



INTERVIEW WITH JUDGE SCOTT M. GROSSMAN

By: Dawn Leonard

We can thank the balmy Florida weather and the interminable desire to seek out the right answer for our latest addition to the judicial bankruptcy bench in the Southern District of Florida. The Honorable Scott M. Grossman, who was sworn in on Wednesday, October 2, 2019, initially pursued a career in accounting, graduating with a bachelor's and master's degree in accounting from the prestigious 5-year accounting program at the University of Florida. His love of math and affinity for solving problems led him to study numbers, but after a summer internship in an accounting firm, he decided that he just wasn't finding the answers that he was looking for.



Judge Scott M. Grossman was sworn in as a bankruptcy judge on October 2, 2019.

During his internship, he discovered that accountants consistently encountered issues where they needed to call lawyers for an answer, and he realized that he wanted to be the one with the answers. It was then that he decided he was going to pursue law. And when his fellow Gators were studying for the CPA exam, he was studying for the LSAT.

His pursuit for answers took him to Washington, DC, where he attended the George Washington University Law School. This is where he met his wife of 16 years and where he was accepted into the Attorney General's Honors Program. He took his first Oath of Office as a lawyer in the Tax Division at the Department of Justice. This premier recruitment program required a 4-year commitment in which he learned to litigate, take depositions, and write briefs. The DOJ allows its lawyers to be licensed anywhere. So he took the Florida bar, as he had his sights set upon our fair state. Within a month of taking his oath, he appeared before the Honorable Arthur B. Briskman in the Bankruptcy Court for the Middle District of Florida. Throughout his 4 and 1/2 years with the DOJ, Judge Grossman spent approximately 75 - 80% of his time working on bankruptcy cases, mostly in the Middle District of Florida.

After fulfilling his 4-year commitment, he and his wife decided it was time to move from DC and head south to practice bankruptcy law. So in 2004, Judge Grossman joined Greenberg Traurig's bankruptcy group in Miami as an associate. In 2008, he became a shareholder and later transferred to the Ft. Lauderdale office so he could be closer to home. At Greenberg, Judge Grossman formed remarkable relationships. He feels very blessed and fortunate to have worked with both the Miami and the Ft. Lauderdale offices. It was here that he says he became "a true chapter 11 lawyer." He was able to showcase his bankruptcy tax talents, as well as his litigation chops, with noteworthy representations such as BankUnited Financial Corporation in its chapter 11 bankruptcy, investors in the Bernard L. Madoff Investments Securities, LLC case, and a group of private equity funds that purchased the rights to the Titanic artifacts, and related exhibitions business out of the Premier Exhibitions Chapter 11 case.

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Bankruptcy Cases Filed From 1/1/19 to 11/30/19

Total Filed: 16,037

- Chapter 7 : 9,065
- Chapter 9 : 0
- Chapter 11 : 214
- Chapter 12 : 0
- Chapter 13 : 6,746
- Chapter 15 : 12

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](#)"



Interview With Judge Grossman (continued from page 1)

In October of 2015, Judge Grossman was sworn in as president of the Bankruptcy Bar Association of the Southern District of Florida. It was on this day when his mother saw him interacting with the judges that she told him he would “make a good judge.” The seed had been subtly planted. Throughout his term as president of the BBA and spending more and more time with the judges, Judge Grossman began to feel as though, what he had thought of as mere motherly pride, was perhaps something more. However, the single instance that he points to, where the idea became fully formed, can be attributed to Judge Hyman. When Judge Hyman was Chief Judge, he invited Judge Grossman as his guest to the 11th Circuit Judicial Conference in Alabama. At that conference, in a room with federal judges for 3-4 days, it occurred to him that “this was something I’d like to do when the opportunity presents itself”.

Aside from the idea of working alongside our wonderful judges, Judge Grossman was feeling drawn back to public service. The idea of spending his time in search of the right answer for the right answer’s sake, without being prodded by a client’s interests and needs, was liberating. As a math geek/accounting major, the draw and the challenge is the search for the right answer. So becoming a judge, where the #1 job is to figure out what is right, seemed to be a logical next step. There, he would be able to take on that challenge yet again but do so for the whole of the public he wanted to serve.

When Judge Grossman discovered he was subject to the background check, he sat down with his two young daughters to discuss their future with him as a judge. He asked them if they remembered that perhaps one day he wanted to be a judge? His oldest daughter then asked him if he was going to be a judge. When he told her that he was, he said he then experienced one of the greatest moments of his life when she said, “Oh my God. I’m so happy for you, and I’m so proud of you.” His heart melted - as did mine, upon hearing him tell this story. Judge Grossman says he has received much support from the judges, the clerk’s office, and his staff in chambers, all of whom he sees as extremely valuable resources. With all the collaboration, his transition has been quick and seamless. He also says that for a judicial role model, he often looks to Judge Kimball. Something that has always stuck out in his mind as a practitioner was how thoroughly Judge Kimball prepared for his calendar. He says that what sticks out in his mind was when Judge Kimball said, “you can assume I have read everything you filed.” And Judge Grossman firmly believes that this is how a judge should be and he has been doing just that from the moment he took his seat on the bench.

Another of his strongly held beliefs is the need for diversity. Judge Grossman feels as though we, as a court and as a society, benefit from diversity. He says that “we are better as a bar, community, and society when we are represented by people with different viewpoints and backgrounds.” He made it a point to bring in diverse speakers when he was president of the BBA and would like to continue to promote diversity in the legal community and on the bench.

On a personal note, Judge Grossman likes to cook, is an avid reader, and he loves music. He spends time in the early morning walking and listening to music while he prepares for his day ahead. Some of his best thinking is done during this quiet time.

He and his younger brother grew up in New Jersey, where his father was a commercial lender and his mother was a school teacher. When his parents were cleaning out their New Jersey home where he grew up, his mom came across a journal in the attic that had been written by a young Scott Grossman. The journal was from a 6th-grade writing class. In that journal, Mrs. Grossman came across a page where her son’s future was predicted. The page read, in addition to wanting to own a Lamborghini (it was the 80’s after all), “In 15 years, I will probably be a bankruptcy lawyer.” It would appear that from an early age, Judge Grossman had an idea of where he was headed. This journal page is now framed and holds a special place on the wall of his new chamber as a reminder of how, with hard work, education, and great family and friends, any dream can be fulfilled.

It is with great pride that we welcome to the Southern District of Florida Bankruptcy Court, The Honorable Scott M. Grossman back to public service, where he can continue the search for right answers for those he serves.



CHIEF JUDGE'S CORNER

By: Chief Judge Laurel Myerson Isicoff

There are so many changes coming to the court. My reflections today are bittersweet. We had to say farewell to Judge Ray on September 30; he is certainly missed. Hopefully, he will miss us at least a little bit, but he will have a book of memories filled with the letters you have sent to me to include. If you have not yet sent me a letter, it is not too late (thanks to a very slow vendor . . .). So please send along your special thoughts – in a real letter, no emails please.

We have also welcomed our new judge, the Hon. Scott M. Grossman. Of course, you all have given Judge Grossman a wonderful (typo-free please) South Florida welcome. Save the date for Judge Grossman's February 20 "official" investiture ceremony. It will take place at the Fort Lauderdale courthouse.

There will be more change coming to our Fort Lauderdale division because Judge Olson will be retiring as of February 9, 2020. Judge Olson will be sorely missed. Judge Olson and I were selected together in 2005 to fill two additional (albeit "temporary") positions in the Southern District of Florida. We were sworn in only three days apart and served our entire 14 years together. Although I knew Judge Olson before we went on the bench, it is when we began serving together that we became friends. On a personal level, I am truly grateful for Judge Olson's friendship. We have shared some good and some not so good times together. On a professional level, I am very grateful for the many significant contributions Judge Olson has made to bankruptcy jurisprudence. He is leaving a rich legacy of decisions that reflect his view of the importance and purpose of the Bankruptcy Code. Most importantly, Judge Olson's decisions reflect his appropriately high expectations for the professionals who appear before him and his high regard for all of our constituents, whether they are multi-million dollar corporations or individuals desperately seeking the fresh start the Bankruptcy Code promises to the honest debtor.

We do not know yet who Judge Olson's successor will be. Until Judge Olson's successor is seated, Judge Hyman has agreed to hold down the fort. Thank you again, Judge Hyman! In his concluding remarks at the View From the Bench, Judge Olson urged diverse candidates to apply for the vacancy created by his retirement. Judge Olson referenced the recent program put on by the Committee on the Bankruptcy System of the Judicial Conference (CABS) "Roadways to the Federal Bench: Who Me? A Bankruptcy Judge?". This program was put on in 19 cities around the country - including Miami - on October 24. In Miami, 23 judges and over 70 participants (lawyers and law students) attended. Nationwide, there were almost 1,500 participants, including 45% of the national bankruptcy bench. The program started with a one-hour panel discussion livecast around the country from Washington, DC followed by local round tables. Each table had two judges and six participants. The judges who participated in Miami included two circuit judges, several district court judges, magistrate judges, and, of course, all of our bankruptcy judges other than Judge Hyman, who was unable to attend. With judge teams rotating every 15 minutes, each participant was able to interact with at least eight judges at the round table. There were additional opportunities to speak with judges at the cocktail party that followed. The Miami program would not have been possible without the help of my program co-chair, Monique Hayes, and the committee we put together, and the invaluable assistance and support of Joe Falzone, our Clerk of Court, as well as of Angela Noble, Clerk of the District Court. So please heed Judge Olson's call and the message the Roadways program tried to convey - you CAN be a bankruptcy judge - but only if you apply.

In conclusion, I will also note that I have been advised that my request to be reappointed has been granted by the Eleventh Circuit. I am honored that I will have the opportunity to continue to serve the Southern District of Florida. I look forward to a pronoun and typo-free second term.

Photos from Miami local round table session of "Roadways to the Federal Bench: Who Me? A Bankruptcy Judge?"





FROM THE JUDGES' CHAMBERS



COURTROOM ENHANCEMENTS

By: Nicole McLemore, Law Clerk to the Honorable Mindy A. Mora and Enrique Fernandez, IT Specialist

We are excited to announce new improvements to our courtroom audio and visual systems. As of October 2019, every bankruptcy court in the Southern District of Florida is capable of wirelessly projecting documents and other evidence through AirMedia.

AirMedia allows attorneys to connect directly to the courtroom audio and visual system through a mobile phone, tablet, PC, or Mac. Users have the option of connecting through the courtroom's Wi-Fi or connecting via a USB port. Once connected, the courtroom audio and visual system will display documents or other evidence from the device onto the courtroom monitors. The upgrades to the courtroom audio and visual systems enable the parties, the Court, and witnesses to view and interact with digital evidence during a hearing.

An innovative new feature permits a witness to interact with evidence while on the witness stand, by utilizing a touch screen monitor. A lawyer can load a multi-page document as an exhibit and present it to the witness for authentication. The witness will then be able to flip through each page of the exhibit during testimony about that exhibit. The touch screen monitor also enables a witness to highlight and annotate documents during examination. Parties in the courtroom will see the witness' actions in real time through the courtroom monitors.

ATTORNEYS CAN CONNECT BY FOLLOWING THE SIMPLE STEPS BELOW:

Presenting from a mobile device (Android or iOs):



1. Go to your designated app store, and download the AirMedia application.
2. Connect your device to the wireless network for your judge (ex. KimballCrestron2.5/KimballCrestron5).
3. Enter the following password when prompted: **crestron**
4. Once you are connected to the wireless network, open the AirMedia application.
5. The application will locate an AirMedia device. When you choose the AirMedia device, the application will prompt you for a code. *The code will be located in the upper right-hand corner of the monitors in the courtroom.*
6. Be sure your device is ready (i.e., your evidence is open, notifications are turned off, no confidential information is displayed on your device, etc.).
7. Enter the code from the monitor, and start casting.

Presenting from a PC and/or Mac

1. Open your device and connect to the wireless network pertaining to your judge (ex. KimballCrestron2.5/KimballCrestron5).
2. Enter the following password when prompted: **crestron**
3. You will notice an IP address on the monitors in the courtroom. Enter the IP address from the courtroom monitor into your internet browser.

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FROM THE JUDGES' CHAMBERS



Courtroom Enhancements (continued from page 5)

4. Once your browser loads the page, download the appropriate application for your device (ex. Crestron Application).
5. Be sure your device is ready (i.e., your evidence is open, notifications are turned off, no confidential information is displayed on your device, etc.).
6. When the application installation is complete, you will have the ability to display your screen on the courtroom monitors.

Presenting from a USB Flash Drive:

We have added a USB adapter at each lectern station. If you don't want to carry around cables or devices, simply:

1. Bring your evidence on a USB flash drive.
2. Advise the Courtroom Deputy that you will be using a USB flash drive to display evidence.
3. The Courtroom Deputy will help you connect the USB to the proper port.

*****Please note that no matter which connection method you use, your device will share the contents visible on your screen. In other words, anything displayed on your screen will be visible to the entire courtroom. Please be sure to disable your notifications and close all confidential applications, messages, or documents before opening AirMedia.*****

THE NCBJ WELCOMES JUDGE ISICOFF AS ITS NEW PRESIDENT

By: Emily R. Stone, Esq., Law Clerk to the Hon. Laurel M. Isicoff

Last month marked the 93rd annual meeting of the National Conference of Bankruptcy Judges ("NCBJ"), which took place in Washington D.C. from October 30 to November 2, 2019. The NCBJ provides continuing legal education to judges, lawyers, and other involved professionals, promotes cooperation among the Bankruptcy Judges, secures a greater degree of quality and uniformity in the administration of the Bankruptcy system, and improves the practice of law in the Bankruptcy Courts of the United States. Judge Isicoff transitioned in as president of the organization on November 2nd and will lead the NCBJ for the next year, and her presidency will culminate in next year's NCBJ conference in San Diego, California from October 14 -17, 2020. The entire team at the Bankruptcy Court for the Southern District of Florida is extremely proud of Judge Isicoff and her incredible work in taking on this important role.

The annual NCBJ conference offers extensive opportunities for further bankruptcy legal education. One such educational session from this year's conference was a panel sponsored by the American Bar Association and the National Association of Women Judges on the topic of implicit gender bias in the judiciary. Judge Isicoff, with Judge Bernice Donald (6th Circuit Court of Appeals), Judge Frank Bailey (Bankruptcy Court for the District of Massachusetts), and Dr. Deborah Goldfarb (Florida International University Professor), spoke on a panel titled "Does Gender Matter in Bankruptcy Judging?" The panel explored the research concept that is the brainchild of Judge Bailey and the corresponding initial research results of Dr. Goldfarb and her graduate students, who studied nearly 850 student loan discharge cases. The research focused on the question of whether the gender of a bankruptcy judge appeared to impact the outcome of student loan discharge cases. A unique and innovative aspect of this panel included the use of specially designed surveys taken during the session by each of the judicial attendees. Those surveys included hypothetical student loan discharge cases, which served to collect more data points for continued research to be performed by Dr. Goldfarb and her team in the coming year. Judge Isicoff hopes to have a continued and more robust panel at next year's conference to further discuss this research and the findings.



FROM THE JUDGES' CHAMBERS

**CHECKLIST TO AVOID RESUBMIT REQUESTS FOR ELECTRONICALLY SUBMITTED ORDERS**

By: Maria Romaguera, Courtroom Deputy to Judge Mora
(with assistance from Tara Trevorrow, Law Clerk to Judge Mora, and Judge Mora)

Many of you have received resubmit requests after submitting electronically proposed orders that you believe comply with the court's "[Guidelines for Preparing, Submitting and Serving Orders](#)." Often, orders are returned to the submitter with a resubmit request for similar reasons. Below is a checklist you can use to minimize the chance of getting a resubmit request from chambers.

General Formatting:

- Must be submitted in native .pdf format generated directly from word processing software; do not submit a printed and scanned version of the order.
- Must contain the required 4" margin at the top of the first page to allow space for the judge's electronic signature.
- Must include the name of court, district, and division in three lines centered above the case style.

Proper Formatting of the Caption:

- Debtor's name: First name, then last name.
- Case number: Must contain the Judge's initials at the end.
- Chapter number (7, 11, 13).

Title of the Order:

- Must contain the Judge's ruling (Granting, Denying, Overruling, Sustaining, Continuing Hearing, etc.).
- Must contain the ECF number of the motion, application, or objection to which the order relates.
- Must contain the date of continued hearing if one is set ("and Scheduling Continued Hearing on [insert date] at [insert time]").
- If the order does more than one thing (i.e., grants a motion and sets a further hearing), include **ALL** necessary elements in the title.
- If the proposed order is an agreed order, the first word in the title of the proposed order must be "**AGREED**" (and the body of the order should contain a clause similar to "and the parties having agreed to the relief sought in the motion" or "and the parties having agreed to the form of this order.")
- For Amended Orders, must include a footnote after the word "Amended" in the title explaining what the amendment is and indicate that the amended order is being entered pursuant to the order granting a motion to amend.

Content of the Order:

- Must contain in the introductory paragraph the ECF number of the motion or objection to which the order relates.
- Must be consistent with the Court's ruling at the hearing. Please take notes at the hearing when the Court rules!
- Must contain an objection deadline, if appropriate.
- Must contain the date, time, and location of any continued/rescheduled hearing. If the motion seeks a continuance *ex parte*, do not include blanks in the order. Determine the appropriate date/time (by contacting chambers if necessary) and include it in the order.
- Must contain the date and time on which the hearing was held or, if no hearing was held, must state how the matter came before the court (i.e., "This matter came before the Court on the Debtor's *Ex Parte* Motion to ... [insert rest of title].").
- Must indicate in a chapter 13 case if the matter was heard only on the consent calendar by stating that the matter "came before the Court on the consent portion of the chapter 13 calendar. . ."

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**FROM THE JUDGES' CHAMBERS****Checklist to Avoid Resubmit Requests for Electronically Submitted Orders** (continued from page 7)

- Must indicate all dates by writing out the date (i.e. November 1, 2019), not shorthand (11/1/19).
 - Must uniformly use the defined term for the motion or objection and use the proper term for the disposition. A motion is either granted or denied, and an objection is either sustained or overruled.
 - Must not contain findings of fact absent submission of competent evidence to the Court at a hearing. You may, however, include the pertinent facts as “representations by counsel” to the Court in a separate paragraph **ABOVE** the numbered decretal paragraphs if the facts were included in pleadings or discussed on the record in a hearing.
 - For extensions of time to file Schedules and Statements of Financial Affairs, provide: “Any further extension sought by the movant to a date within 7 days of the 341 meeting will not be granted absent a hearing and a showing of extraordinary circumstances.”
 - If the order indicates deadlines, make sure the deadlines do not fall on a holiday or a weekend.
 - If using a form order, make sure that you are using the latest version. Check the Court’s website regularly to ensure that your form orders are current.
 - If using a form order and modifications must be made to clarify the relief granted, either (i) **REMOVE** the local form number or (ii) insert a footnote at the end of the title stating the nature of the revision.
 - Must include the following (or similar) language: “Copies furnished to: [Movant’s attorney], who shall serve a copy of the Order on all interested parties and file a certificate of service thereon.” The order should **NOT** say “copies to all parties by the Clerk of Court” unless a local form order expressly provides otherwise.
 - Internal law firm file numbers should **NOT** appear anywhere on a proposed order.
 - Must not contain any attorney signatures. Only the judge signs orders!
- **Order Setting a Continued Pre-Trial Conference Date must include the following Provisions:**
- The deadlines set forth in paragraph 2 (disclosures), 3 (discovery), 4 (joint pretrial stipulation), 7 (documents required before trial), and 10 (dispositive motions) of the Court’s Order Setting Filing and Disclosure Requirements for Pretrial and Trial (ECF No. XX) shall be calculated based on the Continued Pretrial Conference Date.
 - The deadlines set forth in Paragraphs 1(a) (right to jury trial; waiver) and 1(b) (objection to entry of final orders and judgments by the bankruptcy court; consent) of the Order Setting Filing and Disclosure Requirements for Pretrial and Trial (ECF No. XX) are not extended by this order.
 - All other provisions of the Order Setting Filing and Disclosure Requirements for Pretrial and Trial (ECF No. XX) remain in full force and effect to the extent not inconsistent with this Order.
- **General Points:**
- Please be sure to carefully monitor your email inbox for resubmission requests from the Court with respect to orders. The Court will only send ONE email with a resubmit request.
 - If you receive a resubmit request, immediately check this list to see if your order complies with ALL requirements. Make the necessary change(s) and promptly resubmit the proposed order.
 - If you have received a resubmit request on a form of order you regularly submit, please make the requested change on your standard template!
 - Please be more careful in drafting proposed orders. Run spellcheck and proofread prior to submission! A surprising number of proposed orders are submitted containing multiple spelling and grammatical errors and poorly written sentences (and in many cases, do not contain complete sentences).
 - If an attorney has a legal assistant or paralegal drafting proposed orders, the attorney as an officer of the Court is **obligated** to review them **prior to submission**.

**FEDERAL BANKRUPTCY RULES AND FORMS HAVE BEEN AMENDED EFFECTIVE 12/1/19**

The following Federal Rules of Bankruptcy Procedure are amended effective December 1, 2019:

- [Rule 4001](#) Relief from Automatic Stay; Prohibiting or Conditioning the Use, Sale, or Lease of Property; Use of Cash Collateral, Obtaining Credit; Agreements
- [Rule 6007](#) Abandonment or Disposition of Property
- [Rule 9036](#) Notice and Service Generally
- [Rule 9037](#) Privacy Protection for Filings Made with the Court

Additional information is available [here](#).

In addition, Official Bankruptcy Form [122A-1, Chapter 7 Statement of Your Current Monthly Income](#), was amended to add an instruction to line 14a to remind a debtor that if there is no presumption of abuse, Official Form [122A-2](#) should not be filled out or filed.

**PUBLIC COMMENT PERIOD FOR PROPOSED AMENDMENTS
TO THE FEDERAL RULES CLOSES FEBRUARY 19, 2020**

On August 19, 2019, the Judicial Conference Advisory Committees on Appellate, Bankruptcy, and Civil Rules published proposed amendments to their respective rules and forms and requested that the proposals be circulated to the bar and public for comment.

Appellate Rules: 3, 6, 42, and Forms 1 and 2;
Bankruptcy Rules: 2005, 3007, 7007.1, and 9036;
Civil Rule: 7.1

The proposed amendments, rules committee reports explaining the proposed changes, and instructions on how to submit comments, are posted on the USCOURTS.GOV website at:

<https://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>

The public comment period closes on **February 19, 2020**. If approved, the amendments would become effective **December 1, 2021**.



THE OATH OF A DEPUTY CLERK - WHAT IT MEANS TO BE A CIVIL SERVANT

By: Dawn Leonard

"I, Dawn Leonard, having been appointed to Courtroom Deputy, do solemnly swear that I will truly and faithfully enter and record all orders, decrees, judgments, and proceedings of such court, and will faithfully and impartially discharge all other duties of my office according to the best of my abilities and understanding, so help me God."

(Federal Clerks' and Deputy Clerks' Oath - 28 USC 951)

The Oath of Office was established by the First U.S. Congress in 1789. A derivation of it, as set forth by the U.S. Code as it relates to each federal job, is taken by each newly employed or appointed civil and public servant of the federal government. Judges, clerks, members of congress, federal prosecutors, armed and uniformed servicemen, and women, and the President of the United States, all must take an oath on their first day of employment to swear loyalty to those we serve.

As federal employees, we understand that our job is defined by our agency and how well we do that job is evaluated formally by our supervisors and informally by our peers within the agency. However, our oath does not bind us to our employer and our peers. It binds us to our duties as a civil servant. By understanding this, we recognize that as civil servants our most important stakeholder is the public. In fact, by very definition, our job means to "serve the community."

The public for whom the federal institutions were designed to serve relies upon us to carry out our oath each and every day. We must always be efficient, respectful, dignified, fair, and impartial. These important standards are conveyed in this court's mission statement. But additionally, and just as significantly, we must also exemplify compassion and empathy as we know that our customers are often distressed and under pressure of deadlines. Each member of the court must realize that the common purpose in our daily interactions with the public is our responsibility to ensure that these rights – and thus, our communities' rights - are always upheld. Regardless of whether our customer is an attorney or a pro se individual, each must be provided service with the same level of kindness, professionalism, humility, courtesy, neutrality, and consideration.

When we serve the public well, the court hums along; questions are answered, and matters are resolved, simply because we understand the importance of serving well those who rely on us.

Regardless of whether or not the formal oath we have taken includes a promise to "support and defend the Constitution," to "administer justice without respect to persons," or to "faithfully discharge" our job duties, we as employees of the government must understand that we work for the people and our efforts should always be in the best interest of those we serve.

It is an honor to serve you, the public.



METADATA AND FILING DOCUMENTS WITH THE COURT

By: Tony Diaz, IT Manager

Metadata is information that is created and stored when files are created using software such as Word, WordPerfect, and Adobe.

Two types of metadata include file description metadata and revision Metadata:

1. File description metadata helps manage the file and includes document summary, headers, footers, hyperlinks, OLE object information, and routing slip information. For example, if you open the “Properties” tab in a file, you can view information such as the name of the creator of the document as well as creation and revision dates.
2. Revision metadata helps with document editing. For example, when using the undo or redo command, the user can access this metadata to reverse an edit or make other changes. Or changing text font color of data such as social security numbers from black to white to make it invisible. The user can see this data when reversing an edit or making other changes by using the Undo command.

Metadata can be very useful when creating documents, but metadata can also be a concern when it is unknowingly shared if it remains unintentionally accessible when files are finalized and distributed. Proper steps must be taken to prevent unintentional release of metadata.

You may be wondering how this affects me when I file documents with the court? Occasionally, pleadings are uploaded in CM/ECF or are filed conventionally which contain sensitive information that is not intended to include private information that should be omitted pursuant to the Federal Judiciary Privacy Policy and this court’s Local Rule 5005-1(A)(2).

If, after uploading a document to the court, you realize it contains accessible sensitive data of any kind that should have been excluded under Bankruptcy Rule 9037 or Local Rule 5005-1(A)(2), please take action to immediately have the data redacted by submitting a motion and filing fee, and refile a redacted document as required by Local Rule 5005-1(A)(3).

Depending upon the software used to create the document, there are several ways to remove metadata. There are also techniques to ensure that methods to hide data in paper documents totally obscure the information. Court staff are not experts on metadata and are not permitted to assist you in metadata removal, nor can staff recommend any specific method of redacting a document.



OUR “FANTASTIC FOUR” - SOFTWARE APPLICATIONS, PROGRAMMING, ANALYST DEPARTMENT

By: Jacqueline Antillon

Meet our fantastic four members of the Technology team who comprise the court's Software Applications and Programming Department. As one of the court's two IT teams, this team's specialization is software applications and programming. In addition, the team serves as the court's IT department analyst.

This super talented team oversees and implements modifications in CM/ECF (Case Management, Electronic Case Filing) and ESPWeb (the court's calendaring system which interfaces with CM/ECF). They design, create, and modify programs that make navigation easier for both internal and external users. The magic they work makes it possible for the CM and ESPWeb servers to interact impeccably. Through the process of designing, writing, testing, and troubleshooting, they create solutions to meet the changing demands of our court.



Left to Right: William “Bill” Duncan, Jorge Travieso, Frank Lu, and Erwin Ruiz

Erwin Ruiz – Applications Supervisor. Erwin oversees his incredible and dedicated crew of three when it comes to programming and implementing modifications in software or forms in both CM and ESPWeb. Erwin has been with the court for 29 years and has a bachelor's degree in Computer Science. His special talent is drawing, and in his spare time, he loves to travel, mostly in the USA. The words that inspire him and by which he lives are, “Do unto others as you would have them do unto you.”

William “Bill” Duncan – is our CM/ECF application expert. Bill is responsible for programming event codes, creating HTML forms, and tracking any special needs requested by our judges. He has been with the court for 32 years and counting. In another life, Bill was a musician who obtained a bachelor's degree in music. He loves to quote Anne Frank, “I think a lot, but I don't say much.”

Frank Lu – is one of our programmers. Frank takes care of CM/ECF programming issues and he spent two years in the Taiwanese army, and has served the court for 20 years. He has a Master's degree in Computer Science. His special talent, and one that he uses daily, “computer programming.” In his spare time, he collects movies, loves to read, travel, and play video and board games.

Jorge Travieso – is our ESPWeb programmer. Jorge has been with the court for 10 years and has a Bachelor of Science in Computer Engineering. Jorge says his special talent is his “passion for being curious.” He loves the ocean, and in his spare time, he loves to sail and fish. His favorite quote is, “Logic will get you from A to B. Imagination will take you everywhere.” – Albert Einstein.

We are grateful to have such a talented team working at the court! No matter how big or small, they plan, install and develop applications to meet our needs. A big thanks to our “Fantastic Four” team for their remarkable contributions! Life is so much easier with them.



UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF FLORIDA

www.flsb.uscourts.gov

NOTICE OF CHANGE IN SERVICE PROVIDER FOR TELEPHONIC APPEARANCES BEFORE JUDGE SCOTT M. GROSSMAN FORT LAUDERDALE

Effective [January 8, 2020](#), if you plan to appear for a hearing telephonically before Judge Grossman, all requests shall be arranged through the website of CourtSolutions, <http://www.Court-Solutions.com>, no later than 4:00 p.m. the court day prior to the hearing.

To appear telephonically, you will need to create a CourtSolutions account. Once you establish an account, you will be able to submit your request to appear telephonically. This request will either be approved or denied by Judge Grossman's chambers.

As long as your request is approved by chambers, you can log into your CourtSolutions account prior to the hearing time and access the large orange button entitled "Open Hearing Dashboard" for your dial-in instructions. Your dial-in information will be the same for every reservation you make.

The cost of each daily telephonic appearance is a flat fee of \$50. If you do not appear for your hearing, you will not be charged. Moreover, if you have multiple hearings in a single day you will only be charged a single flat fee of \$50 for the day even if you hang up and dial back in later in the day for a subsequent hearing.

All questions about account setup or the website can be answered at <http://help.court-solutions.com> or by contacting CourtSolutions at info@Court-Solutions.com.



CHAPTER SPECIFIC DOCUMENTS

By: Lorraine Adam

Below is a list of documents that are filed in either a chapter 7, 11 or 13 case. Test your document knowledge by placing the corresponding number of each document in the correct column of the chapter they would filed in. Answers below (or on page x)

1. Order Determining Debtor Has Cured Default and Paid All Required Postpetition Amounts (LF-81)
2. Confirmation Affidavit (LF-62)
3. Motion to Value and Determine Secured Status of Lien on Real Property (LF-77)
4. Application to Have the Filing Fee Waived (OF-103B)
5. Ballot and Deadline for Filing Ballot Accepting or Rejecting Plan (LF-33)
6. Trustee's Summary of Requested Fees and Expenses (LF-100)
7. Objection to Claim on Shortened Notice (LF-70)
8. Order Reopening Case to Add Omitted Creditor(s) (LF-37)
9. Statement of Intention for Individuals (OF-108)
10. Final Report and Motion for Entry of Final Decree (LF-35)
11. Notice of Compliance by Attorney for Debtor with Local Rule 2083-1(B) Claims Review Requirement (LF-76)
12. Debtor's Notice of Filing Payroll and Sales Tax Reports (LF-78)
13. Order Reopening Case to Administer Additional Assets (LF-38)
14. Periodic Report Re: Value, Operations and Profitability (OF-B26)
15. Agreed Order to Employer to Deduct and Remit and for Related Matters (LF-75)

| Chapter 7 | Chapter 11 | Chapter 13 |
|-----------|------------|------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

| | | |
|-------------------|-------------------|------------------|
| 15 | 14 | 13 |
| 11 | 12 | 9 |
| 7 | 10 | 8 |
| 3 | 5 | 6 |
| 1 | 2 | 4 |
| Chapter 13 | Chapter 11 | Chapter 7 |



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The Bankruptcy Bar Association of the Southern District of Florida

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.

***Bankruptcy Court – Miami Division: 301 North Miami Avenue, Training Room [12:00 p.m. – 2:00 p.m.]**

Friday, January 10, 2020

Friday, February 7, 2020

Friday, March 6, 2020

Friday, April 3, 2020

Friday, May 1, 2020

Friday, June 5, 2020

Friday, July 10, 2020

Friday, August 7, 2020

Friday, September 4, 2020

Friday, October 2, 2020

Friday, November 6, 2020

Friday, December 4, 2020

***Bankruptcy Court - Fort Lauderdale Division: 299 East Broward Boulevard, 1st Floor Training Room [12:00 p.m. – 1:30 p.m.]**

Friday, January 24, 2020

Friday, February 14, 2020

Friday, March 20, 2020

Friday, April 10, 2020

Friday, May 15, 2020

Friday, June 12, 2020

***Bankruptcy Court - West Palm Beach Division: 1515 North Flagler Drive, 8th Floor [12:00 p.m. – 1:30 p.m. Courtroom B]**

Wednesday, January 8, 2020

Wednesday, February 5, 2020

Wednesday, March 11, 2020

Wednesday, April 8, 2020

Wednesday, May 6, 2020

Wednesday, June 10, 2020

Wednesday, July 8, 2020

Wednesday, August 5, 2020

Wednesday, September 9, 2020

Wednesday, October 7, 2020

Wednesday, November 18, 2020

Wednesday, December 9, 2020

**Stuart/Port Saint Lucie/Indian River/Martin County: Peter & Julie Cummings Library, Deterlizzi Room
2551 Matheson Avenue, Palm City, FL 34990 [6:00 p.m. – 8:00 p.m.]**

“Sponsored by Martin County Bankruptcy Committee and Martin County Library System’s
“Lawyers in the Library” Program – For information call 772-419-0057”

Thursday, January 9, 2020

Thursday, February 13, 2020

Thursday, March 12, 2020

Thursday, April 9, 2020

Thursday, May 14, 2020

Thursday, June 11, 2020

Thursday, July 9, 2020

Thursday, August 13, 2020

Thursday, September 10, 2020

Thursday, October 8, 2020

Thursday, November 12, 2020

Thursday, December 10, 2020

***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

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kladis@dadelegalaid.org

Fort Lauderdale:

(Kimberly Salamone)

salamone.ecf@gmail.com

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(Rilyn Carnahan)

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(Steven S. Newburgh)

snewburgh@mclaughlinstern.com

Stuart/Port Saint Lucie:

(Jon Martin)

jimbklaw@gmail.com



FLORIDA SOUTHERN BANKRUPTCY MORTGAGE MODIFICATION MEDIATION STATISTICS

(From April 1, 2013 through November 30, 2019)

| | <u>MIA</u> | <u>FTL</u> | <u>WPB</u> | <u>TOTAL</u> |
|-----------------------------|------------|------------|------------|--------------|
| MMM Motion (Attorney Rep.) | 7474 | 5000 | 2813 | 15287 |
| MMM Motion (Pro Se) | 90 | 41 | 24 | 155 |
| Total Motions Filed | 7564 | 5041 | 2837 | 15442 |
| Order Granting MMM Motion | 6625 | 4335 | 2384 | 13344 |
| Final Report of Mediator | 5599 | 3459 | 1825 | 10883 |
| Mediation Agreement Reached | 2466 | 1607 | 875 | 4948 |

MMM MOTIONS FILED BY MONTH (Attorney Rep. & Pro Se)

| <u>MIAMI</u> | <u>Jan</u> | <u>Feb</u> | <u>Mar</u> | <u>Apr</u> | <u>May</u> | <u>Jun</u> | <u>Jul</u> | <u>Aug</u> | <u>Sep</u> | <u>Oct</u> | <u>Nov</u> | <u>Dec</u> | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|--------------|
| 2013 | | | 18 | 82 | 106 | 137 | 130 | 173 | 181 | 169 | 141 | | 1137 |
| 2014 | 171 | 157 | 184 | 179 | 170 | 164 | 156 | 126 | 198 | 146 | 123 | 137 | 1911 |
| 2015 | 161 | 168 | 189 | 183 | 142 | 165 | 127 | 122 | 127 | 108 | 93 | 93 | 1678 |
| 2016 | 111 | 124 | 79 | 102 | 119 | 110 | 60 | 92 | 99 | 84 | 78 | 74 | 1132 |
| 2017 | 59 | 49 | 59 | 52 | 59 | 56 | 54 | 44 | 48 | 57 | 63 | 39 | 639 |
| 2018 | 40 | 48 | 54 | 64 | 57 | 44 | 59 | 65 | 44 | 52 | 39 | 39 | 605 |
| 2019 | 57 | 39 | 48 | 41 | 48 | 35 | 31 | 42 | 45 | 45 | 35 | | 466 |
| | | | | | | | | | | | | | Total = 7568 |

| <u>FT. LAUDERDALE</u> | <u>Jan</u> | <u>Feb</u> | <u>Mar</u> | <u>Apr</u> | <u>May</u> | <u>Jun</u> | <u>Jul</u> | <u>Aug</u> | <u>Sep</u> | <u>Oct</u> | <u>Nov</u> | <u>Dec</u> | |
|-----------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|--------------|
| 2013 | | | 49 | 92 | 98 | 116 | 144 | 189 | 118 | 97 | 77 | | 980 |
| 2014 | 91 | 82 | 69 | 108 | 89 | 89 | 106 | 103 | 99 | 100 | 121 | 95 | 1152 |
| 2015 | 96 | 100 | 109 | 89 | 94 | 96 | 82 | 74 | 93 | 89 | 91 | 79 | 1092 |
| 2016 | 86 | 81 | 58 | 61 | 68 | 63 | 46 | 75 | 59 | 43 | 54 | 50 | 744 |
| 2017 | 38 | 25 | 38 | 26 | 47 | 42 | 40 | 34 | 33 | 39 | 29 | 26 | 417 |
| 2018 | 20 | 21 | 36 | 24 | 33 | 43 | 47 | 61 | 28 | 33 | 26 | 21 | 393 |
| 2019 | 34 | 20 | 31 | 24 | 28 | 20 | 20 | 18 | 25 | 19 | 26 | | 265 |
| | | | | | | | | | | | | | Total = 4778 |

| <u>WEST PALM BEACH</u> | <u>Jan</u> | <u>Feb</u> | <u>Mar</u> | <u>Apr</u> | <u>May</u> | <u>Jun</u> | <u>Jul</u> | <u>Aug</u> | <u>Sep</u> | <u>Oct</u> | <u>Nov</u> | <u>Dec</u> | |
|------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|--------------|
| 2013 | | | 9 | 35 | 56 | 91 | 83 | 147 | 63 | 68 | 67 | | 619 |
| 2014 | 47 | 43 | 64 | 54 | 66 | 74 | 54 | 43 | 83 | 52 | 49 | 44 | 673 |
| 2015 | 51 | 57 | 52 | 41 | 47 | 56 | 48 | 39 | 35 | 35 | 33 | 36 | 530 |
| 2016 | 46 | 33 | 33 | 32 | 36 | 29 | 29 | 32 | 18 | 13 | 16 | 25 | 342 |
| 2017 | 22 | 18 | 21 | 22 | 20 | 10 | 23 | 27 | 18 | 24 | 17 | 13 | 235 |
| 2018 | 19 | 8 | 10 | 15 | 21 | 20 | 26 | 25 | 24 | 25 | 13 | 12 | 218 |
| 2019 | 22 | 20 | 13 | 28 | 14 | 20 | 27 | 19 | 10 | 31 | 18 | | 222 |
| | | | | | | | | | | | | | Total = 2617 |

UPCOMING COURT HOLIDAY CLOSINGS *

Tuesday, December 24 - Christmas Eve court closes at 2 pm **
 Tuesday, December 31 - New Year's Eve court closes at 2 pm **
 Monday, January 20 - Birthday of Martin Luther King, Jr.

Wednesday, December 25 - Christmas Day
 Wednesday, January 1 - New Year's Day
 Monday, February 17 - Washington's Birthday

*Additions to the court closing schedule are announced by General Order and posted on the court website <http://www.flsb.uscourts.gov/general-orders>

**See this Court's General Order [2019-02](#)

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 "COURTHOUSE BEACON NEWS" PUBLICATION STAFF

If you have any comments regarding this issue or want to suggest ideas for future articles, please contact "Courthouse Beacon News" 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.