



## THE HONORABLE A. JAY CRISTOL WILL RETIRE AFTER OVER 37 YEARS OF SERVICE TO THE JUDICIARY

Effective January 13, 2023, the Honorable A. Jay Cristol will retire after over 37 years of service as a bankruptcy judge on this Court.



To honor the occasion of his retirement, this issue of our newsletter is dedicated to Judge Cristol and includes articles and pictures that document his many accomplishments throughout his life, as well as his service to the judiciary and the community.

Based on caseload statistics alone, Judge Cristol’s impact on the bench in one of the busiest bankruptcy courts in the United States is impressive. Since he became a judge in 1985, Judge Cristol has presided over more than 150,000 cases resulting in thousands of individual discharges granted, chapter 13 plans completed, businesses reorganized and adversary disputes adjudicated.

But caseload statistics alone do not tell the entire story of Judge Cristol’s lifetime dedication to public service in both his professional and personal life. Nor do statistics capture the uniqueness of Judge Cristol and his achievements both on and off the bench.

Judge Cristol’s lifelong passion for planes, public service and philanthropy, which took root at an early age, accompanied by his unstoppable work ethic and desire to pursue knowledge and adventure resulted in an incredible number of accomplishments.

These accomplishments, many of which are highlighted in this publication, serve as an inspiration to others to pursue their aspirations, no matter whether they are to become a judge, pilot the skies, serve in the military, write a poem or historical book, teach and mentor others, to provide access to justice and more.

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### Bankruptcy Cases Filed From 01/01/2022 to 11/30/22

<b>TOTAL FILED:</b>	<b>9,252</b>
• Chapter 7	4,560
• Chapter 9	0
• Chapter 11	170
• Chapter 12	2
• Chapter 13	4,504
• Chapter 15	16

Additional filing statistics are available on the court website [www.flsb.uscourts.gov](http://www.flsb.uscourts.gov) under the "Court Information" tab at the top of page.

Select: "[Case Filing Statistics](#)"

**AJC BIOGRAPHY** (continued from page 2)**COMPLETION OF UNDERGRADUATE AND LEGAL EDUCATION AND Ph.D**

After the war, although Judge Cristol's service in the Navy would continue until his retirement with the rank of captain in 1989, he returned to his studies at the University of Miami, the educational institution he has supported in multiple ways for decades. Judge Cristol received his B.A. from the University of Miami in 1958 and his J.D., *cum laude*, from the University of Miami School of Law in 1959, where he was research editor of the Law Review and recipient of other honors. In 1985 Judge Cristol served as the President of the Law Alumni Association. But he wasn't done learning yet. Judge Cristol decided to go back to school for a Ph.D, which he received from the Graduate School of International Studies at the University of Miami on May 9, 1997. Judge Cristol's doctoral dissertation then became his book "The Liberty Incident", a highly regarded resource on an attack on the USS Liberty that occurred during the Six Day War in 1967.

**CIVILIAN LEGAL CAREER**

After graduating from law school, Judge Cristol practiced law part-time and worked as a co-pilot for Eastern Airlines full time. During the 1959, 1961, 1963 and 1965 Legislative Sessions, he served as Special Assistant to the Attorney General of the State of Florida. Judge Cristol eventually founded the highly regarded commercial law firm Cristol, Mishan, Sloto where he worked until he took the bench in 1985. In addition to his general court practice, Judge Cristol was appointed receiver in several state and federal cases and he also served as a bankruptcy trustee.

**SERVICE TO THE FEDERAL JUDICIARY**

On April 17, 1985, Judge Cristol was appointed as a Judge of the United States Bankruptcy Court for the Southern District of Florida and served as Chief Judge from October 1, 1993 to September 25, 1999. Judge Cristol was reappointed for a second term through 2013 and reappointed for a third 14-year term through 2027. When Judge Cristol retires on January 13, 2023 he will have completed almost 38 years of service to the judiciary.

Judge Cristol's caseload included over 1,891 chapter 11 cases, at least eleven of which were mega Chapter 11 reorganization cases. Many of these cases garnered attention from the news media both locally and nationally. To quiz your memory on some of his more well-known cases visit page 16 of this newsletter.

Judge Cristol also oversaw over 40,000 individual chapter 13 cases and over 110,000 chapter 7 cases.

Several news articles over the years captured Judge Cristol's view of his role as a bankruptcy judge. When asked in a recent interview "What were some of your favorite moments on the bench?" Judge Cristol's reply was, "Presiding over cases where I was able to help indigent people keep their home or car or both through application of the Bankruptcy Code."\*\*\*

Judge Cristol also served the judiciary outside of the courtroom as a teacher. He taught bankruptcy law on behalf of the National Conference of Bankruptcy Judges from 1994-1995, to judges from Russia, Hong Kong, Malaysia, India, Thailand, and South Africa. In 1996, Judge Cristol taught bankruptcy law to Slovenian Judges for the Judicial Development Program sponsored by the U.S. Department of State, the American Bankruptcy Institute, and Slovenia. Judge Cristol also taught bankruptcy law to Czech Republic Judges for the Judicial Development Program sponsored by the U.S. Department of State, the American Bankruptcy Institute, and the Czech Republic.

In 2002, Judge Cristol, along with his colleague Judge Robert Mark, hosted at the Court five Russian commercial court judges who came to Florida to examine the U.S. judicial system as part of the Open World Program, an exchange program housed in the U.S. legislative branch and managed by the Center for Russian Leadership Development, an independent agency based at the Library of Congress.

(Continued on page 4)



**BIOGRAPHY OF THE HONORABLE A. JAY CRISTOL**  
**SEE PAGE 7 FOR LIST OF CITATIONS NOTED WITH ONE OR MORE “\*\*”**

**EARLY LIFE**

Although he was born in rural Pennsylvania in 1929, A. Jay Cristol grew up on Miami Beach after his family moved to Florida in the 1930s to start a new life during the Depression. At age 14, his passion for adventure and service guided Judge Cristol to become the first Dade County Boy Scout to attain the highest rank of Eagle Scout. On a scouting visit to Watson Island, Judge Cristol took his first seaplane flight at the Chalk's International Airlines air terminal, which sparked his passion for flight. Without the knowledge of his parents and with his own money, Judge Cristol began taking flying lessons. However, this young aspiring pilot's brief airborne adventures ended abruptly when his mother found out and grounded him. Judge Cristol's aspirations to serve his country in the military resulted in the teenaged civilian A. Jay assisting in military efforts during World War II when he became a "spotter" perched atop the National Hotel in Miami Beach to spy enemy planes.

Despite these early exposures to two of the passions Judge Cristol would successfully follow into adulthood, piloting and military service, his journey to meet his life goals took a circuitous route. Judge Cristol dropped out of Miami Beach High School to join the Marines, only to be rejected because he wore braces. He went back to high school and graduated, went to college but, then dropped out and took a job parking cars at a Miami Beach hotel. From working that job, as Judge Cristol told a reporter writing about his life in 2013, "I got the idea that there's probably more to life than parking cars." He returned to the University of Miami, only to drop out to join the Navy when the Korean War erupted.\*

**NAVAL AVIATOR AND JUDGE ADVOCATE GENERAL'S CORPS SERVICE\*\***

Judge Cristol's service in the Navy, first as a naval aviator and then in the JAG Corps, is described in his author's bio for his book "The Liberty Incident." "In November 1951, during the Korean conflict, A. Jay Cristol joined the US Navy as an aviation cadet, earning his Navy Wings of Gold in April 1953. He deployed with VS-37, a Navy anti-submarine squadron aboard the aircraft carrier Princeton (CV-37) to the Western Pacific and the Sea of Japan. He was also part of TG70.4 during February 1955, in support of evacuating Nationalist Chinese from the Tachen Islands near the Communist China mainland in the South China Sea. He flew day and night missions as both a hunter pilot flying the Grumman AF-2W and a killer pilot flying the Grumman AF-2S. He was subsequently attached to the Fleet All Weather Training Unit, Pacific at San Diego, California as an instrument flight instructor and taught maneuvers for the delivery of nuclear weapons. Upon returning to civilian life, Cristol joined the Naval Air Reserve where he qualified as a four-engine Navy transport plane commander. In the 1960s, he flew operational flights during the Cuban Missile Crisis and volunteer airlift missions to Vietnam.



Grumman AF Guardian AF-2W

After 18 years as a Naval aviator, Cristol joined the Judge Advocate General's Corps. He graduated with distinction from Naval Justice School. He served as a lawyer for another twenty years. His duties included teaching law of war and serving as the administrative officer for the summer Naval Reserve law courses. In 1983, he was made an honorary professor by the Naval Justice School. He has performed special active duty in the office of the Secretary of the Navy and the Chief of Naval Operations. In the 1980s, the Department of Defense sent him to the International Institute of Humanitarian Law at San Remo, Italy to lecture on Law of Naval Warfare to senior foreign military officers. Captain Cristol retired in 1988. He wears more than a dozen military decorations including the Meritorious Service Medal, the Navy Commendation Medal, and the Navy Achievement Medal”.

(Continued on page 3)



### AJC Biography (continued from page 3)

Judge Cristol has also had a significant impact on the development of programs and rules vital to the Bankruptcy Court. In October 2007, Judge Cristol provided testimony at a hearing on the United States Trustee Program before the Subcommittee on Administrative and Commercial Law House of Representatives Judiciary Committee. \*\*\*\*\*

In addition, Judge Cristol served on the Advisory Committee on Bankruptcy Rules of the Judicial Conference of the United States, from 1996 to 2001. He attended the October 2022 meeting as a former member and the Chair presented a certificate of appreciation to him in recognition of his service as a member of the committee and as chair of the Technology Subcommittee.

### PUBLIC SERVICE IN THE LEGAL FIELD AND TO THE COMMUNITY

Judge Cristol has been a mentor to countless individuals. In addition to mentoring his law clerks and interns over years and teaching, Judge Cristol has always participated in community mentoring events for current and future law students.

Judge Cristol has taught at the University of Miami School of Law as an adjunct professor since 1991. In addition to learning about all aspects of complex corporate bankruptcy law, his students love to hear “war stories” not only about Judge Cristol’s time on the bench, but also his wide-ranging life experiences.

However, in addition to generously giving of his time through teaching, Judge Cristol has given several generous gifts to the University of Miami. In 2011, in memory of his cherished wife Elly, Judge Cristol made a sizeable donation to the University of Miami School of Law to endow the law school’s bankruptcy clinic, known since that time as the Eleanor R. Cristol and Judge A. Jay Cristol Bankruptcy Pro Bono Assistance Clinic. In 2020, Judge Cristol made a second significant gift to University of Miami School of Law, resulting in the A. Jay Cristol Endowed Chair in Bankruptcy. Professor Andrew B. Dawson was selected to be the first Cristol Chair. At the ceremony, Professor Dawson made the following remark:

*“Judge Cristol told the story of a young couple in bankruptcy court and presenting their plan to repay creditors,” said Dawson. “When they finished, he asked, ‘Did you leave yourself enough money to buy ice cream for your kids each week?’ The story made me cry, and what hit me was Judge Cristol’s humanity and empathy.”\*\*\*\*\**

Judge Cristol’s contributions to the community at large are too lengthy to mention in full, but there is room for a few.

Judge Cristol is a founding member of the National Museum of Naval Aviation at the Naval Air Station in Pensacola, Florida and a founding member of the Wings Over Miami Military and Classic Aircraft Museum in Miami, Florida. He was an Angel Flight volunteer pilot, flying people in need of transportation to and from regional medical centers for treatment.

### HONORS AND AWARDS RECEIVED

As with his contributions to the community, Judge Cristol has received so many honors and awards that there is no room to list them all. The following are just a sampling:

In 2011, the 11th Judicial Circuit Historical Society honored Judge Cristol as a “Legal Legend,” an award given to judges, attorneys and others who have helped preserve South Florida’s Legal Heritage.

In July 2014, the Federal Aviation Administration awarded Judge Cristol the Wright Brothers “Master Pilot” Award for 50 years of safe flying.

In 2018, the Greater Miami Aviation Association (GMAA) selected Judge Cristol for the prestigious Pioneer award for his lifetime achievements.



### AJC Biography (continued from page 4)

In recognition for his service to the University of Miami School of Law, Judge Cristol received the Thomas Davidson III Memorial Service Award. Additional recognition from the law school include the Henry Latimer Professionalism Award in 2008 and the William M. Hoeveler Award for Ethics in Public Service in 2014.

In 2007, St. Thomas University Law School awarded Judge Cristol the Outstanding Jurist Award.

In 2013, the Commercial Law League awarded Judge Cristol the Lawrence P. King Award for Excellence in the Field of Bankruptcy. The King Award is “presented to recognize a lawyer, judge, teacher, or legislator who exemplifies the best in scholarship, advocacy, judicial administration, or legislative activities in the field of bankruptcy.

In 2015, the American Bankruptcy Institute awarded Judge Cristol the William L. Norton, Jr. Judicial Excellence Award, which is awarded based on the judge’s record of service, achievements and leadership in the insolvency community throughout his or her career.

In recognition of his lifelong commitment to pro bono, Judge Cristol has been selected to receive the 2023 Chief Justice Distinguished Federal Judicial Service Award. This award, which is not necessarily given every year, is awarded by the Chief Justice of the Florida Supreme Court to “an active or retired federal judge for outstanding and sustained service to the public, whether through legal or civic service or a combination of them, especially as it relates to the support of pro bono legal services.”

### PUBLICATIONS

Judge Cristol is a prolific writer. His written opinions fill many law books, but Judge Cristol’s opinions written in verse are legendary. In addition to his many opinions, Judge Cristol has written numerous articles, published all over the country, with topics ranging from bankruptcy to military strategy to flying. Judge Cristol’s two books – “The Liberty Incident” published in 2002 and then, as updated with previously classified information, “The Liberty Incident Revealed” published in 2013, is, as described by Amazon “the complete and final story about the Israeli Air Force and Navy attack on the USS Liberty during the Six Day War in June 1967.”

### JUDGE CRISTOL AND “POETIC JUSTICE”

It should not be surprising that Judge Cristol, who loves to fly, would, on occasion, allow his creativity to take flight on the bench and in his written opinions. His words did not go unnoticed nor unappreciated.

Judge Scott Grossman lists several favorites:

When Judge Cristol ruled in *In re E.S. Bankest, L.C.*, 321 B.R. 588 (Bankr. S.D. Fla. 2005), that a proof of claim placed in a law firm’s “outbox” for courier delivery (this was in the old days, before CM/ECF electronic claim-filing), which never showed up at the courthouse, would be deemed timely filed under the excusable neglect standard of Rule 9006(b)(1) and the error in filing provision of Rule 5005(c). Because the claim was due to have been filed on December 22, Judge Cristol wrote his ruling in a poem inspired by “*The Night Before Christmas*” and “*How the Grinch Stole Christmas*”!

When Judge Cristol held a computer in contempt of court for continuing to send collection letters for a discharged debt, and fined the computer 50 megabytes of hard drive memory and ten megabytes random access memory. *In re Vivian*, 150 B.R. 832 (Bankr. S.D. Fla. 1992).

When Judge Cristol sanctioned a debtor by requiring her to mail a birthday card to the debtor’s sister without making any negative, inflammatory, or unkind remarks. *In re Herskowitz*, 166 B.R. 764 (Bankr. S.D. Fla. 1994).



### AJC Biography (continued from page 5)

An online publication “Ex Libris Juris” from the The Harris County Robert W. Hainsworth Law Library in Texas contained a blog about Judge Cristol’s poetic opinion in *In Re Love*, where Judge Cristol sua sponte made a motion to dismiss the case and then denied his own motion. Below is an excerpt of that blog post titled “Poetry of the Bench and Bar: Quoth the Raven, In re Love”. \*\*\*\*\*

“Before we conclude our celebration, we’re offering one more poem from the bench and bar, an exquisite illustration of the beauty of language, as well as the cleverness of the court. Written in the theme of [Edgar Allan Poe’s The Raven](#), this legal verse is worth reading in full. It is a truly inspired piece of poetry by one very eloquent judge, the Hon. A. Jay Cristol, Chief Judge of the U.S. Bankruptcy Court for the Southern District of Florida. The poem is excerpted here from the case [In re Love, 61 B.R. 558 \(1986\)](#).

*Once upon a midnight dreary, while I pondered weak and weary  
Over many quaint and curious files of chapter seven lore  
While I nodded nearly napping, suddenly there came a tapping  
As of some one gently rapping, rapping at my chamber door,  
"Tis some debtor" I muttered, "tapping at my chamber door—  
Only this and nothing more."*

*Ah distinctly I recall, it was in the early fall  
And the file still was small  
The Code provided I could use it  
If someone tried to substantially abuse it*

*No party asked that it be heard.  
"Sua sponte" whispered a small black bird.  
The bird himself, my only maven,  
strongly looked to be a raven.*

In a recently published Q & A interview, Judge Cristol was asked “What inspired the beautiful and clever poem opinion in *In re Love, 61 B.R. 558 (1986)*?” His answer: “While I was constrained to render my opinion based upon the law as written by Congress, I was inspired to use verse to highlight its absurdity. Congress passed a law (11 U.S.C. §707(b)) which authorized dismissal of bankruptcy cases for bad faith or abuse but the law did not provide a mechanism for any person or entity to bring the matter before the court.” \*\*\*

### JUDGE CRISTOL’S CHAMBERS

A newsletter dedicated to Judge Cristol could not be complete without mentioning Judge Cristol’s office in his judicial chambers or more specifically, the décor of his office, which could be described as a three-dimensional biography of his life. Jackie Antillon, a long-time employee of the clerk’s office and now Judge Mark’s courtroom deputy, who created the photo collage on page 16, recalled her first impression of his office when she first saw it many years ago:

*“I was so awed at his collection of planes, including the Millennium Falcon hanging from the ceiling. I couldn’t help being mesmerized by everything in his office, it was like walking into a mini museum. That’s how I know he swam with dolphins and was brave enough to tackle bullfighting.”*



(Continued on page 7)



## AJC Biography (continued from page 6)

In one of many media interviews published about Judge Cristol over the years, one reporter wrote:

*“One doesn’t enter the offices of A. Jay Cristol, Chief Judge Emeritus of the U.S. Bankruptcy Court in Miami, without pausing to scan walls full of mementos from service to the U.S. Navy, the Naval Reserve, Eastern Air Lines, Angel Flight, the University of Miami School of Law and several bankrupt airlines. Many other organizations likely have seen the spirit, fairness and generosity of this man. Cristol was an early multi-tasker. He chose a legal career and methodically established a record of distinction in the justice system, but he also was lured by aviation into a pursuit of adventure and skills he could not deny. There are Kodak moments galore in the nerve center of this busy man, with museum-quality evidence of aviation memories proudly propped on tables and lovingly hung on walls. Few judges have been framed as often, or as carefully. There is order in this court. A. Jay Cristol has flown left seat in nearly two dozen aircraft types and has operated just slightly fewer in simulators. He has grabbed yokes and sticks of fixed wing, rotor and lighter-than-air machines used in recreational, military, commercial and aerobatic flight. Over all his years in the sky he has experienced two engine failures, and he once even shot his own aircraft over Arizona! When getting seated near the judge’s desk, one chooses between two chairs bisected by a shiny, chromed tail hook. The stout device leans against his busy desk and reminds one of Cristol’s service to the U.S. Navy. He earned his wings in 1953 and deployed with an anti-sub squadron to the western Pacific where he flew Grumman AFs from the U.S.S. Princeton near Korea in the South China Sea, both as a hunter and a killer. He later was a flight instructor at San Diego and, as a civilian, qualified as commander on four-engine Naval Reserve aircraft.”* (Hon. A Jay Cristol At Home on the Bench and in the Skies, Rich Babl, Airliners, May/June 2007, <http://www.libertyincident.com/docs/airliners.pdf>)

One of Judge Cristol’s most cherished photos of his storied career is him sitting in the cockpit of a Boeing 727-200 named the “Clipper A. Jay Cristol”, in honor of Judge Cristol’s presiding over the successful reorganization of the new Pan Am Airways (the company that purchased assets from the original Pan American Airways, including its name). Of course, Judge Cristol was sitting in the cockpit because he had just flown the plane.



### ARTICLES CITED IN AJC BIOGRAPHY

\* *Judicial Profile: Planes, Bullfighting Among A. Jay Cristol's Passions*, Carlos Harrison, Florida Business Review (Online), August 26, 2013.

\*\* <http://www.libertyincident.com/author.html> copyright A. Jay Cristol

\*\*\* *Better Know a Judge, Meet Judge Cristol*, Shirley Palumbo, Business Law Section of the Florida Bar, Member Articles, November 18, 2022 <https://flabizlaw.org/member-articles/better-know-a-judge-meet-judge-cristol/>

\*\*\*\* <https://www.govinfo.gov/content/pkg/CHRG-110hrg38113/pdf/CHRG-110hrg38113.pdf>

\*\*\*\*\* <https://news.miami.edu/stories/2020/03/judge-a-jay-cristol-endowed-chair-in-bankruptcy-awarded.html>

\*\*\*\*\* <https://www.harriscountylawlibrary.org/ex-libris-juris/2016/4/29/w7shvpy90owooja24v0dcyxx5iz6vu> (Note: Permission to reprint part of this blog has been granted for use in this newsletter only)

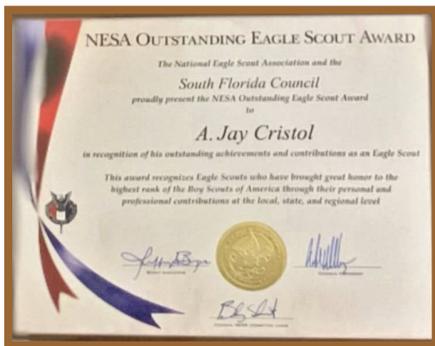
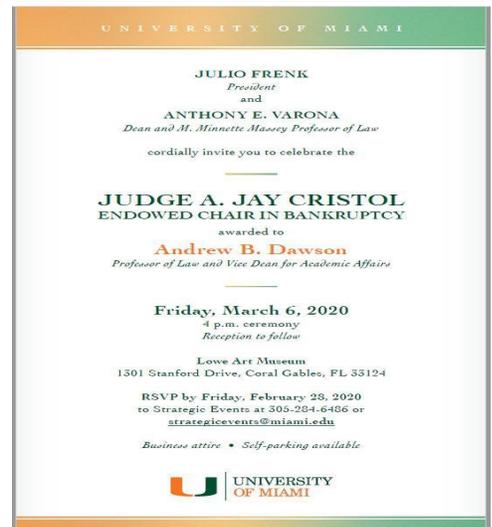


## SOME PICTORIAL HIGHLIGHTS OF JUDGE CRISTOL'S PUBLIC SERVICE

Judge Cristol is serving his third term as United States Bankruptcy Judge with a planned retirement on January, 13, 2023, after 37 years of service, including 7 years as Chief Judge.

THE INVESTITURE  
OF  
A. JAY CRISTOL  
AS UNITED STATES BANKRUPTCY JUDGE OF THE UNITED STATES  
DISTRICT COURT OF THE SOUTHERN DISTRICT OF FLORIDA  
FRIDAY, MAY 10, 1985  
THE HONORABLE JAMES LAWRENCE KING  
CHIEF JUDGE OF THE UNITED STATES DISTRICT COURT  
PRESIDING

Convening of Court.....	1:30 p.m.
Opening Remarks and Recognition of Distinguished Guests.....	The Honorable James Lawrence King Chief United States District Judge
Invocation.....	Rabbi Paul Caplan Temple Beth Shalom
Remarks on Behalf of the Dade County Bar Association.....	Neal Sonnett, Past President The Dade County Bar
Remarks on Behalf of the Florida Bar.....	Gerald Richman, President The Florida Bar
Remarks on Behalf of the Bankruptcy Bar.....	Lawrence Schantz, President Bankruptcy Bar
Remarks on Behalf of the Military Bar.....	Captain Thomas D. Wood, JAGC, USNR
Administration of the Oath of Office.....	The Honorable David Bird Clerk, United States Bankruptcy Court
Enrobing.....	Eleanor R. Cristol
Remarks on Behalf of Judge Cristol.....	The Honorable Peter T. Fay United States Circuit Judge
Response and Introduction of Judge Cristol's Family.....	The Honorable A. Jay Cristol
Adjournment.....	



On February 28, 1944, A Jay Cristol became the first Eagle Scout in Miami, Florida. 78 years later, the Boy Scouts of America honored him as an outstanding Eagle Scout



Judge Cristol served as a naval aviator in both the Korean and Vietnam conflicts, retiring from the U.S. Navy after 38 years of service. He received at least 13 medals from the Navy, including the Meritorious Service Medal. He was also awarded the Korean Ambassador for Peace Medal from the government of South Korea.



In 2012, Judge Cristol endowed the Eleanor R. Cristol Judge A Jay Cristol Pro Bono Legal Clinic to provide free legal services to indigent persons.



Judge Cristol flew for a number of years as an airline pilot for Eastern Airlines and is a member of the United Flying Octogenarians - still flying airplanes at age 93. He was awarded the Glenn Curtiss Award by The Greater Miami Aviation Association, and is a founding member of the National Naval Aviation Museum at Pensacola, Florida and the Wings Over Miami Aviation Museum at Miami, Florida. General.



Bells Lecture | A. Jay Cristol: The Liberty Incident Revealed  
<https://youtu.be/x-eODPhTz8g>





Passionate



Humble



CAPT A JAY CRISTOL  
NAVAL AVIATOR & JAGC

Magnanimous  
Inspiring



Kind



Vibrant



Unique



Thoughtful



Determined

Remarkable

Adventurer



Original



Love

Philanthropist

Funny



Bright



Compassionate





## CHIEF JUDGE'S CORNER – MY AJC MEMORIES

**By: Hon. Laurel M. Isicoff**

I have known A. Jay Cristol since my last year of law school – so that is over 40 years. I first met Judge Cristol when he hired my best friend, and not me . . . , as an associate in his law firm, Cristol, Mishan and Sloto. While I don't have many memories of the three years between law school and A. Jay Cristol becoming a bankruptcy judge, I have many memories of **Judge** Cristol, as a mentor, judge, colleague and friend.

When Judge Cristol went on the bench I was pregnant with my daughter, Alison. I had a major chapter 11 case before Judge Cristol that continued throughout my pregnancy. In my very last days before Alison was born, I had an uncontested hearing before Judge Cristol; in fact, I don't think anyone else was in the courtroom. Alison started kicking and I remember doubling over after an enthusiastic effort on my daughter's part. Judge Cristol thought I was going into labor and started to panic. All was good though and Alison waited until I was NOT in the courtroom to make her appearance.

I was part of the team representing the Debtor, Pan Am Airways, during its bankruptcy in the Southern District of Florida. While this Pan Am was a much smaller airline than the original Pan Am, it still owned and operated a small fleet of aircraft. At every hearing Judge Cristol would ask me some obscure question about the aircraft. At one hearing he asked me whether certain engines had what I *think* was their "C Check". I remember answering that I did not know what a C Check was but that if I found out would he sustain my claims objections?

When I was president of the Bankruptcy Bar Association of the Southern District of Florida, the BBA was honored to receive the Florida Chief Justice's Pro Bono Award. Judge Cristol's leadership in championing pro bono was one of the reasons the BBA was so involved in pro bono. We flew to Tallahassee for the day to accept the award. When we got to the airport I learned we were flying on a small jet and, being an insecure flyer, I was not happy. Judge Cristol sat next to me the entire way up, explaining the mechanics of flying and why I should ENJOY the bumps (to this day I don't enjoy them but I now tolerate them).

When I became a judge, Judge Cristol was always there for me, answering questions and providing moral support as I was learning to deal with difficult litigants. In addition to mentoring me as a new judge and ongoing as a wonderful and supportive colleague, Judge Cristol has become a good friend. I have missed our lunches since the beginning of COVID but look forward to starting up again with our lunches even after retirement.

As you have learned from reading this edition of the Beacon, the Miami community, the bankruptcy community, and I have all been blessed to have Judge Cristol in our world. And even though Judge Cristol is retiring from the bench, I know he will continue to contribute.

Thank you Judge Cristol. A Middle Earth blessing – *"May the wind under your wings bear you where the sun sails and the moon walks."* Enjoy this next part of your wonderful adventure.



## PRO BONO CORNER



**BY:**  
**STEVEN S. NEWBURGH, ESQ.**  
**(GUEST CONTRIBUTOR)**  
**LAY CHAIR,**  
**PRO BONO COMMITTEE**



### “Pro Bono Lawyers Cleared for Take Off!”

Judge A. Jay Cristol is the consummate aviator. He applies his expertise as a pilot in the courtroom just as he does in his airplane. Judge Cristol controls the “attitude” of the litigants appearing before him, will raise or lower the “pitch” of his comments and questions, decides whether to view the situation from ground level or from 10,000 feet (“altitude”), and can “rotate” around red herrings as easily as he “lands” on any issue after considering the “X” and especially the “Y” axis of the litigants. It’s no wonder that Judge Cristol continues to fly small airplanes. When learning to fly, instructors stress the importance of learning how everything feels from the “seat of your pants”; that’s in addition to careful observation outside the cockpit while constantly scanning the instrument panel (The Code, the Rules and Precedent!). Learning how to “roll” with everything coming from the litigants is a prerequisite for a smooth, uneventful flight. Finally, the gentle application of toes to the “brakes” (located on the top of the two rudder pedals) ensures that the case ultimately stops and is closed, but in a manner that is respectful of all litigants. It is no wonder that Judge Cristol is as able on the bench as he is in the cockpit!

It is most appropriate for our Pro Bono Corner to honor Judge Cristol upon his retirement. Judge Cristol has given so much of himself to all of us and to our great country. Aside from his aviator-like control over his courtroom, Judge Cristol has always an ardent supporter of everything Pro Bono. Judge Cristol emphasizes the importance of the “fresh start” as the underpinning of what we do here in our bankruptcy courts. In an article written by Michael Mora for ALM publications this past June, Judge Cristol was quoted as saying: “Many economists believed that the success of the U.S. was that you could try to start a business here and fail and not be executed” and that “A fresh start or a second opportunity are major factors in the success of our economy.”

In January of 2007, Judge Cristol, while presiding in the Chapter 7 proceedings *In re Reyes*, 361 B.R. 276 (Bankr. S.D.Fla. 2007), considered the issue of whether a pro bono attorney representing a Chapter 7 debtor could be considered a “Debt Relief Agency” pursuant to 11 U.S.C. § 101(12A). Judge Cristol artfully described what was at stake:

“As long as the pro bono waters remain murky and chilled by the possibility that pro bono representation may brand the pro bono contributor a debt relief agency, there remains the risk that some unfortunate and needy debtors may not be able to obtain pro bono counsel in their hour of desperate need...”. *Reyes* at 278-279.

We are then blessed with Judge Cristol’s take on the legislative intent of BAPCA and the abilities (or lack thereof) of its drafters:

“The term “debt relief agency” appeared nowhere in the legal lexicon prior to the adoption of BAPCA and is a creation of the drafters of BAPCA. Prior to this legislation there was no such term of art. So, while the experts who drafted BAPCA are entitled to a failing grade in Legislative Drafting 101, the Court is left to determine what Congress intended. Should we assume that Congress was mean-



## PRO BONO CORNER



BY:  
**STEVEN S. NEWBURGH, ESQ.**  
 (GUEST CONTRIBUTOR)  
 LAY CHAIR,  
 PRO BONO COMMITTEE



### “Pro Bono Lawyers Cleared for Take Off!” (continued from page 12)

spirited and intended sections 526, 527 and 528 to provide a chilling effect on lawyers' willingness to represent persons who have suffered financial misfortune, in most cases through no fault of their own, because of lack of health insurance, loss of employment or other tragedy? Or should we assume that Congress was trying to provide "consumer protection," as the title of BAPCA suggests? The Court believes the title says it all.” Reyes at 280.

While some might disagree as to whether an attorney’s pro bono representation of a debtor constitutes “valuable consideration” within the meaning of 11 U.S.C. § 101(12A), it was important for Judge Cristol to make this finding in order to protect a pro bono lawyer who was doing her best to represent an honest but unfortunate debtor:

“Moreover, the Court does not believe receipt of credit toward the fulfillment of state bar requirement constitutes "valuable consideration" as that term is used in the statute. Such credit is not marketable, saleable, or otherwise of any monetary or pecuniary value, not even to the attorney who is the recipient of the pro bono credit.” Reyes at 281.

Utilizing the doctrine of “constitutional avoidance\*” (similar to an airplane’s “roll” or application of the left or right aileron and rudder to change direction and redirect attention?), Judge Cristol concluded:

“Assuming but not concluding that 11 U.S.C. §§ 526, 527 and 528 are both constitutional and applicable to attorneys, 11 U.S.C. § 101(12A) states clearly that "the term `debt relief agency' means any person who provides any bankruptcy assistance to an assisted *person in return for the payment of money or other valuable consideration.*" (Emphasis added). It is undisputed that the attorney in this case, as represented in the motion and confirmed in the *Disclosure of Compensation of Attorney for Debtor* filed in this case, is not receiving the payment of any money in connection with this representation. That fact is not contested by any party in interest. The attorney has disclosed in the motion that she will attribute the time spent on the representation to the annual pro bono requirement set forth by Florida Bar Rule 4-6.1(b)(1). This disclosure leaves the remaining question of whether attributing the representation to state bar pro bono requirements constitutes receiving "valuable consideration" "in return for" the services.” (Reyes, at 281).

Judge Cristol ruled as follows:

1. Debtor's counsel is not a "debt relief agency" as defined by 11 U.S.C. § 101(12A), and the application of 11 U.S.C. §§ 526, 527 and 528 to Debtor's counsel is unconstitutional.

\*The “Constitutional Avoidance” doctrine requires that where an otherwise acceptable construction of a statute would raise serious constitutional problems, the court will construe the statute to avoid such problems unless such construction is plainly contrary to the intent of Congress. (See *Milavetz v. U.S.*, 541 F.3d 785 (8<sup>th</sup> Cir. 2008)).

(Continued on page 14)



## PRO BONO CORNER



BY:  
**STEVEN S. NEWBURGH, ESQ.**  
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 LAY CHAIR,  
 PRO BONO COMMITTEE



### “Pro Bono Lawyers Cleared for Take Off!” (continued from page 13)

2. Sections 526, 527 and 528 of the Bankruptcy Code do not apply to an attorney licensed to practice law by a state, regulated by the laws of the state wherein the attorney is admitted and admitted to practice in United States Bankruptcy Courts.
3. Sections 526, 527 and 528 of the Bankruptcy Code do not apply to an attorney licensed to practice law by a state, regulated by the laws of the state wherein the attorney is admitted and admitted to practice in United States Bankruptcy Courts, where the attorney provides services on a pro bono basis and receives nothing in return from the assisted person, i.e., no money or other valuable consideration for such services provided.
4. The hours spent on pro bono representation which Debtor's counsel may attribute toward the state bar association annual requirement relating to pro bono service does not constitute money or valuable consideration given in return for the pro bono legal assistance.

(Reyes at 281-282).

Judge Cristol not only protected our pro bono volunteers from application of 11 U.S.C. §§ 526, 527 and 528, but created important case law that has been cited (and distinguished) in many U.S. Circuits. It is Judge Cristol's emphasis on the legal definition of “consideration” for pro bono representation that distinguishes Reyes and which created the safe haven for our pro bono volunteer lawyers.

Judge Cristol's contribution to bankruptcy pro bono cannot be overemphasized. Not only did Judge Cristol demonstrate care and compassion for the unfortunate debtor, but he did so such that those who volunteered their time and energy to the debtor would not be subject to risks associated with fee-based debtor representation, where counsel is subject to 11 U.S.C. §§ 526, 527 and 528 as a “debt relief agency”.

Outside of the courtroom, Judge Cristol together with his late wife, Eleanor, demonstrated extraordinary generosity and sensitivity to those in need. Judge Cristol's generous grant to the University of Miami School of Law led to the creation of the “Eleanor R. Cristol and Judge A. Jay Cristol Bankruptcy Pro Bono Assistance Clinic”. Judge Cristol's late wife, Eleanor, was a founder of Mount Sinai Medical Center and the Miami Jewish Home and Hospital for the Aged. Eleanor was also a “Grand Founder” at the University of Miami and served on the board of Temple Beth Shalom for more than 20 years. Both Judge Cristol and Eleanor Cristol tirelessly gave to the community and charitable causes in both time and resources. We will all surely miss his poetic rulings; *In re E.S. Bankest, L.C.*, 321 B.R. 588 (Bankr. S.D. Fla. 2005); *In re Vivian*, 150 B.R. 832 (Bankr. S.D. Fla. 1992) and *In re Herskowitz*, (166 B.R. 764 (Bankr. S.D. Fla. 1994), Judge Cristol's legacy, his wisdom, compassion and generosity, will be with us forever. Thank you, Judge Cristol. Don't forget to file that Flight Plan!



## FROM THE JUDGES' CHAMBERS

**CROSS YOUR T'S WHEN APPLYING FOR FEES**

**By: Casey Wiener, Law Clerk to the Honorable Peter D. Russin and  
Dominique Douglas, Law Clerk to the Honorable Scott M. Grossman**

The Bankruptcy Code imposes upon the court a “supervisory obligation” to protect the estate and ensure that everyone complies with the court’s rules and procedures. So, when it comes to compensation of counsel, it sometimes falls on the court (even with no objections) to ensure that payments are only made to attorneys who are authorized to be paid under the Code and Rules. Unfortunately, this can mean that a fee agreement that might otherwise be appropriate outside of bankruptcy will not be approved in a bankruptcy case, could result in a denial of fees if approval was not properly sought.

We hope that by considering the points below lawyers, especially those who do not have a background in bankruptcy, will be able to navigate the complexities of retainer agreements, fee applications, and settlement approval in the bankruptcy process.

1. Granting applications to employ special counsel: Prior to assuming the retainer previously signed by the debtor, trustees should make an independent determination of whether this person is suitable to represent the estate. Employment of special counsel for the trustee is governed by 11 U.S.C. §327 and Federal Rule of Bankruptcy Procedure 2014.

Final compensation of counsel is governed by 11 U.S.C. § 330 and Federal Rule of Bankruptcy Procedure 2016(a), which provides that:

An application for compensation shall include a statement as to what payments have theretofore been made or promised to the applicant for services rendered or to be rendered in any capacity whatsoever in connection with the case, the source of the compensation so paid or promised, whether any compensation previously received has been shared and ***whether an agreement or understanding exists between the applicant and any other entity for the sharing of compensation received or to be received for services rendered in or in connection with the case, and the particulars of any sharing of compensation or agreement or understanding...***

While we understand that it can be tedious creating a new engagement agreement for each special counsel seeking approval, special attention should be paid to provisions which allow for fee sharing. Bankruptcy Code section 504(a) prohibits fee-sharing among professionals not associated with the same law firm. So, any engagement agreement that provides for fee sharing – even if appropriate outside of bankruptcy cases – should be removed before a trustee seeks to employ special counsel. Or, at a minimum, the court should be alerted to these provisions, as the potential order must clearly state that these provisions do not apply.

2. Co-special counsel applications: Any person not authorized by the court to represent the trustee is unable to receive compensation or reimbursement under 11 U.S.C § 504(b)(2) or (b)(4). It is common practice in state court for attorneys to seek outside trial counsel if settlement fails, effectively creating a fee sharing arrangement. If pre-suit settlement negotiations fail, it is the trustee’s responsibility to seek the courts approval of any new co-special trial counsel. Failure to seek approval could result in denial of payment to co-counsel.

These issues can be easily addressed by drafting a new engagement agreement for all special counsel the trustee seeks to employ, or perhaps by drafting an addendum to an existing engagement agreement to clarify these issues.



## CAN YOU IDENTIFY SOME OF JUDGE CRISTOL'S NOTABLE CASES?

(answers on page 17)

In his decades on the bench, Judge Cristol presided over thousands of cases, including several that drew the interest of the news media. Test your memory of some of them by matching the case name from the following list of cases with the correct description below. And, if you are a word search fan, find the names of these cases and others in the puzzle on page 26.

Arrow Air    Banco Latino International    Costa Hollywood Property Owner LLC    Fine Air    Fisher Island Investments  
 Flannigan's    Fontainebleau Las Vegas    General Development Corporation    Lorraine Brooke Associates  
 Magnum Construction Management    Majorca Isles Master Association    Miami General Hospital    Pan American Airways  
 Premium Sales    Prime Motor Inns    Stephan Jay Lawrence

1. Debtor was one of the largest land developers in Florida that filed bankruptcy after its management team was accused of fraudulent home sales. The company plead guilty to federal mail fraud and senior management was convicted of fraud but later exonerated by the Eleventh Circuit Court of Appeal, who reversed their convictions and directed that all charges against them be dismissed. \_\_\_\_\_
2. Debtor was a hotel chain that once claimed to be the world's second-largest. \_\_\_\_\_
3. Debtor filed bankruptcy after a failed attempt to raise cash by selling his own real estate assets that housed his bars and liquor stores, then leasing back the buildings from the properties' owners. \_\_\_\_\_
4. Debtor returned 100 cents on the dollar plus interest to its creditors/depositors, whose names were forever sealed to protect the parties from potential criminal activity/mischief. \_\_\_\_\_
5. Debtor was a Miami-based airline that filed for Chapter 11 protection two months after 248 U.S. soldiers were killed in a charter crash in Gander, Newfoundland, on Dec. 12, 1985. \_\_\_\_\_
6. Debtor was an iconic airline that first took wing in Key West in 1927. It filed for bankruptcy protection following the loss of more than \$2 billion from a combination of a poor economy, low consumer confidence, and lagging revenue from affiliates. It closed after 64 years of service. \_\_\_\_\_
7. Debtor was the owner of hotel/condominium units. \_\_\_\_\_
8. A modern-day David-and-Goliath story, one of the nation's largest homebuilders [with over \$10 billion in annual revenue] was found to have engaged in "deceptive practices" that left a condominium association targeting low- and moderate-income buyers in poor financial condition. Judge Cristol entered a \$16.3 million judgment against the homebuilder. \_\_\_\_\_
9. Debtor was developer of hotel on the Las Vegas Strip that was named after another business owned by the developer in Miami Beach, Florida since the 1950s. \_\_\_\_\_
10. Debtor was a mere conduit to hold the rights for O.J. Simpson's book, If I Did It, a "hypothetical" account of how Simpson could have murdered his ex-wife, Nicole Brown Simpson, and her friend Goldman. Judge Cristol held O.J. Simpson set up a shell company to hide his book profits from the family of Ron Goldman, which is trying to collect a wrongful death judgment against the former football star. \_\_\_\_\_
11. At the hearing on first-day motions in Chapter 11, Judge Cristol remarked about this Debtor, "It may appear that the patient has arrived in the emergency room already dead." \_\_\_\_\_
12. Debtor was ordered to turn over to the bankruptcy trustee certain assets (allegedly \$10 million) held in an offshore trust. When he failed to do so, Debtor was incarcerated, and remained so incarcerated for over 6 years, until the Eleventh Circuit Court of Appeals determined the sanction was not coercive and let Debtor out of jail. No money was ever recovered. \_\_\_\_\_

(Continued on page 17)



## CAN YOU IDENTIFY SOME OF JUDGE CRISTOL'S NOTABLE CASES? (continued from page 16)

13. This involuntary case has its origins in a dispute over the estate of Georgian businessman Arkadi "Badri" Patarkatsishvili, who died in 2008, shortly after an unsuccessful run for the former Soviet republic's presidency. According to court documents, Joseph Kay, Patarkatsishvili's half-cousin and former employee, staked a claim over all other heirs as beneficiary to a trust, whose holdings included Fisher Island Investments, a Florida corporation that owns development rights on Fisher Island, and Little Rest Twelve, a New York corporation that owned a restaurant in New York City's hip Meatpacking District. Kay was unsuccessful in his pursuit of owner of ownership over the trust assets \_\_\_\_\_
14. Debtor, a North Dade grocery diverter, ran a "pyramid scheme" to fool investors into thinking they were earning some 40% return on their investments in the company. \_\_\_\_\_
15. Debtor filed for bankruptcy after a bridge collapse at the University of Miami where six people were killed, along with ten people injured. The families of the decedents and injured parties received a nearly \$103 million settlement. \_\_\_\_\_
16. Debtor was an international [cargo airline](#) that operated from 1989 to 2002, when it was renamed Arrow Air following its bankruptcy and acquisition. \_\_\_\_\_

- |  |                               |  |
|--|-------------------------------|--|
| _____ 7 Costa Hollywood Property Owner LLC | _____ 14 Premium Sales        | _____ 8 Majorca Isles Master Association |
| _____ 15 Magnum Construction Management    | _____ 12 Stephan Jay Lawrence | _____ 4 Banco Latino International       |
| _____ 1 General Development Corporation    | _____ 2 Prime Motor Inns      | _____ 6 Pan American Airways             |
| _____ 9 Fontainebleau Las Vegas            | _____ 16 Fine Air             | _____ 13 Fisher Island Investments       |
| _____ 10 Lorraine Brooke Associates        | _____ 3 Flannigans            | _____ 11 Miami General Hospital          |
|  |                               | _____ 5 Arrow Air                        |

### Answers

## ANSWER TO WORD PUZZLE ON PAGE 27

C R F H B Y Y V W E H H G P G T K I V B E C M N T F L H Y L  
 R Q H I T Q F V U G Z J R G H K L N O S K I A R K L C U W N  
 W T S D S V X Y Z X R E G G J K H D L O O J J P O O N P N N  
 W H B T M H Y W X W M Y V O C W F Y X R O A O M N R P Z R O  
 P R V P A P E D Q I X E H A O R X P F C R I R T O W H H B  
 C V H X H H S R U H R O T O M E M I R P B M I Q T D B N B O  
 E R L O H D O M I E S P K G G G B P O O E D C L Y A T N T N  
 T M B U F U S L Z S E N I W R C S W Z X N M A M J W B Z Y I  
 O G M R A A A F L A L Y A I F O Y F O P F I A O E C C O T  
 V D E R I E D W G Y D A A G H P B U O Z A P S C S S V A D A  
 M S X E J V L C I D W W N L I F U P F I R Y L L I T Z K O L  
 O I S Q F W W B M Z O Q A D U N A T B P R D E U O A M J M O  
 F R C Z W A M E E R S R O O I N N C D J O W S R W I D I Z C  
 B G E Y Z B Y R R N E W R D H N F A U M T V K N R N T E N  
 T X X C X N J A W N I D N P W J V L L Z J V B Q C W Q M L A  
 Z K O W X Y R R E V O A A G R J X A U F P H Q O V A V T P B  
 T L P A G E J G Y M V O T D W S N Y Z Z O G O I Y Y D J K A  
 Q Y N P I I X C I R K Z N D B W O L G I V W A F S Q B U G  
 U B V U K M T X L C U X D E O Z Z L C P T W F Z U I W W I L  
 Z A B S A S B L W B Q C S I Z F G J V E Y F C B F E N T D S  
 G W I I N T A X B E V N O I T C U R T S N O C M U N G A M B  
 S C M N G G B E G I R F I P A N A M E R I C A N A I R P B H  
 J R D I E P D A T F S K Y X P X L A B O L G D L R O W X E Z  
 U C S W O W B X G D C P O Q T M X A Z O S Z M T U W Y N F N  
 A B E T P A X Q C Y Y X Y S R L A Q K F A U E Q L P O B K F  
 H S J E O B F L G I E Q A S G Z D E M Z M H H C X L M L X F  
 T Q I M T R V F M E M H M O O R E T U V H M S V W V T U N N  
 A A Y H E W M Z S B S V G Q L T B I B T W Z N Q G A H Y F J  
 R R W O H M J A C Y Z D S T E P H A N J L A W R E N C E J U  
 P N Z W O E Y J E V Z A H U W I E V R N P X T T X V M G L L



## 1985 Then, 2022 Now

By: Jacqueline Antillon, Courtroom Deputy to the Honorable Robert A. Mark

The good old days of the 1980s! I might be a bit biased since I am a child/product of the 80s and on the top of my list as the best days of my life! Who can ever forget 80s music, extreme fashions, big hair, neon colors, up and coming artists like Madonna, Prince, Pat Benatar, RUN DMC and Tears for Fears to name a few!

**Our very own Judge Cristol was appointed to the bankruptcy bench, in 1985, so indeed it was a good year!** Since 1985, the court has also come a long way. In 1985 we had paper dockets and hard copy case files, followed by a progression to electronic record keeping using the software Wampum, Bancap, and currently now, with CM/ECF almost totally paperless and cashless payment of fees. We went from all paper to all electronic.

The Bankruptcy Code added a new Chapter 12 and Chapter 11 now includes small business and subchapter V cases. There was a feeling of déjà vu during the 12-month period ending June 30, 2021 when, nationwide personal and business bankruptcy filings plummeted 32.2 percent, resulting in the lowest number of filings in a 12-month period since 1985.

The number of judges in this Court grew from three to seven.

The total number of cases filed in 1985 was 2,411 versus in 2022 total number as of November 2022 was 9,252.

The court's local rules grew in number and size. In 1985 there were fewer than a dozen local rules, now there are over 100 local rules.

One thing filers might miss are the 1985 lower filing fees:

### Filing Fees

1985		2022	
Chapter 7	\$60.00	Chapter 7	\$338.00
Chapter 11	\$200.00	Chapter 11	\$1,738.00
Chapter 12	\$200.00	Chapter 12	\$278.00
Chapter 13	\$60.00	Chapter 13	\$313.00

Here are some interesting 1985 and 2022 facts, pop culture phenomenon and why in my opinion I consider 1985 to be the best year of the 1980s.

### 1985

**Gaming/Technology:** Nintendo released their NES system in North America, Luigi and Mario Brothers were in the horizon, late 1985 "Super Mario Brothers" game was launched and there was no stopping. The first mobile phone call is made in Britain and the phone was the size of a brick. Microsoft Windows released its operating system and since then, they haven't looked back. The first commercial internet domain .com was registered, and DNA was used in the first criminal case.

(Continued on page 19)



**1985 Then, 2022 Now** (continued from page 18)

**Sports:** The legend, Mr. Michael Jordan was named “NBA’s Rookie of the Year”. Boris Becker at only 17 years old and the youngest winner to win men’s Wimbledon. San Francisco 49ers won the Superbowl, Los Angeles Lakers were crowned NBA champs and Kansas City Royals won the World Series.

**Music/Movies:** Madonna’s album, “Like a Virgin” hit number 1 on the billboards. The incredible, Whitney Houston releases her debut album, goes on to win a Grammy for best pop vocal, best female artist and album of the year. Careless Whispers by Wham, Bruce Springsteen’s Born in the USA, and Kate Bush’s – “Running Up That Hill”, you know this year, we witnessed a major comeback, thanks to Stranger Things. We saw great movies and sequels like, Back to the Future, my absolute favorite - “The Breakfast Club”, The Goonies, Out of Africa, St Elmo’s Fire, and The Color Purple, who won the Oscar for Best Picture.

**Umm, things we could have done without:** Needless to say, death, pain, suffering, and war are among the top of the list. In April, Coke introduced a sweeter version of Coca Cola, “New Coke”, didn’t last very long, that same year in June, they brought back their original formula. Route 66 is removed from the US highway system. Unabomber killed his first victim, and South Africa invades Angola.

## 2022

Fast forward and back to the present, year 2022 and close to Judge Cristol retiring. Many of us have experienced, witnessed, or read about many events that have changed our lives between 1985 and 2022. One thing we can all agree with, every year, we hope for better-days, new begins, hope, strength, health, and the resilience that is embedded in all of us! In conclusion, we must embrace and face everything that comes our way. Looking back at 2022 and a few junctures:

**Gaming/Technology:** Introduction of Metaverse, adapting to cloud gaming, furthering artificial intelligence and machine learning, quantum computing, and 5G services. Pokemon and Mario Brothers continue to roll out new games.

**Sports:** Team USA in Beijing won a total of 25 medals. Golden State Warriors cemented their legacy as one of only three teams to win seven or more NBA titles. The Houston Astros were crowned World Series champs, earning them their second title. The Los Angeles Rams beat Cincinnati Bengals in the Superbowl. Both Serena Williams and Roger Federer hung up their tennis rackets.

**Music/Movies:** Top-grossing movies so far...Black Panther, The Batman, and Top Gun: Maverick. Music makers, yup you guessed it, Running up that hill by Kate Bush. Harry Styles, BTS, Camila Cabello, Billie Eilish, Lizzo, Taylor Swift, and Bad Bunny.

**Umm, things we could have done without:** Since 1985 and every year after, we will continue to agree with death, pain, suffering, and war. I’m sure we all have our own personal list, but one thing we can all add and agree, COVID, COVID, COVID and bidding farewell to Judge Cristol.

(Continued on page 20)



## 1985 Then, 2022 Now (continued from page 19)

### Cost of Living 1985 vs. 2022

#### Cost of Living USA 1985 – How Much Things Cost (Average)

Yearly Inflation Rate 3.55%	Postage Stamp 22 cents	Video Game \$45.00
Cost of a New House \$89,330	Bacon pack 1.65	Vinyl Album \$5.97
Income per Year \$22,100.00	Gallon of Milk \$2.20	Computer (IBM) \$4,395
Monthly Living Rental \$375.00	Dozen eggs \$1.25	NES gaming console \$149
Price of a New Car \$9,005.00	Concert Ticket \$15 to \$25	Cereal \$1 for 18-ounce box
Gallon of Gas \$1.12	Bananas 33 cents a pound	Average wage \$3.35
Movie Ticket \$3.55	Big Mac meal \$2.59	VCR \$200 - \$400

#### \$\$ Cost of Living USA 2022- How Much Things Cost (Average, end of October) \$\$

Yearly Inflation Rate 7.75%	Postage Stamp 60 cents	Video Game \$60.00
Cost of a New House \$284,158 (not in South Florida)	Bacon pack \$7.61	Vinyl Album \$14.54
Income per Year \$43,350.00	Gallon of Milk \$4	Computer \$700 – 1500.00
Monthly Living Rental \$2800.00	Dozen eggs \$3.42	NES (Switch) gaming console \$300.00
Price of a New Car \$47,000.00	Concert Ticket \$92 to 400	Cereal \$3.50 to \$7.00
Gallon of Gas \$4.06	Bananas 66 cents a pound	Average wage \$11.03 - \$15.00
Movie Ticket \$11.00	Big Mac meal \$9.19	DVD (formerly known as VCR) \$100 - \$400

Whether 1985 or in between was your favorite year, we can all agree, that our court family, and members of the bankruptcy bar will truly miss, the Honorable A. Jay Cristol, the impact, and difference he leaves behind. We wish him well in his new journey. Life has just begun! Let the adventure begin.



## Helpful Information Regarding Central Sign-On and PACER Accounts

By Cameron Cradic

Central Sign-On (CSO) is the name given to the process of using a PACER account to access all federal courts (appellate, district, and bankruptcy courts). As such, PACER account holders have significant control in managing their accounts. **All CM/ECF registered users must ensure that their PACER account contains the account holder's CURRENT address, phone number, and email address.**

**To update from PACER:** Click <https://pacer.uscourts.gov/> > Manage Your Account > Manage My Account Login > enter your Username/Password > Maintenance > select the contact information to be updated.

**To update from CM/ECF:** Log into CM/ECF, click Utilities > Maintain Your ECF Account > click the hyperlink to PACER titled "Edit my name and address information" in the upper right corner of the screen > from Manage My Account, click Maintenance > select the contact information to be updated.

For example, if you wish to update your PACER mailing address from the Maintenance tab (see above), click "Update Address Information > enter desired changes > click Submit. A confirmation message will display that indicates your change(s) have been transmitted to the selected court. The process is the same for updating email addresses and phone numbers. The clerk's office will then review the changes for format compliance and the account holder will receive an email of completion. Please note that this is an update only to a PACER account. Attorneys must also comply with Local Rule 2002-1(G) by filing a notice in any affected case or proceeding.

### More helpful information regarding accounts:

- Know that PACER accounts are issued **only** to individuals for the purpose of e-filing, not to law firms. An e-filing account travels with any attorney who leaves a firm.
- Attorneys may have only one PACER account for the purpose of e-filing. However, if the attorney e-files on behalf of more than one firm, a separate account is required for each firm.
- The clerk's office *highly recommends* that staff who e-file on behalf of an attorney obtain their own Filing Agent credential. In this manner, attorneys and staff may concurrently e-file in CM/ECF. Click on the following to register: <https://pacer.uscourts.gov/register-account/non-attorney-filers-cmecf>.
- ALL attorneys who seek e-filing credentials **MUST** complete Local Form 95, a registration form that also includes instructions for transmitting an electronic PACER request. **This includes attorneys who are admitted pro hac vice pursuant to Local Rule 5005-4(B)(2).** [Reference: Motion to Appear Pro Hac Vice, Local Form 44; Order Admitting Attorney Pro Hac, Local Form 45; and, Acknowledgment of Responsibility and Registration Form Full Attorney Privileges, Local Form 95.]
- After an attorney's PACER account is approved by the clerk's office, a document must be electronically filed before he or she will receive electronic notifications in any case or proceeding. In other words, the account must be "activated" by e-filing a document. **Suggestion: E-file a Notice of Appearance and Request for Service** by selecting *Bankruptcy or Adversary Events > Notices > Notice of Appearance and Request for Service*).



## Help Desk Corner

By: Lorraine Adam

The help desk corner will highlight questions the clerk's office routinely receives by telephone or through the court's website at: <https://www.flsb.uscourts.gov/contact-us>. Whether you are contacting the Miami, Ft. Lauderdale, or West Palm Beach division, clerk's office staff are readily available to assist you during court hours of 8:30 am to 4:00 pm.

Miami:	305-714-1800
Ft. Lauderdale:	954-769-5700
West Palm Beach:	561-514-4100



***I'm filling out my bankruptcy papers, but I don't understand some of these questions. What's the difference between business and consumer debt? What's means testing?***

Please refer to our court website at: [www.flsb.uscourts.gov](http://www.flsb.uscourts.gov). Under the tab: Don't Have a Lawyer, there is a section called General Resources which provides links to a glossary of legal terms and bankruptcy terminology. You will be able to get a better understanding of the meaning of some of these words. The bankruptcy forms are located under this tab as well. Each form link allows you to download instructions to guide you with filling out the forms.

Also on our court website, under the same tab, there is another section titled Debtor Resources. There is a link named: Information About Means Testing. This link provides the forms for each chapter and allows you to access the US Trustee Program website where you will be able to find the Median Family Income chart for all states in alphabetical order.

You'll want to spend time on our court website under the Don't Have a Lawyer tab since the clerk's office and the judges are not allowed to provide legal advice. When you file for bankruptcy without an attorney, you become your own advocate. Finding out information, legal or otherwise, is your responsibility.



## Bunchy's Annual Toy Drive

The Annual Toy Drive has been a holiday tradition for the Bankruptcy Court Staff and Judges for over 30 years. The program is part of Citrus Family Care Network, a Community Based Care (CBC) Lead Agency for child welfare services in Miami-Dade and Monroe Counties. The agency's mission is to protect children, strengthen families, and engage community networks to ensure prompt, effective, high-quality services and care. The Annual Toy drive relies on donors and volunteers to provide holiday cheer to kids not expecting anything. It is good to be able to give back; we are happy to be part of this fantastic effort and hope to continue participating for many years. "Every kid will get a gift and — even if it's just for a moment — they will know that someone cares."





## TSA Paws, Explosive Detection Decoy Program



By Jacqueline Antillon, Courtroom Deputy to the Honorable Robert A. Mark

Do you love dogs? Are you seeking a volunteer opportunity working with dogs who work? If you are, the Transportation Security Administration (TSA) is calling on dog lovers to volunteer as a decoy to train dogs in its “Explosive Detection Canine Program” at Miami International Airport (MIA)? The TSA is an agency of the United States Department of Homeland Security that has authority over the security of transportation systems within and connecting to the United States. Your role as a decoy aids reality-based training drills and scenarios in real-life airport activities where passengers are being screened daily, at times hundreds of thousands.

These K9s and their handlers, together compromise a super-duper, dynamic-duo talented team, and their training depends on volunteer outside decoys. Sound exciting? Then, volunteer and let the games begin, as TSA K9s are working dogs and your volunteer time playing decoy will immensely help the TSA’s top priority – protecting our nation’s transportation systems. Volunteers must carry a concealed training aid, pretend to be a traveling passenger. You are encouraged to wear hats, hoodies, use backpacks, large purses, sweaters where the training tool aid can be concealed. Keeping your identity a secret is a must, handlers are not to know who you are, and you must refrain from discussing with the traveling public why you are there.

TSA continuously is looking for volunteers, no experience needed, just a love for dogs and public safety in the air, but it all starts on the ground! You must be over 18 years old and have a government-issued ID, able to assist the canine team from 3 to 4 hours, either in the morning or afternoon. Serving as a decoy is essential to the continued development and advancement of these K9s and their handlers. The team’s goal is to create a safe and secure experience for travelers in the U.S.A, while witnessing the magical bond between the canine and the handler. To ensure the program’s success, the team must sharpen and master their skills daily. K9s along with their handlers should have constant practice in anticipating the unknown, potential threats and if unsafe conditions exist. Their forte comes from practice, and as the old saying goes, practice makes perfect!

If you would like to volunteer and help, please email, Guillermo Costa: [Guillermo.Costa@tsa.dhs.gov](mailto:Guillermo.Costa@tsa.dhs.gov), K9 Program Coordinator, Threat Division, MIA or Jose Caceres: [Jose.Caceres@tsa.dhs.gov](mailto:Jose.Caceres@tsa.dhs.gov), K9 Assistant Coordinator. In your e-mail, please include dates and times you are available. TSA coordinators will get back to you, iron out details, and follow up with a detailed confirmation of meeting place, attire, etc.,. Feel free to reach out to them if you have further questions or concerns. Not only are you providing your valuable time, your resources, at the same token the reward that comes with helping these K9s. Personally, I love dogs, love seeing the dogs at work, and I have fun! There’s a reason why I keep going back and have offered my services the last four years. Give it a try! You’ll never know how rewarding it is until you give it a whirl.



TSA immensely appreciates your interest  
in becoming a volunteer K9 decoy!  
Don’t wait sign up today!



**In Other Words**

By: Lorraine Adam

Test your creativity by matching the commonly used bankruptcy terms on the left to its fun synonymous interpretation on the right. To get you started, Adequate Protection has been answered for you.

- |                          |                           |
|--------------------------|---------------------------|
| 1. Adequate Protection   | _____ Laxed Backer        |
| 2. Adversary Proceeding  | _____ Lurking Stallion    |
| 3. Automatic Stay        | _____ Crisp Commencement  |
| 4. Bar Date              | _____ Routine Stop        |
| 5. Cash Collateral       | _____ Bare Necessities    |
| 6. Contested Matter      | _____ Satisfactory Cover  |
| 7. Discovery Procedures  | _____ Deceptive Passage   |
| 8. Fraudulent Conveyance | _____ Dough Insurance     |
| 9. Fresh Start           | _____ Rival Process       |
| 10. Interim Order        | _____ Short-term Decision |
| 11. Joint Administration | _____ Official Workplace  |
| 12. Skeletal Filing      | _____ Unearthing Ways     |
| 13. Stalking Horse       | _____ Saloon Day          |
| 14. Unsecured Creditor   | _____ Argued Stuff        |
| 15. Clerk's Office       | _____ Combined Management |

(Continued on page 25)

**In Other Words** (answers)

1. Adequate Protection (Satisfactory Cover): the right of a party with an interest in the debtor's property (such as a secured creditor) to assurance that its interest will not be diminished during the bankruptcy proceeding.
2. Adversary Proceeding (Rival Process) – a lawsuit arising in or related to a bankruptcy case that is commenced by filing a complaint with the bankruptcy court.
3. Automatic Stay (Routine Stop) – the suspension of actions, such as debt collection or foreclosure, against the debtor.
4. Bar Date (Saloon Day) – the last date that creditors may file a claim against the debtor.
5. Cash Collateral (Dough Insurance) – cash and cash equivalents held by the debtor in chapter 11 subject to liens or other parties.
6. Contested Matter (Argued Stuff) – a dispute among the parties to a bankruptcy proceeding, instituted by the filing of a motion of the court.
7. Discovery Procedures (Unearthing Ways) – used to obtain disclosure of evidence before trial.
8. Fraudulent Conveyance (Deceptive Passage) – the transfer of valuable assets from a company which (i) occurs when the company is technically insolvent, (ii) renders the company insolvent, or (ii) is made for less than adequate consideration.
9. Fresh Start (Crisp Commencement) – informal term for the new accounting rules applicable to bankrupt companies.
10. Interim Order (Short-term Decision) – a temporary order of the court pending a hearing, trial, a final order or while awaiting an act by one of the parties.
11. Joint Administration (Combined Management) – the combining of two or more bankruptcy proceedings for administrative convenience.
12. Skeletal Filing (Bare Necessities) – term used in bankruptcy courts to describe a bankruptcy filing in which not all the necessary forms have been filed.
13. Stalking Horse (Lurking Stallion) – this is the name given to the party submitting the first bid to purchase assets.
14. Unsecured Creditor (Laxed Backer) – a creditor who extended credit to a debtor without collateral security.
15. Clerk's Office (Official Workplace) – a place that houses the best workers in town.

Definitions provided by [www.bankruptcydata.com](http://www.bankruptcydata.com)



**WORD SEARCH: FIND THE NAMES OF WELL KNOWN  
JUDGE CRISTOL CASES  
(Answers on Page 17)**

C R F H B Y Y V W E H H G P G T K I V B E C M N T F L H Y L  
 R O H I T Q F V U G Z J R G H K L N O S K I A R K L C U W N  
 W T S D S V X Y Z X R E G G J K H D L O O J J P O O N P N N  
 W H B T M H Y W X W M Y V O C W F Y X R O A O M N R P Z R O  
 P R V P A P E D Q I X E H A O R X P F C R I R T O I W H H B  
 C V H X H H S R U H R O T O M E M I R P B M I Q T D B N B O  
 E R L O H D O M I E S P K G G G B P O O E D C L Y A T N T N  
 T M B U F U S L Z S E N I W R C S W Z X N M A M J W B Z Y I  
 O G M R A A A F L A L Y A I F O Y F O P I F I A O E C C O T  
 V D E R L E D W G Y D A A G H P B U O Z A P S C S S V A D A  
 M S X E J V L C I D W W N L I F U P F I R Y L L I T Z K O L  
 O I S Q F W W B M Z O O A D U N A T B P R D E U O A M J M O  
 F R C Z W A M E E R S R O O I N N C D J O W S R W I D I Z C  
 B G E Y Z B Y R R N E W R D H N F A U M L T V K N R N T E N  
 T X X C X N J A W N I D N P W J V L L Z J V B Q C W Q M L A  
 Z K O W X Y R R E V O A A G R J X A U F P H Q O V A V T P B  
 T L P A G E J G Y M V O T D W S N Y Z Z O G O I Y Y D J K A  
 Q Y N P I I I X C I R K Z N D B W O L G I V W A F S Q B U G  
 U B V U K M T X L C U X D E O Z Z L C P T W F Z U L W W I L  
 Z A B S A S B L W B Q C S I Z F G J V E Y F C B F E N T D S  
 G W I I N T A X B E V N O I T C U R T S N O C M U N G A M B  
 S C M N G G B E G I R F I P A N A M E R I C A N A I R P B H  
 J R D I E P D A T F S K Y X P X L A B O L G D L R O W X E Z  
 U C S W O W B X G D C P O Q T M X A Z O S Z M T U W Y N F N  
 A B E T P A X Q C Y Y X Y S R L A Q K F A U E Q L P O B K F  
 H S J E O B F L G I E Q A S G Z D E M Z M H H C X L M L X F  
 T Q I M T R V F M E M H M O O R E T U V H M S V W V T U N N  
 A A Y H E W M Z S B S V G Q L T B I B T W Z N Q G A H Y F J  
 R R W O H M J A C Y Z D S T E P H A N J L A W R E N C E J U  
 P N Z W O E Y J E V C A H U W I E V R N P X T T X V M G L L

ARROW AIR	BANCO LATINO	COSTA HOLLYWOOD
FISHER ISLAND INV	FLANNIGANS	FLORIDA WEST AIRWAYS
FONTAINBLUE LV	GDC	LORRAINE BROOKE
MAGNUM CONSTRUCTION	MAJORICA ISLES	MIAMI GENERAL HOSP
PAN AMERICAN AIR	PREMIUM SALES	PRIME MOTOR
STEPHAN J LAWRENCE	VILLAGE WEST	WORLD GLOBAL



## FEDERAL RULES AMENDMENTS EFFECTIVE DECEMBER 1, 2022

The following Federal Rules of Bankruptcy Procedure will be amended effective December 1, 2022:

Bankruptcy Rules 1007, 1020, 2009, 2012, 2015, 3002, 3010, 3011, 3014, 3016, 3017.1, 3017.2 (new), 3018, 3019, 5005, 7004, and 8023.

All pending federal rules and form amendments can be reviewed on the U.S Courts website at the following link:

<https://www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments>

Proposed amendments to Official Forms 101, 309E1, and 309E2 will be considered by the Judicial Conference at its September 2022 meeting. If approved, the revised forms will go into effect Dec. 1, 2022.

For more information on the above proposed official bankruptcy form amendments, review the information on the U.S. Courts website at the following link:

<https://www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments/pending-and-recent-changes-bankruptcy-forms>

## RECENT USBC SDFL ADMINISTRATIVE ORDERS

Link to Current Administrative Orders: <https://www.flsb.uscourts.gov/general-orders>

Link to Clerk's Notices: From home page of the Court's website <https://www.flsb.uscourts.gov/> select "News and Announcements" in the lower left column on the page

[GO 2022-03](#) Assignment of New Cases and Adversary Proceedings and Reassignment of Pending Cases to Honorable Paul G. Hyman, Jr., Pending Appointment of a New Bankruptcy Judge

[AO 2022-10](#) Amendments to Subsection (A)(3) of Local Rule 9070-1 and Local Form Order Setting Filing and Disclosure Requirements for Pretrial and Trial

[AO 2022-09](#) Status of Interim SBRA Bankruptcy Rules Adopted by Administrative Orders 2020-02 and 2022-06 upon the effective date of the Amended Federal Rules of Bankruptcy Procedure on December 1, 2022

[Public Notice of Amendments to the Federal Rules of Bankruptcy Procedure and Official Forms; and Entry of Administrative Order 2022-09 Effective December 1, 2022](#)

## ATTEND FREE PRO SE BANKRUPTCY CLINICS VIA ZOOM

Due to COVID-19 pandemic, unless otherwise posted, all bankruptcy clinics are being conducted via Zoom. Each clinic will feature a 15-minute video providing an overview of certain procedures for filing bankruptcy, followed by a Question & Answer session staffed by one or more pro bono attorneys who are available to give general advice on bankruptcy matters. Attendees will be advised that the attorneys at these clinics do NOT represent them and will NOT provide them with legal advice regarding their particular circumstances.

Attendees are also advised that if they have already filed their case and it is still pending, they are solely responsible for responding to any pleadings or motions and for compliance with any order issued by the assigned Bankruptcy Judge or to a request for information and documentation from the assigned Bankruptcy Trustee. Attendees are also advised that unless they are represented by a lawyer, they are solely responsible for protecting their own legal rights. Notice is also provided to attendees at the program that this is a FREE service, and the attorneys are not there to attempt to acquire them as clients or ask them for payment for advice or future services.

Any person unable to access zoom due to a lack of equipment (a "smartphone" or suitable tablet), please email Steven Newburgh: [snewburgh@forlawfirm.com](mailto:snewburgh@forlawfirm.com) Assistance may be available.

Visit this link on the court website for additional information and dates scheduled for these clinics.:

<https://www.flsb.uscourts.gov/node/231>

**CORONAVIRUS RELATED INFORMATION FOR THE PUBLIC**

Our court continues to take whatever steps are necessary to assist in ensuring reduced risk of any potential spread of this virus. In addition to the items posted below, please visit the court website: [www.flsb.uscourts.gov](http://www.flsb.uscourts.gov) for all public notices and administrative orders posted by the court in order to keep current with future updates and new notifications. For U.S. District Court, Southern District of Florida information on this topic, please visit that court's website at [www.flsd.uscourts.gov](http://www.flsd.uscourts.gov).

Effective November 9, 2021: EFFECTIVE Monday, November 1, 2021, the Clerk's Office in all divisions will resume normal business hours of operation to serve the public for in-person filings between the hours of 8:30 a.m. and 4:00 p.m. on Monday through Friday. (See: AO 2021-10 "Full Reopening of the Clerk's Office Intake Hours of Operation to Serve the Public for In-Person Filings".)

**General Procedures For Hearings By Video Conference:**

Individuals not represented by counsel will be permitted to use court telephonic services FREE of charge. Amended pricing is available for other users. All attorneys shall advise their clients NOT to appear at the courthouse. Information regarding telephonic service providers and pricing and contact information for each judge is posted in notices on the court website. [https://www.flsb.uscourts.gov/sites/flsb/files/documents/judges/General Procedures for Hearings by Video Conference.pdf](https://www.flsb.uscourts.gov/sites/flsb/files/documents/judges/General_Procedures_for_Hearings_by_Video_Conference.pdf)

**The U.S. Trustee Program Telephonic or Video Section 341 Meetings.**

The U.S. Trustee Program has extended the requirement that section 341 meetings be conducted by telephone or video appearance to all cases filed during the period of the President's "Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak" issued March 13, 2020, and ending on the date that is 60 days after such declaration terminates. [https://www.flsb.uscourts.gov/sites/flsb/files/documents/news/USTP Notice - U.S. Trustee Program Extends Telephonic or Video Section 341 Meeting \[August 28 2020\].pdf](https://www.flsb.uscourts.gov/sites/flsb/files/documents/news/USTP_Notice_-_U.S._Trustee_Program_Extends_Telephonic_or_Video_Section_341_Meeting_[August_28_2020].pdf)

**U.S. Federal Center For Disease Control Website For Updated Information [www.coronavirus.gov](http://www.coronavirus.gov)****Florida Department of Health websites for Miami-Dade, Broward and Palm Beach counties:**<http://miamidade.floridahealth.gov><http://broward.floridahealth.gov><http://palmbeach.floridahealth.gov>

**Information About Face Masks:** The CDC has advised that facemasks/coverings made at home from common materials available, or at low cost, can be used as a public health measure providing the mouth and nose are fully covered. The covering should fit snugly against the sides of the face so there are no gaps and should be washed after each use. Remember to handle your facemask/covering by the ear loops or ties only and wash your hands often. For more information, visit

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>

**FLSB Court Website Link For Reporting Covid-19 Concerns and Issues:**

<https://www.flsb.uscourts.gov/node/1246>

**CENTER FOR DISEASE CONTROL EVICTION MORATORIUM IS NO LONGER IN EFFECT**

The CDC (Center for Disease Control) Eviction Moratorium is no longer in effect, and there is no moratorium to protect Florida tenants from eviction.

For additional Covid 19 information and resources from Legal Services of Greater Miami please access this link:

<https://www.legalservicesmiami.org/covid-19>

In addition, this link on the Court website provides information on other legal aid programs

<https://www.flsb.uscourts.gov/legal-assistance-debtors>

**EMERGENCY RENTAL ASSISTANCE (ERA) PROGRAMS**

The United States Trustee Program is disseminating information about Emergency Rental Assistance (ERA) programs that may be available to debtors in bankruptcy. According to the Director of the USTP, Congress has appropriated more than \$46 billion in ERA funding and most of these appropriated funds remain available for use - primarily because eligible renters and landlords simply are not aware of them. The USTP has developed a one-page Emergency Rental Assistance Informational Notice, which provides an overview of ERA programs. For more information click here [\[English\]](#) [\[Spanish\]](#)



## FLORIDA SOUTHERN BANKRUPTCY MORTGAGE MODIFICATION MEDIATION STATISTICS

(From April 1, 2013 through November 30, 2022)

	MIA	FTL	WPB	TOTAL
MMM Motion (Attorney Rep.)	8169	5447	3149	16765
MMM Motion (Pro Se)	106	48	30	184
<b>Total Motions Filed</b>	<b>8275</b>	<b>5495</b>	<b>3179</b>	<b>16949</b>
Order Granting MMM Motion	7258	4803	2693	14754
Final Report of Mediator	6171	3854	2108	12133
Mediation Agreement Reached	2658	1809	990	5457

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

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL =
<b>MIAMI</b>													
2013				18	82	106	137	130	173	181	169	141	1137
2014	171	157	184	179	170	164	156	126	198	146	123	138	1912
2015	161	168	189	183	142	164	127	122	127	108	93	93	1677
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	50	44	52	40	39	591
2019	57	39	48	41	48	35	31	42	45	45	35	23	489
2020	35	38	24	20	31	19	8	14	5	15	9	18	236
2021	18	19	15	22	18	18	14	16	21	16	11	29	217
2022	31	13	22	24	27	32	20	23	24	17	12		245
													<b>8275</b>
<b>FT. LAUDERDALE</b>													
2013				49	92	98	116	144	189	118	99	77	982
2014	91	82	69	108	89	89	107	61	99	100	121	95	1111
2015	96	101	109	89	94	94	82	74	93	89	91	79	1091
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	46	28	33	26	21	378
2019	34	20	31	24	28	20	20	18	25	19	26	19	284
2020	26	13	25	19	22	17	8	12	5	5	6	8	166
2021	9	21	13	12	8	5	15	9	9	16	15	20	152
2022	16	12	15	17	22	19	21	16	15	7	10		170
													<b>5495</b>
<b>WEST PALM BEACH</b>													
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	54	48	39	35	35	33	36	528
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	18	24	25	13	12	211
2019	22	20	13	28	14	20	27	19	10	31	18	10	232
2020	16	14	18	13	10	10	15	5	11	11	7	13	143
2021	4	8	6	4	7	6	7	10	9	5	19	10	95
2022	1	0	12	5	6	16	8	8	12	6	7		81
													<b>3159</b>

### UPCOMING COURT HOLIDAY CLOSINGS \*

- ◆Friday, December 23 - (Day Before Christmas)
- ◆Monday, December 26 - Christmas Day (observed)
- ◆Monday, January 2 - New Years Day (observed)
- ◆Monday, January 16 - Birthday of Martin Luther King, Jr.
- ◆Monday, February 20 - Washington's Birthday

\*Any additions to the court closing schedule are announced by General Order and posted on the court website

<http://www.flsb.uscourts.gov/general-orders>

### 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](mailto: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](http://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.**



# A Jay Cristol

United States Bankruptcy Judge of the United States  
District Court of the Southern District of Florida

Friday, May 10, 1985

The Honorable James Lawrence King, Chief Judge  
of the United States District Court, Presiding

Remarks on Behalf of Judge Cristol ..... The Honorable Peter T. Fay  
United States Circuit Judge

Born in the hills of Pennsylvania  
Raised on the sands of Miami Beach  
This newest member of our judicial family  
A new career today does reach

A naval aviator of great renown  
His missions have covered both war and peace  
A flag waving loyalist all the way  
His concern for our country will never cease

An outstanding student at Beach High no less  
He continued to excell at Sun Tan U.  
But lest you think it was fun and games  
He was Research Editor of the Law Review

Our young warrior was flying high  
Medals on his chest and food in his belly  
Along came Eleanor, a sweet young lass  
Have you ever watched steel turn to jelly?

Jay gave pursuit, all guns a 'blazing  
Sure enough they tied the knot  
Along came sons Stephen and David  
And we all know they added a lot

This guy is more like Jack Armstrong  
Than anyone else I know  
He may even leap tall buildings  
I'll ask Eleanor if that's so

We welcome Jay to our family  
As he dons the long black robe  
You may not see him for weeks or years  
Considering the new Bankruptcy Code

But if he sneaks off for an hour or two  
You may not know where he'll be  
The secret's out, we still act like kids  
A two judge court on a water ski