



COURTHOUSE BEACON NEWS

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA

JUNE 2019

CHIEF JUDGE'S CORNER

Hon. Laurel M. Isicoff

A big change is coming to the Southern District of Florida. As everyone knows, Judge Ray will be retiring at the end of September and will be getting a new bankruptcy judge. He or she will be selected by the Circuit by summer, but, as you know, the candidate cannot start serving until all background checks are completed.

The updated audio-visual equipment has now been installed in all the courtrooms. We will be scheduling brown bag lunches in each division to show you all how the equipment can be used. You will be expected to use this equipment in trial and evidentiary hearings so be prepared. Knowing how the equipment works can also assist you in putting together your evidence presentation plan early. Watch your emails for dates and times. The Court will apply for CLE credit for the technology session.

Some day we will have a new courthouse in Fort Lauderdale. The good news is, Congress allocated the funds. The bad news – we are still looking for a site. But don't worry, there will definitely be a new courthouse in our lifetimes!

Finally – two important events are coming up. The first event is on August 14 and is sponsored by the District Court and will address Domestic Violence and Financial Abuse and how you, as attorneys, can provide pro bono assistance and spot signs of domestic violence and financial abuse. Please sign up – even if you don't take a case (we hope you will) you may at least be able to help a victim in some other way.

The other event is a national diversity symposium – “Pathways to the Federal Bankruptcy Bench” taking place around the country on October 24, 2019. The program will feature a panel discussion live broadcast from Washington, D.C. followed by a local roundtable featuring over 20 of our local federal judges. This program is targeted to law students and diverse lawyers who may not realize that a federal judicial position is an attainable goal for anyone who is deserving – irrespective of race, gender, sexual orientation or disability.

We hope you will join us for both of these important events. Keep your eyes on the Court website as well as further Beacon issues for more information.

Happy Summer!

JULY 22, 2019 DEADLINE SET FOR SUBMISSION OF PUBLIC COMMENTS CONCERNING THE REAPPOINTMENT OF JUDGE ISICOFF AND JUDGE OLSON

The current 14-year terms of United States Bankruptcy Judges Laurel M. Isicoff (Miami) and John K. Olson (Fort Lauderdale), are due to expire on [February 12, 2020](#) and [February 9, 2020](#), respectively.

The United States Court of Appeals for the Eleventh Circuit is considering whether to reappoint Chief Bankruptcy Judge Isicoff and Bankruptcy Judge Olson to new 14-year terms of office. Members of the bar and the public are invited to submit written comments for consideration. Comments must be received in the Circuit Executive's Office no later than **July 22, 2019**.

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Bankruptcy Cases Filed From 1/1/19 to 5/31/19

Total Filed: 7,277

- Chapter 7 : 4,030
- Chapter 9 : 0
- Chapter 11 : 118
- Chapter 12 : 0
- Chapter 13 : 3,122
- Chapter 15 : 7

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](#)”

PRO BONO
FOR THE PUBLIC GOOD

(continued on page 3)

P.S.: Please be on the lookout for volunteer opportunities to help with the pro se helpdesk, which has started in the West Palm Beach division, and is being tested in the Miami and Broward Divisions.



FROM THE JUDGES' CHAMBERS

**“VALUATION” OF “910 CARS” IN CHAPTER 13**

By: Hon. Erik P. Kimball

It is common practice for counsel representing chapter 13 debtors in this district to file motions to value vehicles acquired within 910 days prior to the petition date, solely to establish the applicable interest rate for payment under the plan. They often file a motion to value using the Court's Local Form “Motion to Value and Determine Secured Status of Lien on Personal Property,” which is intended for valuation of liens on personal property. But neither the Bankruptcy Code nor the applicable rules support this relief. Judge Kimball suggests that chapter 13 debtors' counsel simply include the proposed new interest rate as a term in the chapter 13 plan.

Section 1325 of the Bankruptcy Code includes a hanging paragraph, following subsection (a)(9). The hanging paragraph reads as follows:

For purposes of paragraph (5) [addressing treatment of secured claims], section 506 shall not apply to a claim described in that paragraph if the creditor has a purchase money security interest securing the debt that is the subject of the claim, the debt was incurred within the 910-day period preceding the date of the filing of the petition, and the collateral for that debt consists of a motor vehicle (as defined in section 30102 of title 49) acquired for the personal use of the debtor, or if the collateral for that debt consists of any other thing of value, if the debt was incurred during the 1-year period preceding that filing.

This provision applies to treatment of purchase money security interests where the collateral is a vehicle acquired for personal use not more than 910 days prior to the petition date or any other property acquired within a year prior to the petition date. In such cases, “section 506 does not apply” to the claim. In other words, the secured claim is not subject to valuation or bifurcation under section 506. Such claims must be treated as fully secured.

Bankruptcy Rule 3012 provides the procedure for valuation of secured claims. But, because so-called 910 car claims are not subject to valuation under section 506, they are also not covered by Bankruptcy Rule 3012. It is not appropriate to file a motion to value a claim that the Bankruptcy Code provides cannot be valued.

Nevertheless, it is common in this district for chapter 13 debtors' counsel to file motions to value purchase money claims secured by 910 cars. In these motions, the debtors do not actually seek to value the vehicle. They typically seek to establish an interest rate for payment of the claim under the chapter 13 plan and sometimes seek to change the term of the loan. This presents two problems.

First, debtors' counsel typically present proposed orders in the form of Local Form “Order Granting Motion to Value and Determine Secured Status of Lien on Personal Property Held By ____”. But this Local Form Order is designed for valuation and bifurcation of secured claims under section 506, where the valuation of the collateral is less than the full amount of the claim. The proposed orders on 910 cars conflict with the structure of the Local Form as the debtors are not permitted to value the vehicle. Many of these proposed orders are returned to counsel because they have blanks with no dollar amount filled in, or because they simply make no sense. Neither of the Local Forms referenced above should be used in connection with claims subject to the hanging paragraph of section 1325.

Second, there is no provision in the Bankruptcy Code or Bankruptcy Rules for the filing of a “motion to value” solely for the purpose of establishing the interest rate for treatment of a secured claim under a chapter 13 plan. And, as discussed below, there is no need for such a motion.

Where, then, should the proposed interest rate be presented? The answer is in the chapter 13 plan itself.

(continued on page 5)



FROM THE JUDGES' CHAMBERS



COURT OPINIONS ARE AVAILABLE ON THE COURT'S WEBSITE

By: Emily R. Stone, Esq., Law Clerk to Chief Judge Laurel M. Isicoff

Did you know that the Southern District of Florida Bankruptcy Court's website houses a search engine devoted solely to the written orders and opinions of our judges? This is one of the simplest to use legal research tools available to practitioners appearing before the bankruptcy judges in our district. Even better, it is free.

To access the opinions page from the Court's homepage, simply click on "Judges" in the red panel at the top of the screen and then select "Opinions" from the dropdown menu. Once on the search engine page, you can search orders and opinions of our judges in an array of different ways. Search criteria include, but are not limited to, the judge, key words (topics), U.S. Code section, Bankruptcy Rule, and Florida Statute.

The Court Opinions page can easily cut down legal research time and streamline research projects as well. Many of the opinions posted to the page are accompanied with helpful case summaries drafted by the law clerks that highlight the facts and ruling in a given order. Our judges regularly upload their orders and case summaries to the Court's website. We hope that you find the page to be a helpful practice resource.

"VALUATION" OF "910 CARS" IN CHAPTER 13 (continued from page 4)

Section 1322(b)(2) provides that a chapter 13 plan may "modify the rights of holders of secured claims." Section 1325(a)(5) addresses treatment of secured claims in chapter 13 plans. Of course a debtor and a secured creditor may agree on treatment of the secured creditor's claim and the chapter 13 plan can then reflect that agreement. If the secured creditor does not accept the plan and the debtor does not surrender the collateral, then the plan must provide that the creditor retain its lien and receive the present value of its secured claim. 11 U.S.C. § 1325(a)(5)(B). This usually entails a series of periodic payments of the allowed amount of the secured claim with interest. The applicable interest rate is a key component of the plan treatment.

The Bankruptcy Code provides chapter 13 debtors with the ability to propose plans that address treatment of secured claims, including claims covered by the hanging paragraph in section 1325. The proposed treatment should include the timing of payments and the interest rate. The secured creditor may object if the entirety of its allowed secured claim is not provided for in the proposed plan. The secured creditor may also object to the payment terms, including the interest rate, on the grounds that it does not provide the present value of its allowed secured claim. This should all be done in the plan confirmation process, consistent with the Bankruptcy Rules and the Court's Local Rules.

Some counsel for chapter 13 debtors file motions, of their own design, ahead of confirmation asking the Court to approve an interest rate and other terms applicable to secured claims covered by the hanging paragraph. While there is no provision in the Bankruptcy Code or Bankruptcy Rules specifically providing for such motions, it appears that the resulting orders are useful to debtors after confirmation as they can be presented to creditors who fail to comply with the plan, such as by demanding payment inconsistent with the plan. It is Judge Kimball's view that such motions are not necessary. If a secured creditor with adequate notice of a plan treating its claim takes action inconsistent with the confirmed plan, the debtor may seek appropriate injunctive relief and sanctions.



FROM THE JUDGES' CHAMBERS

**EMERGENCY! OR IS IT?**

By: Susan Gutierrez, Courtroom Deputy to The Honorable A. Jay Cristol

Local Rule 9075-I provides for the filing of emergency motions. The rule states:

If a motion or other paper requests an emergency hearing, the title of the motion or paper shall include the words "Emergency Hearing Requested." Any motion or paper requesting an emergency hearing shall set forth with particularity, under a separate heading in the text:

- (A) the reason for the exigency and the date by which movant reasonably believes such hearing must be held; and
- (B) a certification that the proponent has made a bona fide effort to resolve the matter without hearing.

Emergency hearings shall be held only where direct, immediate and substantial harm will occur to the interest of an entity in property, to the bankruptcy estate, or to the debtor's ability to reorganize if the parties are not able to obtain an immediate resolution of any dispute.

To determine when an emergency motion should be set for hearing, all parties must remember to include in their emergency motions all information necessary for the Court to understand the exigent nature of the matter. The Court must consider whether immediate action is required to preserve estate assets, whether employees of a Debtor are in danger of not receiving payroll, or whether a significant deadline is approaching. The specific details of each case vary, but the more information that is provided, the sooner a decision can be made as to the timing and scheduling of a hearing.

Emergency motions should always include, in the beginning, and preferably under a bold-face caption entitled "Reason for Exigency," the specific details which warrant setting a hearing on an emergency basis. For example, emergency motions to reinstate a case affecting a foreclosure sale should state the date of the foreclosure sale. The motion should also include a certification of the funds being held, especially if filed on the eve of a foreclosure sale. Provide pertinent details that identify the foreclosure case, including court name and case number. All emergency motions should include a certification that the opposing party has received notice of the motion.

Finally, the Court may treat expedited matters differently than it does emergency matters because generally expedited matters do not require immediate action, even though they may require some urgency. Matters that are not considered "emergencies" may be set for hearing on a shortened time frame but may not be set as quickly as an emergency. However, it must be noted that hearing dates for motions which the Bankruptcy Code prescribes specific notice requirements may only be shortened upon the filing of a motion to shorten the notice period and the entry of an order granting same.

REMEMBER: Regardless of whether a motion is heard on an emergency basis or an expedited basis, the parties should bring with them to the hearing a proposed order granting or denying the relief requested so that the Court can enter same immediately and return copies to the parties. Local Rule 5005-I(G)(1)(b) specifically states that "[t]he proponent and any opponent of any requested relief set for hearing on an emergency basis shall bring to the hearing a proposed order granting or denying the relief requested." Submission of proposed orders through CM/ECF subsequent to the emergency hearing may not be entered as timely as may be needed.



FROM THE JUDGES' CHAMBERS



Local Rules Committee Commences Review

By: Judge Mora's Chambers

The Local Rules Committee has begun the task of reviewing and revamping our Local Rules, Local Forms, and associated policies and procedures. Chaired by Attorney Jeffrey Fraser and led by Judge Mora, the Local Rules Committee contains over twenty professionals from all facets of bankruptcy practice. Membership includes professionals from the Office of the United States Trustee, chapter 7 trustee representatives, chapter 13 trustees, debtor's counsel, creditor's counsel, consumer practitioners, business practitioners, the clerk's office, and chambers staff. Meetings are conducted telephonically and occur monthly.

Current topics of interest include proposed revisions and tweaks to rules regarding stay relief, case management and reporting, litigation (including discovery), fee applications, and *ex parte* filings. More topics are sure to follow. The Local Rules Committee is forming subcommittees to study each proposed rule/form change and to draft appropriate revised language and documents for review by the larger Committee, and ultimately the Judges of the Southern District of Florida.

If you would like for the Rules Committee to consider a rules or forms issue near and dear to your heart, please contact Jeffrey Fraser at jfraser@alaw.net.

NATIONAL BANKRUPTCY CASE FILINGS CONTINUE TO DECLINE

(Published on the US Courts website April 22, 2019)

Bankruptcy filings fell by 0.9 percent for the 12-month period ending March 31, 2019, compared with the year ending March 31, 2018. According to statistics released by the Administrative Office of the U.S. Courts, the March 2019 annual bankruptcy filings totaled 772,646, compared with 779,828 cases in the previous year.

The data continues a national trend of declining bankruptcy filings since 2011. A national wave of bankruptcies that began in 2008 reached a peak in the year ending September 2010, when nearly 1.6 million bankruptcies were filed.

To read the entire article, visit

<https://www.uscourts.gov/news/2019/04/22/bankruptcy-filings-continue-decline>

**MEET NANCY J. GARGULA, UNITED STATES TRUSTEE**

By: Charles R. Sterbach, Asst. U. S. Trustee



Nancy J. Gargula, the U. S. Trustee for Indiana and the Central and Southern Districts of Illinois since 2002, has been designated by Attorney General William P. Barr to also serve for an interim period as the U. S. Trustee for Florida, Georgia, the Commonwealth of Puerto Rico and the U. S. Virgin Islands, effective April 30, 2019. She replaces Daniel M. McDermott, who served as interim U. S. Trustee in the region since January 2018.

Ms. Gargula is a 17-year veteran of the U. S. Trustee Program, who also served as the U. S. Trustee for Missouri, Arkansas, and Nebraska from May 2006 through December 2014. Before joining the U. S. Trustee Program, she was a partner at what is now known as Faegre, Baker & Daniels in Indianapolis from 1997 to 2002 and a member of the Commercial, Financial and Bankruptcy Services Team. Prior to that, she worked at Bank One (now Chase) for 12 years, serving most recently in the role of general counsel and secretary to the Board of Directors.

Ms. Gargula received her JD from the University of Notre Dame Law School in 1981 after graduating summa cum laude from Ball State University in 1977. She started her practice with a small commercial law firm where she learned bankruptcy from a senior partner who was also a chapter 7 panel trustee.

Ms. Gargula is active in numerous professional associations, including the American Bankruptcy Institute, the Seventh Circuit Bar Association, the Indianapolis Bar Association, and the Indianapolis Bar Foundation. Ms. Gargula is a frequent speaker on bankruptcy, banking, commercial law, and related topics and has spoken on a wide variety of panels at conferences for the National Association of Chapter 13 Trustees, the National Association of Chapter 7 Trustees, the National Conference of Bankruptcy Judges (NCBJ), and the American Bankruptcy Institute. For the past 14 years, she has also served on the NCBJ Liaison Committee with other members of the Executive Office of U. S. Trustees.

Ms. Gargula is also active in her community, volunteering for a number of non-profit organizations, at her church, for her neighborhood association and as of July 1, 2019, she will assume the role of President of the Notre Dame Law Association, the alumni association for all graduates of Notre Dame Law School. She loves to sing, play piano, play guitar, cook, etch glass, and simply relax with a good book.

**MEET CHIEF DEPUTY CLERK JOSÉ A. RODRIGUEZ**

By: Jacqueline Antillon



José Rodriguez was appointed Chief Deputy Clerk for the Bankruptcy Court, Southern District of Florida on January 26, 2015. Prior to his appointment José served as the court's Director of Administrative Services for ten years. In this capacity, he managed the financial, budget, procurement, property management, information technology, and facilities operations. In addition, he has held several positions with the court's information technology department and has over 25 years of federal service. During his federal career in the Judiciary, José has also served on the Judiciary Information Technology Advisory Council, Procurement Best Practices Working Group, and as a subject matter expert for the Judiciary Financial Forum. José has also participated in several court audit exchange programs. He is a lifetime member of the National Conference of Bankruptcy Clerks.

Jose earned his M.B.A. from Nova Southeastern University. In addition, he also completed an additional year of graduate studies in Information Technology at Barry University.

José has also served as a visiting professor for DeVry University and as an adjunct professor for Barry University. He has taught numerous courses in the areas of critical thinking, business management, data communications, computer networking, IT project management, E-Commerce, and computer hardware and software. Jose currently holds several IT certifications (MCP, MCSA, MSCE, CNA, CNE, A+, NETWORK+, and Certified NetAnalyst).

José is a veteran of the United States Air Force and Florida Army National Guard. He enjoys reading military leadership books and Marvel movies. He prepares for each day as he did in the military by exercising first thing in the morning, running a few days a week, and completes a moderate CrossFit workout in his garage. José is inspired by Jesse White's motivational phrase, "You don't jump out of an airplane and stop halfway. It's all the way".

UPCOMING COURT HOLIDAY CLOSINGS

Thursday, July 4 and Friday, July 5* - Independence Day

Monday, September 2 - Labor Day

Monday, October 14 - Columbus Day

Monday, November 11 - Veterans Day

Thursday, November 28 - Thanksgiving Day

Wednesday, December 25 - Christmas Day

*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>



NEW PROCEDURE FOR FILING AND MAINTAINING SEALED DOCUMENTS IN CM/ECF

By: Joe Falzone, Clerk of Court

Over the next few weeks, the court will implement a change in procedure in the way it accepts for filing and maintains sealed documents. Currently, a request to file a document under seal may be filed electronically (by a CM/ECF registered user) or conventionally in paper. However, the corresponding sealed document is **ONLY** accepted for filing conventionally in paper format. A Sealed Document entry (text only-without image) is then entered on the court docket, and the document is placed in a secured location until it is requested for viewing by the judge. Upon the administrative closing of a case containing a sealed document, the clerk issues an order directed to the party filer, setting a 30-day deadline to unseal or request return of the document.

CM/ECF now contains reliable functionality that will efficiently and securely manage sealed documents. Under the proposed new procedure, a request to file a sealed document **AND** the corresponding sealed document shall be filed electronically by CM/ECF registered users with full filing privileges [pro se parties and registered users with limited electronic filing privileges will continue to file sealed documents conventionally, but the sealed document will be subsequently converted to PDF format by designated clerk's office staff]. At the time of filing, the use of dedicated CM/ECF docketing events will guide the e-filer through the process of filing both the request and the sealed document and apply the applicable access restriction(s) to the filed documents. Once filed, although case-specific CM/ECF registered users will receive a Notice of Electronic Filing (NEF) of the sealed document, only the judges, designated court staff, the party filer, and any other party as ordered by the court will have access to view the actual sealed document.

When the new procedure is implemented, the clerk will provide notice of entry of the corresponding Administrative Order, amended local form coversheet, and CM/ECF Procedures for Filing Documents Under Seal.

CM/ECF MODIFICATION REGARDING NOTICES OF MORTGAGE PAYMENT CHANGE

By: Joe Falzone, Clerk of Court

In an effort to maintain consistency in efiled Notices of Mortgage Payment Change (NMPC), CM/ECF has been modified so that **ALL** NMPC will now display on the court docket with a docket entry number hyperlink to the notice. If an associated proof of claim is on file, the claims register will also reflect the NMPC along with the docket entry number hyperlink to the notice.

Prior to this modification, when a NMPC was efiled and there was an associated proof of claim on file, the NMPC did **NOT** display on the court docket for CM/ECF registered users, but it did display on the claims register referenced by the word "**doc**". However, when a NMPC was filed and there was no corresponding proof of claim on file, the NMPC did appear on the court docket with a docket entry number hyperlink.

**THE CHAPTER 13 CASE SCRAMBLE**

By: Lorraine Adam

Debtor Y is represented by an attorney who e-filed a chapter 13 case accompanied by an application to pay the filing fee in installments. Except for the chapter 13 plan, all other required new case filing documents accompanied the filing of the petition. Unscramble the randomly listed common chapter 13 docket entries on the right and place their corresponding numbers to reflect the correct sequential order activity on the left.

The answers are on page 12.

Hint: all motions filed have been granted and no objections filed.

Case is e-filed.

- | | |
|-------|---|
| _____ | 1. Motion to Extend Time to File Plan |
| _____ | 2. Debtor's Certificate of Compliance, Motion for Issuance of Discharge |
| _____ | 3. Trustee's Final Report |
| _____ | 4. Motion to Modify Plan |
| _____ | 5. Chapter 13 Plan |
| _____ | 6. Order Confirming Chapter 13 Plan |
| _____ | 7. Trustee's Notice of Plan Completion |
| _____ | 8. Meeting of Creditors Notice |
| _____ | 9. Notice of Deficiency |
| _____ | 10. Final Installment paid |
| _____ | 11. Final Decree and Discharge of Trustee |
| _____ | 12. First Modified Plan |
| _____ | 13. Order Discharging Debtor |

Case is closed.

For Extra Credit: What notice is required to be filed not later than 21 days after expiration of the claims bar date by an attorney representing a chapter 13 debtor but is not required to be filed by a chapter 13 debtor without an attorney?

**ANSWERS TO THE CHAPTER 13 CASE SCRAMBLE ON PAGE 11**

9. Notice of Deficiency. The *Notice of Filing of Chapter 13 Case and Notice to Debtor of Deadline(s) to Correct Filing Deficiencies* is entered upon quality control of the case and provides notice of the case to parties and notice to the debtor of any existing 7-day deficiency deadline(s) and/or a 14-day incomplete filings deadline(s).
1. Motion for Extension of Time to File Plan. Local Rule 9013-1(C)(2) allows this request to be done on an ex parte basis.
5. Chapter 13 Plan. Pursuant to LR 3015-1(B)(1) a chapter 13 plan must conform to Local Form “*Chapter 13 Plan (Individual Adjustments of Debts)*”.
8. Meeting of Creditors Notice. It is the practice of this court to serve the chapter 13 plan with the initial *Notice of Chapter 13 Bankruptcy Case*.
10. Final Installment paid. Local Form “*Application for Individuals to Pay the Filing Fee in Installments*” indicates in paragraph 3 that the remaining half of the filing fee is due on or before 60 days from the filing date of the petition.
6. Order Confirming Chapter 13 Plan. A plan may be confirmed at the confirmation hearing based on the record, and the filing of the Local Form “*Debtor’s Certificate of Compliance and Request for Confirmation of Chapter 13 Plan*”.
4. Motion to Modify Plan. The motion event shall link to the confirmed plan and is set for hearing pursuant to Local Rule 9013-1(D)(4)(h).
12. First Modified Plan. This is entered on the docket after the Motion to Modify has been filed. All modified plans must conform to the Local Form “*Chapter 13 Plan (Individual Adjustments of Debts)*” and contain the correct plan modifier (ex.: *First Modified*).
7. “Chapter 13 Trustee Notice of Plan Completion and Request for Order Terminating Wage Deduction Order, if Applicable”. The chapter 13 trustee files this notice to verify the debtor has completed payments under the confirmed plan.
2. Local Form “Debtor’s Certificate of Compliance, Motion for Issuance of Discharge and Notice of Deadline to Object”. This notice certifies that the debtor has completed certain responsibilities. Once this event is entered on the docket, a 21-day deadline is set for parties to respond to the contrary. Pursuant to Local Rule 4004-3(A)(3), any interested party who fails to file and serve a written response to this motion shall be deemed to have consented to the entry of an order of discharge.
13. Order of Discharge. Upon the expiration of application deadlines, including the 21-day deadline (see deadline reference in 2. above), the debtor shall be discharged pursuant to Local Rule 4004-3(A).
3. Chapter 13 Standing Trustee’s Final Report and Account. Pursuant to 11 USC § 704(a)(9), one of the duties of a trustee is to make a final report and file a final account of the administration of the estate with the court.
11. Final Decree and Discharge of Trustee In due course, the court shall enter a Final Decree to discharge the trustee and close the bankruptcy case.

Answer to Extra Credit Question: Local Form “Notice of Compliance by Attorney for Debtor with Local Rule 2083-1 (B) Claims Review Requirement”. (See Local Rule 2083-1(B))



FREE BANKRUPTCY CLINICS

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 Legal Aid Society of Palm Beach, Inc.
 Florida Rural Legal Services, Inc.
 The American College of Bankruptcy Foundation &
 The Bankruptcy Bar Association of the Southern District of Florida

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**

Friday, July 12, 2019	12:00 p.m. – 2:00 p.m.
Friday, August 2, 2019	12:00 p.m. – 2:00 p.m.
Friday, September 6, 2019	12:00 p.m. – 2:00 p.m.
Friday, October 4, 2019	12:00 p.m. – 2:00 p.m.
Friday, November 1, 2019	12:00 p.m. – 2:00 p.m.
Friday, December 6, 2019	12:00 p.m. – 2:00 p.m.

***Bankruptcy Court - Fort Lauderdale Division: 299 East Broward Boulevard, 1st Floor Training Room**

Friday, July 12, 2019	12:00 p.m. – 1:30 p.m.
Friday, August 9, 2019	12:00 p.m. – 1:30 p.m.
Friday, September 6, 2019	12:00 p.m. – 1:30 p.m.
Friday, October 4, 2019	12:00 p.m. – 1:30 p.m.
Friday, October 25, 2019 (Pro Bono Week)	12:00 p.m. – 1:30 p.m.
Friday, November 15, 2019	12:00 p.m. – 1:30 p.m.
Friday, December 13, 2019	12:00 p.m. – 1:30 p.m.

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

Wednesday, July 17, 2019	12:00 p.m. – 1:30 p.m.	Courtroom B
Wednesday, August 7, 2019	12:00 p.m. – 1:30 p.m.	Courtroom B

Stuart/Port Saint Lucie/Indian River/Martin County: Peter & Julie Cummings Library, Deterlizzi Room
2551 Matheson Avenue, Palm City, FL 34990

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

Thursday, July 11, 2019	6:00 p.m. – 8:00 p.m.
Thursday, August 15, 2019	6:00 p.m. – 8:00 p.m.
Thursday, September 12, 2019	6:00 p.m. – 8:00 p.m.
Thursday, October 10, 2019	6:00 p.m. – 8:00 p.m.
Thursday, November 14, 2019	6:00 p.m. – 8:00 p.m.
December TBD	

Treasure Coast Bankruptcy Clinics (Indian River, Saint Lucie, Martin, Okeechobee)
Seating is limited please call Florida Rural Legal Services for more information and to register
1-772-466-4766 ext. 7016

Wednesday, July 3, 2019	2:00 p.m.
Wednesday, August 7, 2019	2:00 p.m.
Wednesday, September 4, 2019	2:00 p.m.
Wednesday, October 2, 2019	2:00 p.m.
Wednesday, November 6, 2019	2:00 p.m.
Wednesday, December 4, 2019	2:00 p.m.

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

FOR FURTHER INFORMATION, PLEASE CONTACT:

Miami:	(Karen Ladis)	kladis@dadelegalaid.org
Fort Lauderdale:	(Kimberly Salamone)	salamone.ecf@gmail.com
West Palm Beach:	(Rilyn Carnahan)	rilyn.carnahan@gmlaw.com
	(Steven S. Newburgh)	snewburgh@mclaughlinstern.com
Stuart/Port Saint Lucie:	(Jon Martin)	jlmcklaw@gmail.com
Treasure Coast:	(Carolyn Fabrizio)	carolyn.fabrizio@frls.org



FLORIDA SOUTHERN BANKRUPTCY MORTGAGE MODIFICATION MEDIATION STATISTICS

(From April 1, 2013 through May 31, 2019)

	<u>MIA</u>	<u>FTL</u>	<u>WPB</u>	<u>TOTAL</u>
MMM Motion (Attorney Rep.)	7248	4874	2689	14811
MMM Motion (Pro Se)	83	39	23	145
Total Motions Filed	7331	4913	2712	14956
Order Granting MMM Motion	6437	4232	2293	12962
Final Report of Mediator	5410	3368	1757	10535
Mediation Agreement Reached	2400	1568	855	4823

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								233
Total =													7335

<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								137
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								97
Total =													2617

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.

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Thank you.

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Please Note:

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