add four new judgeships, including one in the Middle District of Florida. The House Bill, HB 136, has passed the House. However, the Senate Bill, S 632, is still sitting at the Judiciary Committee level. I am happy to report that both our Senators - Senator Nelson (D) and Senator Rubio (R) - are co-sponsors of the Senate bill - S 632. This bill is critically important. You can help by reaching out to members of the Senate, other than our two Senators, and letting them know how important it is that these bankruptcy judicial positions be preserved. This is a national issue - five of the six Delaware bankruptcy positions are temporary positions. If this bill doesn't pass then Delaware will have one permanent judge and lots of visiting judges. If the bill does pass, Delaware will have eight permanent bankruptcy judicial positions (two of the four new positions are for Delaware). We are also completely redoing our website. In addition to switching to a completely new operating platform, which will change the look of our website, we are also reconfiguring information to make the website more user friendly. Look for easier access for information on how to take a pro bono case (as well as other important information). We were inspired in our formatting by the Central District of California so, if you want a sneak preview at what, generally, our website will look like, go to www.cacb.uscourts.gov.

We also have a new Pro Bono logo for the Bankruptcy Court. This logo was designed by Emily Lao, a rising senior at the Miami-Dade County Magnet Design and Architecture High School. Emily and the other members of Mr. Dale Brook's Junior Visual Communications class submitted competing designs; Emily's submission was chosen by the seven bankruptcy court judges and Joe Falzone.



I want to thank our Website Committee - Joe Falzone, Jose Rodriguez, Ido Alexander, Zach Shelomith, Hayley Harrison and Jessika Graham for all their hard work. And further thanks to our court IT staff and especially Dailin Pena, who are working non-stop to get the website up and running.

This year will be the first year the Court awards the Chief Judge's Pro Bono Award. It isn't too late to sign up for a pro bono opportunity. Pro Bono isn't just limited to taking a case. Here is a list of different pro bono opportunities:

- Take a chapter 7 case
- Take a chapter 13 case

(continued on page 3)

**CHIEF JUDGE'S CORNER: CHANGES ARE COMING TO THE SOUTHERN DISTRICT OF FLORIDA**

(continued from page 2)

- Mentor a student clinic team (usually a chapter 7 case or adversary proceeding)
- Mentor a non-bankruptcy lawyer who is doing a bankruptcy case pro bono
- Represent a creditor in an adversary proceeding (Many times a discharge action involves domestic support obligations)
- Represent a debtor in an adversary proceeding (Usually a discharge action or objection to exemptions)
- Represent a debtor at a 2004 examination
- Represent a creditor at a 2004 examination
- Represent a debtor for an MMM mediation
- Staff a pro se clinic (usually 2 hours)
- Help with intake at a legal services provider
- Take a Low Bono (reduced fee case)

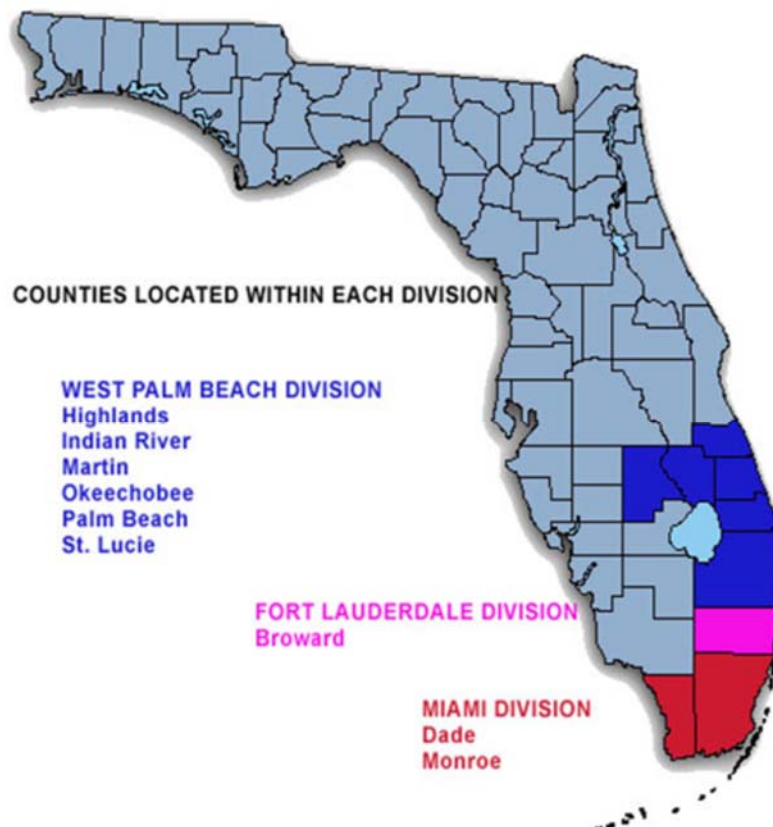
As you can see, you can volunteer for a couple of hours, a couple of weeks or a couple of years. Additionally, you can receive up to three credits toward your bankruptcy CLE requirements necessary for admission to appear before the Bankruptcy Court.

Finally, for now, I am trying to improve outreach to all nine counties of the Southern District of Florida. Here is a map of the Southern District.

I want to make sure our debtors and creditors in all nine counties have access to the resources we provide. We may not have divisions in all nine counties, but we can try to make sure we have clinics in all nine counties. If you have any ideas on how we can do outreach to all nine counties please send those ideas to me at:

laurel_m_isicoff@flsb.uscourts.gov.

See you in court!





CHIEF JUDGE ISICOFF HONORED FOR HER PRO BONO WORK

By: Jacqueline Antillon



On January 19th of this year, the Florida Supreme Court awarded Bankruptcy Chief Judge Laurel M. Isicoff the Distinguished Federal Justice Services Award for her pro bono service. The award, presented by Chief Justice Jorge Labarga of the Florida Supreme Court on behalf of the Chief Justice's Pro Bono Advisory Committee, recognized Judge Isicoff for her statewide pro bono service in helping the less fortunate.

After her appointment to the bankruptcy court in 2006, Judge Isicoff was no longer permitted to provide counsel in pro bono cases. Instead she now encourages other attorneys to give back to their community by volunteering pro bono legal services. Volunteers appearing in pro bono cases in her courtroom and at the 341 meeting of creditors are, with the cooperation of the US Trustee Office, called first on the calendar. Judge Isicoff is spearheading a project to recognize attorneys who take cases pro bono by listing their names on the court website. To further encourage participation, this court has adopted Interim Local Rule 2090-1, amending it to provide that attorneys volunteering to take pro bono cases can earn up to three of the twelve CLE credits required to practice in this court.

Our court, along with the District Court and the Federal Bar have partnered to participate in celebration of "National Pro Bono" week every October. Since the court initiated pro-bono programs, hundreds of attorneys have made a difference by volunteering their services. Helping a client through a complicated legal process is one of the most rewarding opportunities an attorney can experience.

Judge Isicoff is currently Judicial Chair of the Pro Bono Committee of the Business Law Section. She's also a member of the Florida Bar Standing Committee on Pro Bono, as well as a member of the Pro Bono Committee of the American College of Bankruptcy. Judge Isicoff, prior to becoming a judge, worked with Patricia Redmond on the first bankruptcy pro bono clinic at St. Thomas University. The curriculum allows students to work side by side with attorneys and provide pro bono services in active cases. Other universities that offer such similar programs, include Nova Southeastern University and the University of Miami which is home to the Eleanor R. and A. Jay Cristol Bankruptcy Pro Bono Assistance Clinic, a clinic endowed by Judge Cristol.

Judge Isicoff also assisted The Bankruptcy Bar Association of the Southern District of Florida in establishing a monthly pro-se clinic approximately five years ago which features a 45 minute video presentation, followed by a question and answer session staffed by pro bono attorneys who are able to provide general advice regarding bankruptcy matters.

Judge Isicoff is relentless in her pursuit to help others obtain affordable legal representation. She was a catalyst in creating a Pro Bono Bankruptcy Summit for the Southern District of Florida. She's also working with The Florida Bar Foundation to launch a service which will allow attorneys to volunteer for pro bono clients BY REVIEWING AND SELECTING CASES online, which they are interested in working on. "[Pro Bono for the Public Good](#)" is now available on our court's web site.

For more information regarding pro bono work and free bankruptcy clinics, please visit the court's website: www.flsb.uscourts.gov, under the tab, "Filing Without An Attorney". For more information regarding, "National Pro Bono Celebration", visit their website www.celebrateprobono.org.

The gratitude expressed by clients toward their pro bono attorneys is extremely rewarding and it's a fantastic opportunity to help those less fortunate in helping them turn their financial lives around. Attorneys who have participated in the pro bono process can testify that it's a chance to do something different and is extremely satisfying work.

Congratulations to Judge Isicoff for her dedicated contributions to the pro bono efforts!



Availability of a Bankruptcy Judgeship Position in the Southern District of Florida at West Palm Beach

The United States Court of Appeals for the Eleventh Circuit seeks applications from all highly qualified candidates for a fourteen-year appointment as United States Bankruptcy Judge for the Southern District of Florida at West Palm Beach. The basic jurisdiction of a bankruptcy judge is specified in Title 28, United States Code and explained in Title 11, United States Code, as well as in 98 Stat. 344, Pub. L. 98-353, Title I, §120.

To be qualified for appointment an applicant must -

- (a) Be a member in good standing of the bar of the highest court of at least one state, the District of Columbia, or the Commonwealth of Puerto Rico and a member in good standing of every other bar of which the applicant is a member.
- (b) (1) Possess, and have a reputation for, integrity and good character; (2) possess, and have demonstrated, a commitment to equal justice under the law; (3) possess, and have demonstrated, outstanding legal ability and competence; (4) indicate by demeanor, character, and personality that the applicant would exhibit judicial temperament if appointed; and (5) be of sound physical and mental health sufficient to perform the essential duties of the office.
- (c) Not be related by blood or marriage to (1) a judge of the United States Court of Appeals for the Eleventh Circuit; (2) a member of the Judicial Council of the Eleventh Circuit; or (3) a judge of the district court to be served, within the degrees specified in section 458 of Title 28, United States Code, at the time of the initial appointment.
- (d) Have been engaged in the active practice of law for a period of at least five years. The judicial council may consider other suitable legal experience as a substitute for the active practice of law.

The individual selected must comply with the financial disclosure requirements pursuant to the Ethics in Government Act of 1978, Pub. L. No. 95-521, 92 Stat. 1824 (1978) (codified as amended at 5 U.S.C. app. §§ 101-111).

The selection process will be confidential and competitive. The current annual salary is \$188,692. Persons shall be considered without regard to race, color, age, gender, religion, national origin, or disability.

If you are interested in applying, please submit an original unbound completed application to James P. Gerstenlauer, Circuit Executive, 56 Forsyth Street, NW, Atlanta, Georgia 30303. Application forms are available on the Court's Website at www.cali.uscourts.gov. Applications must be submitted by potential nominees to the Circuit Executive's Office, and must be received by **26 June 2017**. Email and faxed copies of applications will not be accepted.



RETRIEVING DOCUMENTS FROM CLOSED AND ARCHIVED CASES

By: Maria Romaguera

When this court went live on CM/ECF (Case Management/Electronic Case Filing) in October 2005, it also moved toward creating a world of paperless archiving of cases. However, many of those paper cases closed over the decades may still exist on the federal court paper case archiving system.

Often, the public finds it necessary to retrieve documents from a closed bankruptcy case. Whether or not this is possible, depends on what type of case it was when it was filed and when it was closed. Below is a summary of whether documents in a closed case file may or may not still be retrievable and what the process is for retrieving them. **(Note: this court still has paper cases pending which may remain locally in the clerk's office for about six months before archiving.)**

The Judicial Conference of the United States and the Archivist of the United States have approved a bankruptcy records disposition schedule that is set forth in Volume 10, Appendix 6B of the Guide to Judiciary Policies and Procedures of the Administrative Office of the U.S. Courts.

BANKRUPTCY ARCHIVING GUIDELINES

Electronic case files. Documents filed on and after October 17, 2005 are stored electronically on the court's computer system (CM/ECF) and are easily accessible via the internet using PACER or from the clerk's office.

Non-electronic case files. Under the disposition schedule, the following cases are permanently retained and transferred to NARA 15 years after the case is closed: cases dated 1940 and earlier, cases filed under the Bankruptcy Acts of 1800, 1841, 1867 and cases under certain provisions of the Bankruptcy Acts of 1898 and 1978, cases filed under chapter 12 of the Congressional Act of 1986, cases designated by the court or the National Archives and Records Management (NARA) as historically significant and a small sample of cases randomly selected for preservation. Most other paper bankruptcy case files are considered temporary records, and subject to destruction 15 or 20 years after case closing in accordance with NARA's records disposition policy.

Bankruptcy case dockets. The docket is a list of all documents filed in a bankruptcy case, and is stored separate from the case file. Bankruptcy case dockets are permanent records. Therefore, even if a case file has been destroyed, copies of the bankruptcy docket can be viewed or copied at the clerk's office or obtained from NARA, depending upon the docket's location.

OBTAINING BANKRUPTCY RECORDS IN CLOSED CASES

Electronic case files are retrieved via the PACER system or at the clerk's office.

Documents from paper case files sent to and retained under the above NARA archiving guidelines may be obtained as follows:

Contact the court to obtain the following Federal Records Center (FRC) information: record transfer number (accession number), box number, case name and case number.

(continued on page 7)



Retrieving Documents From Closed and Archived Cases (continued from page 6)

You can obtain FRC information from the court by mailing your request or calling the court. In order to expedite your request, be sure to provide the court with as much information as possible about the case, such as, debtor's name, case number, date filed, and social security number or tax identification number.

The clerk's office will advise you which of the following options for obtaining your information are available.

OBTAINING COPIES DIRECTLY FROM NARA

After you obtain the FRC information from the clerk's office, you are prepared to make your request for copies of documents to the National Archives and Records Administration (NARA). The form used to make such a request is available through NARA's website at <http://www.archives.gov/research/court-records/form-90.pdf> (link is external). Follow the instructions provided by NARA so that NARA personnel can send you the requested copies. You may also contact NARA at 1-866-272-6272 with your copy request and charge it to a credit card or debit card. NARA fees may apply.

Copies of documents in closed cases which have been sent to the Federal Record Center (FRC) in Ellenwood, GA should be ordered directly from NARA. You must complete Local Form "Request for Copies of Archived Case Files from the US Bankruptcy Court, Southern District of Florida" (LF-59). Pre-selected documents for individual debtor(s) Cases ONLY (Voluntary Petition, Summary of Debts and Property, Schedules D, E/F, Order of Discharge of Debtor or Order of Dismissal) may be obtained directly from the FRC at a cost of \$35.00. Copies of all documents (150 page maximum) for ALL CASE TYPES (Individual, Business and Adversary cases) may be obtained from the FRC at a cost of \$90.00. Additional fees will be incurred for a case exceeding the 150 page maximum. Copies of documents from the FRC may be delivered via FAX (Max of 25 pages) or US Mail. Either package can also be certified for an additional cost of \$15.00 at the time of ordering. No fees are due for services rendered on behalf of the United States or to bankruptcy administrators.

FILES SENT TO CLERK FOR IN OFFICE REVIEW

Files may also be retrieved from the FRC back to the court for a fee of \$64.00 for the first box and \$39.00 for each additional box by submitting the Local Form "Archives Request Form" (LF-88). Copies of any retrieved case document will cost \$0.50 per page and are only available in paper format. Certified copies of those documents will cost \$11.00 for each document plus a per page copy charge of \$0.50.

SMARTSCAN

SmartScan is a new option available for receiving documents by email. See article titled "Introducing SmartScan" in the December 2016 Bankruptcy Buzz issue for more information.

If you need further information about obtaining copies, please contact the clerk's office at any clerk's office location and review the clerk's instructions for obtaining copies, Local Form "Request for Copies of Archived Case Files from the US Bankruptcy Court, Southern District of Florida" and Local Form "Archives Request Form".



HELP DESK CORNER QUESTIONS

By: Maria Cervino

HOW ARE DOCUMENTS ELECTRONICALLY SERVED BY CM/ECF?

When a document is electronically filed, either directly by the filing party or filed in paper and docketed by the clerk, a Notice of Electronic Filing (NEF) will display at the end of the filing process and will be sent via email to all CM/ECF registered case participants. The NEF will reflect party filer, date and time document was filed, active hyperlink to the filed document along with the associated docket text, and list of CM/ECF registered case participants who received the document electronically. The filer is responsible for serving all required parties who were not electronically served by the NEF.

HOW DOES A CM/ECF REGISTERED USER SPECIFY EMAIL NOTIFICATION PREFERENCES?

A user's preferences for email notification are specified on the Email Information Screen (see image below) which is accessed via the "Maintain your ECF Account" located under Utilities. In order for a registered user to receive Notices of Electronic Filings for both Primary and Secondary accounts complete the items on the screen as follows:

The user has the ability on this screen to enter both a primary and a secondary email addresses by following the instructions.

This screen also allows you to designate to which address(es), which cases, and whether you want to receive a notice for each filing or a daily summary report. The information is saved when you return to account screen and click the Submit button.

The screenshot displays the 'Email information for Maria T Cervino' screen. At the top, there are navigation tabs: Bankruptcy, Adversary, Query, Reports, and Utilities. Below these are utility icons: Docket Sheet, Claims Register, List of Creditors, Deadlines/Hearings, Calendar Events (2/16/2017), and Associated Cases. The main form area includes:

- Primary email address:** maria_cervino@flsb.uscourts.gov
- Reenter primary email address:** maria_cervino@flsb.uscourts.gov
- Secondary email address:** [Empty field]
- Reenter secondary email address:** [Empty field]
- Send the notices specified below:**
 - to my primary email address
 - to the secondary addresses
- Send notices in cases in which I am involved
- Send notices in these additional cases [Empty field]
- Send notices for adversary proceedings in which I am directly involved and for their related bankruptcy cases
- Send notices for adversary proceedings in which I am directly involved but not for their related bankruptcy cases
- You may receive notices for some bankruptcy cases if it is required by the Clerk of Court.
- Send a notice for each filing
- Send a Daily Summary Report
- Format notices:** HTML, Text
- BNC EDI partner:** Yes, No
- Buttons: Return to Account screen, Clear

For additional information, visit www.flsb.uscourts.gov and select the Resources Menu under the CM/ECF tab > "Managing eMail".

To obtain a list of FAQ's visit www.flsb.uscourts.gov and select FAQ menu under the CM/ECF tab.



LOCAL RULE REVIEW: ATTORNEY WITHDRAWALS AND SUBSTITUTIONS

By: Cameron Cradic

Local Rule 2091-I was modified in December 2015. It states that withdrawals from representation of a client require leave of court except for three specific instances. The three instances allow a NOTICE to be filed. Details and conditions for filing same are specified within the references below.

MOTIONS which require leave of court after service has been properly executed upon on all affected parties are electronically filed using the following CM/ECF events.

Event path: Bankruptcy OR Adversary > Motions/Applications > Substitute Attorney OR Withdraw as Attorney (select one of two events)

NOTICES filed pursuant to

Local Rule 2091-I(A) – Withdrawal by Attorney for Creditor in an Uncontested Matter

Local Rule 2091-I(B) – Joint Notice of Substitution of Counsel in a Contested Matter

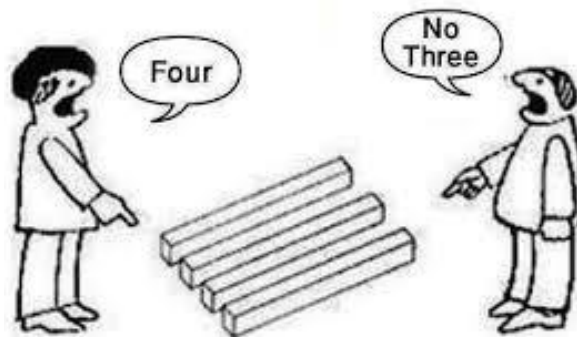
Local Rule 2091-I(C) – Substitution of Attorney in Same Firm

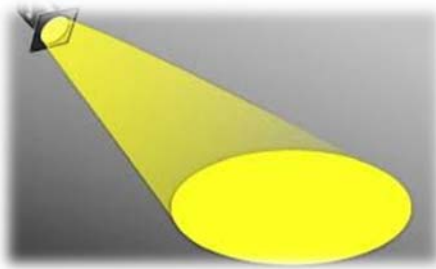
are electronically filed using the following CM/ECF event.

Event path: Bankruptcy OR Adversary > Attorney-Filed Documents OR Limited Filers > Notice to Withdraw Appearance or Substitute Attorney (one event for all three instances)

Attorneys are encouraged to title their documents so that the PDF image, CM/ECF event, and docket text remain in sync.

It is really confusing!!!





Spotlight on Motions

OBJECTING TO DISCHARGE OF DEBTOR(S)

This motion topic begins with the understanding that the court will grant a discharge to individual debtors in newly filed cases unless there is an eligibility conflict. Guidance for filing a **Motion Objecting to Discharge of Debtor(s)** appears in Bankruptcy Rules 4004(c)(1)(B) and 4004(d).

Specifically, this motion is applicable **ONLY** to debtors who received a discharge in a prior case and time conditions for *the newly-filed case* may present a conflict for entry of another discharge. This motion is not a substitute for filing an adversary complaint to object to discharge or to determine the dischargeability of certain debts.

The following references may be helpful.

Chapter 7: 11 U.S.C. §727(a)(8) or (9)

The court will grant a discharge in a later Chapter 7 case unless the debtor received a discharge under Chapter 7 or 11 within eight years before the filing date of the second petition. Also, the court will grant a discharge in a later Chapter 7 case unless the debtor received a discharge under Chapter 12 or 13 within six years before the filing date of the second petition [additional conditions are specified in 11 U.S.C. §727(a)(9)].

Chapter 13: 11 U.S.C. §1328(f)

The court will grant a discharge in a later Chapter 13 case unless the debtor received a prior Chapter 7, 11 or 12 discharge during the four year period preceding the filing date of the second petition or order for relief. Also, the court will grant a discharge in a later Chapter 13 case unless the debtor received a Chapter 13 discharge during the two years preceding the filing date of the second petition or order for relief.

Event Path: [Bankruptcy](#) > [Motions/Applications](#) > [Objecting to Discharge of Debtor\(s\)](#)

The above event path has been programmed to transmit data directly to the Administrative Office of the U.S. Courts and enable automated case management functions. Therefore, it is necessary for e-filers to use the above CMIECF event when filing this type of motion.



Who is Responsible: Court (C); Non-Trustee Filer (NT); and/or Trustee (T)?
By Lorraine Adam

For each scenario below, indicate the responsible party:
The Court; or Non-Trustee Filer; or Trustee
Hint: the answer may be more than one responsible party

1.	Who is responsible for requesting to register for the DeBN?	
2.	Who is responsible for entering a Summons to Debtor in Involuntary Case on the docket?	
3.	Who is responsible for filing Local Form "Notice of Deposit of Funds with the U.S. Bankruptcy Court"?	
4.	Who is responsible for preparing the <i>Order Upon Conversion</i> when a Notice of Voluntary Conversion under Section 1208(a) or Section 1307(a) is filed?	
5.	Who is responsible for preparing and docketing the Notice of Reassignment of a Case to Another Judge?	
6.	Who is responsible for the preparation and docketing of a Notice of Sale?	
7.	Who is responsible for requesting an automatic dismissal under 11 USC Section 521(i)?	
8.	Who is responsible for serving the Chapter 7, 12, and 13 discharge on all parties?	
9.	Who is responsible for scheduling a 2004 Examination?	
10.	Who is responsible for transmitting a Motion to Withdraw Reference to the District Court?	
11.	Who is responsible for declaring exigent circumstances regarding the pre-petition consumer credit counseling requirement?	
12.	Who can refer a pro se party in an adversary to pro bono representation?	
13.	Who is responsible for utilizing the court's self-calendaring process for scheduling non-emergency matters in chapter 7 and 13 cases?	
14.	Who is responsible for submitting Local Form "Application to Withdraw Unclaimed Funds"?	
15.	Who is responsible for disposing of trial exhibits?	

*Answers on next page.



ANSWER TO QUIZ FROM PAGE 11

1.	Non-Trustee Filer. Pursuant to LR 1001-1(F)(15), debtors must register for DeBN directly with the clerk of court by filing Local Form “ <i>Debtor’s Request to Receive Notices Electronically Under DeBN Program</i> ”.
2.	Court. Pursuant to LR 1010-1, the clerk will generate and docket the summons in an involuntary case and electronically transmit it to the petitioner(s).
3.	Trustee. Pursuant to LR 3011-1(A), the chapter 7, 12, or 13 trustee shall deposit with the court any funds left undistributed accompanied by LF-26.
4.	Court. Pursuant to LR 1017-1(A), where conversion is effected upon the filing of a notice of conversion under Section 1208(a) or Section 1307(a), the court shall prepare the order upon conversion.
5.	Court. Pursuant to LR 1073-1(B)(5), notice of reassignment of a case to another judge shall be provided to all parties of record by the clerk of court.
6.	Non-Trustee Filer and/or Trustee. Pursuant to LR 2002-1(C)(2), the trustee or debtor in possession shall prepare and serve a notice of use, sale or lease of any property as provided by LR 6004-1.
7.	Trustee. Pursuant to LR 1017-2(A)(2), the assigned trustee shall review each case to determine whether the debtor has complied with all filing requirements. If the trustee determines that the requirements have not been met, the trustee shall move for dismissal.
8.	Court. Pursuant to LR 4004-3(B), the clerk shall serve the order of discharge in all chapter 7, 12, and 13 cases.
9.	Non-Trustee Filer and/or Trustee. Pursuant to LR 2004-1(A), no order will be necessary to authorize an examination pursuant to BR 2004, or to require production of documents at the examination.
10.	Court. Pursuant to LR 5011-1(C)(1), when the record is complete for purposes of transmittal, and after the time for filing a response has expired, the clerk of this court shall promptly transmit to the clerk of the district court the motion to withdraw, all timely filed responses and memoranda, and the portions of the record designated.
11.	Non-Trustee Filer. Pursuant to LR 1007-1(D)(2)(b), the debtor may file a separate sheet with their voluntary petition explaining what efforts the debtor made to obtain the credit counseling briefing, why the debtor was unable to obtain it before the bankruptcy filing, and what exigent circumstances required the debtor to file their case.
12.	Court. Pursuant to LR 9071-2, In any adversary proceeding in which a party is proceeding pro se and the court finds either that, in the case of a pro se debtor defendant there is a reasonable doubt as to the validity of the creditor’s claim, or in the case of any other pro se party, that party would likely qualify for pro bono representation, the court will refer the party to the pro bono committee of the Bankruptcy Bar Association, SDFL.
13.	Non-Trustee Filer and/or Trustee. Pursuant to this court’s Guidelines for Self-Calendaring, the automated process allows CM/ECF registered users to select an available hearing date and time from the assigned judge’s calendar at the time the motion is filed.
14.	Non-Trustee Filer. Pursuant to the <i>Clerk’s Instructions for Deposits Into and Withdrawal From Unclaimed Funds</i> , individuals applying as original claimants, funds locators, attorneys or employees of corporations, debtors may submit LF-27.
15.	Court. Pursuant to LR 9070-1(D), any exhibit not returned within 30 days after a matter is no longer subject to appellate review may be destroyed or otherwise disposed of by the clerk without further notice.



FREE BANKRUPTCY CLINICS

FREE PRO SE CLINICS AVAILABLE AT THE LOCATIONS AND TIMES BELOW! Each clinic features a 45 minute video providing an overview of the procedures for filing bankruptcy, followed by Question & Answer Sessions staffed by pro bono attorneys who are available to give general advice on bankruptcy matters. They do **NOT** represent you and do **NOT** provide you with legal advice regarding your particular circumstances. You are responsible for responding to any pleadings and for protecting your own legal rights. This is a **FREE** service and the attorneys are not there to attempt to acquire you as clients, or to ask you to pay them for advice or future services.

SPONSORED BY: Dade Legal Aid Put Something Back Pro Bono Project, Legal Aid Society of Palm Beach, Inc., Florida Rural Legal Services, Inc., The American College of Bankruptcy Foundation & The Bankruptcy Bar Association of the Southern District of Florida.

***Bankruptcy Court – Miami Division: 301 North Miami Avenue, Training Room**

Friday, July 14, 2017	12:00 p.m. – 2:00 p.m.
Friday, August 11, 2017	12:00 p.m. – 2:00 p.m.
Friday, September 8, 2017	12:00 p.m. – 2:00 p.m.
Friday, October 13, 2017	12:00 p.m. – 2:00 p.m.
Friday, November 17, 2017	12:00 p.m. – 2:00 p.m.
Friday, December 8, 2017	12:00 p.m. – 2:00 p.m.

***Bankruptcy Court - Fort Lauderdale Division: 299 East Broward Boulevard, Room 112**

Friday, July 14, 2017	12:00 p.m. – 1:30 p.m.
Friday, August 11, 2017	12:00 p.m. – 1:30 p.m.
Friday, September 8, 2017	12:00 p.m. – 1:30 p.m.
Friday, October 13, 2017	12:00 p.m. – 1:30 p.m.
Friday, October 27, 2017 (Pro bono week)	12:00 p.m. – 1:30 p.m.
Friday, November 17, 2017	12:00 p.m. – 1:30 p.m.
Friday, December 15, 2017	12:00 p.m. – 1:30 p.m.

***Bankruptcy Court - West Palm Beach Division: 1515 North Flagler Drive, 8th Floor**

Wednesday, July 5, 2017	12:00 p.m. – 1:30 p.m.	Courtroom A
Wednesday, August 9, 2017	12:00 p.m. – 1:30 p.m.	Courtroom A
Wednesday, September 13, 2017	12:00 p.m. – 1:30 p.m.	Courtroom A
Wednesday, October 4, 2017	12:00 p.m. – 1:30 p.m.	Courtroom A
Wednesday, November 8, 2017	12:00 p.m. – 1:30 p.m.	Courtroom A
Wednesday, December 6, 2017	12:00 p.m. – 1:30 p.m.	Courtroom A

Stuart/Port Saint Lucie/Indian River: Peter & Julie Cummings Library, Deterlizzi Room

2551 Matheson Avenue, Palm City, FL 34990

“Sponsored by Martin County Bankruptcy Committee and Martin County Library System’s

“Lawyers in the Library” Program – For information call 772-419-0057”

Thursday, June 15, 2017	6:00 p.m. – 8:00 p.m.
Thursday, July 20, 2017	6:00 p.m. – 8:00 p.m.
Thursday, August 17, 2017	6:00 p.m. – 8:00 p.m.
Thursday, September 21, 2017	6:00 p.m. – 8:00 p.m.
Thursday, October 19, 2017	6:00 p.m. – 8:00 p.m.
Thursday, November 16, 2017	6:00 p.m. – 8:00 p.m.



FREE BANKRUPTCY CLINICS (continued from page 13)

Vero Beach: For information or to register please call

Florida Rural Legal Services at 772-466-4766 ext. 7014

Tuesday, August 1, 2017	11:00 a.m. – 1:00 p.m.
Tuesday, September 5, 2017	11:00 a.m. – 1:00 p.m.
Tuesday, October 3, 2017	11:00 a.m. – 1:00 p.m.
Tuesday, November 7, 2017	11:00 a.m. – 1:00 p.m.
Tuesday, December 5, 2017	11:00 a.m. – 1:00 p.m.

Port Saint Lucie: For information or to register please call

Florida Rural Legal Services at 772-466-4766 ext. 7014

Tuesday, August 1, 2017	3:00 p.m. – 5:00 p.m.
Tuesday, September 5, 2017	3:00 p.m. – 5:00 p.m.
Tuesday, October 3, 2017	3:00 p.m. – 5:00 p.m.
Tuesday, November 7, 2017	3:00 p.m. – 5:00 p.m.
Tuesday, December 5, 2017	3:00 p.m. – 5:00 p.m.

*You may **NOT** bring cell phones or electronic devices into the courthouse or you will be denied entry. Cell phones and electronic devices will not be stored for you.

FOR FURTHER INFORMATION, PLEASE CONTACT:

Miami:	(Karen Ladis)	kladis@dadelegalaid.org
Fort Lauderdale:	(Kimberly Salamone)	ksalamone@ntmlawfirm.com
West Palm Beach:	(Rilyn Carnahan)	rilyn.carnahan@gmlaw.com
	(Steven S. Newburgh)	snewburgh@mclaughlinstern.com
Stuart/Port Saint Lucie:	(Jon Martin)	jmbklaw@gmail.com
Okeechobee/Indian River:	(Carolyn Fabrizio)	carolyn.fabrizio@frls.org

UPCOMING COURT HOLIDAY CLOSINGS

Independence Day - Tuesday, July 4, 2017
 Labor Day - Monday, September 4, 2017
 Columbus Day - Monday, October 9, 2017
 Veterans Day - Friday, November 10, 2017
 Thanksgiving Day - Thursday, November 23, 2017
 Christmas Day - Monday, December, 25, 2017

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.

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.