

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF FLORIDA

JUNE 2024

CHIEF JUDGE'S CORNER:

By: Hon. Erik P. Kimball

Welcome Bankruptcy Court Interns



Every summer, most of our bankruptcy judges have interns in chambers. This summer, the Court has 18 interns from 6 law schools. While many of our interns are Florida residents, they come from as far away as Washington, D.C. I hope members of the bar will join me in welcoming Nicole Vahlkamp, Barak Koren, Srimayi Chaturvedula, Brianna Mauvais, Otto Fernandez, Mariana Gonzalez, Marco Pagano, Karina Trujillo, Christina Codrington, Anika Swolinska, Enrika Delince, Iara Dircie, Mia Baranovsky, Sameer Gupta, Gabriella Socarras, Amanda Carballo, Caitlin Wilson, and Catherin Allison.

We greeted them with an all-day orientation session in Ft. Lauderdale organized by Judge Mora. Judge Mora, Judge Grossman, Judge Russin, and I provided detailed presentations on bankruptcy law and a simple primer on financial statement analysis. Our interns will also participate in the district -wide intern program organized by Judge Bloom, which includes nearly daily events at both federal and state courts in our area.

You will see our interns attending hearings, both in person and by Zoom, and at bar functions throughout the summer. In addition to the invaluable knowledge they gain by interacting with judges and law clerks, their ability to see you in action and to interact with you at bar functions is an integral part of the experience. I hope you will go out of your way to introduce yourself to our interns and talk with them about your own professional experience.

INSIDE THIS ISSUE FROM THE JUDGES' 2 **CHAMBERS** PRO BONO CORNER 7 **DIVERSITY, EQUITY &** 9 INCLUSION: COMMITTEE NEWS PLEASE, RAISE YOUR 10 RIGHT HAND! **MUSIC BRINGS US** П TOGETHER! CHAPTER II 12 (SUBCHAPTER V) AND CHAPTER 13 DEBT **LIMITS HELP DESK CORNER** 13 MMM STATISTICS 14 Bankruptcy Cases Filed From 01/01/24 to 05/31/24 TOTAL FILED: 5,553 Chapter 7 2.852 Chapter 9 0 Chapter 11 85

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

2,609

Select: "Case Filing Statistics"

Chapter 12

Chapter 13

Chapter 15







One Year In: Reflections from the New Judge

By: Judge Corali Lopez-Castro¹

As I approach a full year since I took the bench, I find myself reflecting on the nuggets of knowledge I have gained from my colleagues on the bench, chambers staff, and those who have appeared before me. It has been a rollercoaster of a year, but I would like to think I have learned a thing or two (or ten). Here are some musings, one year in:

- 1. **Gratitude**. Starting a new chapter with the Court was equal parts exciting and overwhelming. I do not know how I would have managed without the support of so many members of the Court staff. Thank you, IT, for helping me get into my computer. Thank you, HR, for helping me fill out what seemed like one hundred forms in those first couple of weeks. Thank you, Clerk's Office, for keeping me up to date on AO procedures and helping me order furniture so my chambers feels like home. And of course, thank you to my incredible Courtroom Deputy, Susan Gutierrez, for keeping us on track. Thank you all for helping me get onboard so I could enjoy the next phase of my professional career.
- 2. **Learning is Growing**. One of the things I love about my job is that I learn something new every day, like an obscure Local Rule. Hopefully, Judge Russin and Judge Grossman and the Local Rules Committee will simplify our Local Rules so we do not have too many. If we imagine our minds as a basket, then each day presents an opportunity to add things to that basket of knowledge.
- 3. **Procedures**. Procedures are important and help keep the trains running on time. Attorneys should always file their responsive papers at least two days before the hearing as required and if you want the court to consider them. If something comes up that makes that not possible, attorneys should call or message our chambers. And please do not portray something as an emergency if, in reality, it is not an emergency. If counsel believes it is an emergency, then follow the required procedures.
- 4. **Clarity**. Introductions in papers are underused for some reason. They are very powerful and persuasive when drafted correctly. They should give the Court a brief summary of what you want, and why you should get it.
- 5. **Preparation**. There is no substitute for preparation. Imagine that your computer malfunctions and you cannot access your exhibits. Imagine that you arrive late due to unexpected traffic. These mishaps would throw anyone off their game, but they will not if you are prepared. Also, be prepared to discuss the best case in support of your position.
- 6. **Professionalism**. Sometimes attorneys do not realize that we (judge, law clerks, and courtroom deputy) see everything. Try to maintain your composure if you are dissatisfied with a ruling or statement made in court. Do not interrupt others, not only because it affects the quality of the transcript, but because nobody looks good doing so.

¹With help from her amazing law clerks, Mindy Y. Kubs and Alexa I. Garcia.







One Year In: Reflections from the New Judge (Continued from page 2)

- 7. Chapter 13: Everyone has an important seat at the table. Chapter 13 was new to me, and I really appreciate how well the Chapter 13 Trustee, debtor's counsel, and counsel representing creditors collaborate and contribute to the process. Each constituent plays an essential role in making this surprisingly complex chapter work well.
- 8. **Kindness**. I am always impressed when counsel helps opposing counsel or interacts with opposing counsel in a friendly way. The cases are your clients' cases. Try to remember that when you are becoming too invested and taking everything personally. The judge will notice your acts of kindness and professionalism.
- 9. **Big Picture**. Oftentimes we get lost in the weeds and forget the big picture. As you know, I was practicing not too long ago, and I always tried to keep that principle front and center. Try to keep in mind what will help you achieve the result you want. Just because you can object to the admissibility of an exhibit does not mean you should. Just because you can file a motion to compel does not mean you should. And just because you can object to a continuance does not mean you should.
- 10. **Podcasts**. They make you smarter, according to a former colleague. If you love to learn, here is one recommendation-Hidden Brain by Shankar Vedantam. Listen to it wherever you get your podcasts.

Filing Timely Monthly Operating Reports

By: Hon. Scott M. Grossman

I have noticed a concerning trend recently of chapter II debtors not filing timely monthly operating reports. Chapter II debtors – and their attorneys – should be reminded that monthly operating reports "are an important obligation of a debtor in possession" and "are the means by which creditors can monitor a debtor's post-petition operations." "Failure to file them – and file them timely – is a serious breach of the debtor's fiduciary obligations and 'undermines the Chapter II process."

Under Bankruptcy Code section III2(b)(4)(F), unexcused failure to timely file monthly operating reports is cause for dismissal of a chapter II case or conversion of the case to chapter 7. Within the past few months, two chapter II cases pending before me ended up getting converted to chapter 7 based in part on failure to timely file these reports, and a third case narrowly averted this consequence after a show cause hearing.

Monthly operating reports must be filed by the 21st day of the month immediately following the reporting period covered by the report. Chapter 11 debtors and their lawyers should be mindful of filing timely reports, and the potential consequences for failure to do so.

¹In re 210 W. Liberty Holdings, LLC, 2009 WL 1522047, at *7 (Bankr. N.D. W. Va. 2009).

²Matter of Berryhill, 127 B.R. 427, 433 (Bankr. N.D. Ind. 1991) (citing *In re Chesmid Park Corp.*, 45 B.R. 153, 159 (Bankr. E.D. Va. 1984)).

³In re Rey, 2006 WL 2457435, at *8 (Bankr. N.D. Ill. 2006) (quoting *In re All Denominational New Church*, 268 B.R. 536, 538 (B.A.P. 8th Cir. 2001)).







Enhancing Legal Advocacy: The Crucial Role of Quality Computer Speakerphones in Remote Court Hearings

By: Judge Mindy A. Mora

In the wake of the pandemic, the legal profession has undergone a significant transformation, embracing remote technologies to ensure continuity in legal proceedings. One of the most notable changes has been the widespread adoption of virtual court hearings, where lawyers argue their cases from the comfort of their offices or homes. However, with this shift comes the challenge of ensuring clear and effective communication, particularly in crucial proceedings like bankruptcy court hearings.

In the realm of bankruptcy law, where every word and nuance can sway the outcome of a case, the importance of clear communication cannot be overstated. Whether arguing a motion, responding to opposing counsel's arguments, or negotiating a settlement during a judicial settlement conference, lawyers must be heard loud and clear by the judge and other parties involved. This is where the role of a good quality computer speakerphone becomes paramount.

Why is a Quality Speakerphone Essential?

- 1. Clarity of Argument: In a remote court hearing conducted via platforms like Zoom, the audio quality can often be compromised by various factors such as background noise, poor microphone sensitivity, or audio lag. A quality computer speakerphone mitigates these issues, ensuring that the lawyer's arguments are conveyed crisply and intelligibly to the judge and other participants.
- 2. Professionalism and Credibility: A lawyer's ability to articulate their arguments persuasively is a cornerstone of effective advocacy. When the clarity of their voice is compromised due to inadequate audio equipment, it not only hampers their ability to make a compelling case but also diminishes their professional credibility in the eyes of the court.
- 3. **Equal Access to Justice**: Remote court hearings are intended to provide equal access to justice for all parties involved, irrespective of their geographical location or technological capabilities. A good computer speakerphone levels the playing field by ensuring that lawyers, regardless of their setup, can effectively communicate their arguments and participate meaningfully in the proceedings.
- 4. **Maintaining Court Etiquette**: Just as in a physical courtroom, maintaining decorum and etiquette is crucial in remote hearings. Distorted or unclear audio not only disrupts the flow of the proceedings but also reflects poorly on the professionalism of the attorney involved. A quality speakerphone helps uphold the standards of court decorum, facilitating a seamless and dignified legal process.

Choosing the Right Speakerphone

When selecting a computer speakerphone for remote court appearances, lawyers should consider the following factors:

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Enhancing Legal Advocacy: The Crucial Role of Quality Computer Speakerphones in Remote Court Hearings (Continued from page 4)

- Don't Rely on the Built-In Speaker in Your Computer: For the most part, speakers built into your
 desktop computer or laptop don't come equipped with the features that are needed in order to maximize
 the clarity of the attorney's statements, such as high-definition audio quality and advanced noise
 cancellation technology.
- Audio Quality: Look for speakerphones with high-definition audio capabilities to ensure crystal-clear sound transmission.
- **Noise Cancellation**: Opt for devices equipped with advanced noise-canceling technology to minimize background noise and ensure focus on the speaker's voice.
- Compatibility: Ensure compatibility with the chosen video conferencing platform (e.g., Zoom) and your computer or device.
- **Ease of Use**: Choose a speakerphone that is user-friendly and easy to set up, allowing for hassle-free participation in remote hearings.

Computer speakerphones are readily available at Amazon, Best Buy, Target and Wal-Mart, and are offered by numerous manufacturers, including Jabra, Anker, Dell and others. Early on during the pandemic, recognizing that I would be conducting numerous hearings remotely, I invested in a basic Jabra wireless Bluetooth speaker that cost less than \$60 at the time (with inflation, that unit can now be purchased for less than \$90 online) which I installed on my home computer. Numerous participants in hearings and conference calls have complimented me on the clarity of the sound during the hearing and call.

In summary, the transition to remote court hearings underscored the importance of effective communication tools for lawyers advocating on behalf of their clients. A quality computer speakerphone is not just a convenience but a necessity in ensuring that legal arguments are conveyed clearly and persuasively in virtual courtrooms. By investing in the right audio equipment, lawyers can uphold the principles of justice and professionalism even in the virtual realm.







Financial Literacy High School Essay Contest

By: Hon. Laurel Myerson Isicoff

On June 5, 2024 winners of this year's Bankruptcy Bar Association Financial Literacy High School Essay Contest received their awards in my courtroom. This is the second year I have had the honor of hosting the recognition ceremony in my courtroom. The high school financial literacy essay contest is the brainchild of Carlos Sardi, current president of the BBA, who wanted to create an energy and interest in our high school students for learning about financial literacy, especially for those who will not benefit from the now mandatory financial literacy graduation requirement.

The contest, in its second year, provides a theme for the participating students to write about. This year's theme was "How can financial responsibility affect your ability to thrive as a leader among your peers?" The three winners are:

Stella Nawyn (1st Place) Nicole Lopez (2nd Place) Olivia Domingues (3rd Place)

Each winner received a check, funded through a generous donation by Michael Moecker and Associates, as well as a beautiful momento. The students were joined by family members, and their teacher (all students are in the same class).

The BBA is hoping to spread the word about the contest. Although Carlos has reached out to schools across Miami-Dade County, there has only been interest shown by one school. The BBA would like the contest to spread through the District; perhaps each of you who has a student in high school in the Southern District of Florida can be an ambassador for the contest next year. If you are interested, please reach out to me, or directly to Carlos Sardi.

If you are interested in getting more involved with financial literacy, you can volunteer to make a presentation at one of the many schools, vocational programs and junior colleges with which the BBA Financial Literacy Committee partners. If you are affiliated with a group that you believe could benefit from one of these presentations, the BBA Financial Literacy Committee will put together a presentation.

If you are interested please reach out to me, or to Tara Trevorrow, who spearheads the BBA Financial Literacy efforts.



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PRO BONO CORNER



BY: STEVEN S. NEWBURGH, ESQ. (GUEST CONTRIBUTOR) STANDING MEMBER FORMER LAY CHAIR, FLSB PRO BONO COMMITTEE



"A Nod is as Good as a Wink..."

Pro Bono gets front page treatment from The Florida Bar! To those of you who might have missed it.... The Florida Bar Board of Governors has proposed amendments to Rule 6-10.3 of the Florida Rules of Professional Responsibility (Minimum Continuing Education Standards) whereby CLE credits can be earned by Florida Bar members for Pro Bono service. The proposal, if approved by the Florida Supreme Court, will provide I CLE credit for every 4 hours of Pro Bono service. The recommendations submitted to the Florida Supreme Court limit the number of Pro Bono CLE credits to 5 hours per reporting cycle (3 years). The math is not so great but it's still a step in the right direction. If approved, as submitted, Rule 6-10.3 would allow a lawyer to contribute 20 hours of Pro Bono service over a 3-year period. I have been researching the reasoning behind this 5-credit hour limit. Most bankruptcy lawyers who volunteer to handle a chapter 7 filing on a pro bono basis may easily expend 20 or more hours on just one case! While the new Rule provides some incentive, many of us in the bankruptcy bar might not see the "reward" in the form of CLE credits. Viewing this from 10,000 feet, there is still some resistance on the part of the Florida Bar's Board of Governors to fully reward Pro Bono volunteer lawyers. It is the author's view that there should be a reasonable limitation on the number of CLE credit hours that can be earned outside of the traditional CLE methodology of attending seminars and listening to "taped" presentations. However, as a bankruptcy lawyer, I find a 5-credit hour maximum to be a mere "nod". It's just not enough.

It is interesting to note that the proposed amendment to Rule 6-10.3 was not initiated by the Board of Governors, but rather by reason of a 2023 letter sent to the Florida Bar by the Florida Supreme Court, requesting that the Florida Bar consider the issue of "authorizing continuing legal education credit or professionalism credit for pro bono participation." The Florida Supreme Court's letter to The Florida Bar specifically requested that the Board of Governors consider whether there should be a cap on the number of credit hours that can be earned during each 3-year reporting period. What caused the Florida Supreme Court to deliver such a letter to the Florida Bar's Board of Governors? Well, it wasn't something that just popped into the Justice's heads one bright, sunny morning. The letter was in response to the Court's apparent displeasure with the Florida Bar's "Special Committee to Improve the Delivery of Legal Services". Apparently, the Florida Supreme Court did not like the idea of testing non-lawyer ownership of law firms, nor the "fee splitting" recommendations of the Florida Bar's Panel. The Florida Supreme Court also rejected the idea of expanding the scope of work that paralegals are permitted to perform. should be given for the Court's insistence that the Florida Bar adopt rule changes and policies that "...assure Florida lawyers play a proper and prominent role in the provision of these services", the undersigned detects a bit of inconsistency; on the one hand, the Florida Supreme Court presses the issue of pro bono and the need for greater participation. On the other hand, it continues to restrict the ability of our paralegals to take some of the workload off our shoulders so we might find those 20 hours needed to earn 5 CLE credit hours.

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PRO BONO CORNER



BY: STEVEN S. NEWBURGH, ESQ.
(GUEST CONTRIBUTOR)
STANDING MEMBER
FORMER LAY CHAIR,
FLSB PRO BONO COMMITTEE



"A Nod is as Good as a Wink..." (Continued from page 7)

I want to take a moment to remind all of our lawyers and trustees that resources for Pro Bono and Low Bono representation and related information that is critical to anyone contemplating a filing, can be found on our Court's website: https://www.flsb.uscourts.gov/dont-have-lawyer

The Pro Se Helpdesk originated in 2018 as an in-person, at-the-courthouse program designed to aid pro se parties in attendance at hearings in bankruptcy court. In conjunction with the adoption of virtual hearings processes in 2020, the program converted to virtual formatting and continues to provide assistance via remote means. Volunteer attorneys staff the helpdesk to provide pro se parties with real-time information about courtroom procedures as well as basic legal and bankruptcy-specific principles. Attorneys participating with the helpdesk are also able to utilize the forum as an additional opportunity to help inform pro se individuals about available pro bono resources.

Please note that the Pro Se Helpdesk program, for now, does not operate on a regular schedule but targets court calendars where it is apparent that there is a need for assistance. For more details about this program, for scheduling information, or to get involved as a volunteer attorney, please send an email to bkhelpdesk123@gmail.com or contact attorney Peter Kelly at pkelly@pwkpa.com.

On behalf of the Court's Pro Bono Committee, congratulations to Carlos Sardi for an extraordinary year of leadership and guidance as President of the Bankruptcy Bar Association for the Southern District of Florida. Our "BBA" is unquestionably the most innovative and exciting bankruptcy bar in the nation. We have much to be proud of, here in the Southern District. As BBA President, Carlos Sardi exemplified the quality of our bar as represented by its superb lawyers, judges, clerks and deputies. Kudos, Mr. Sardi!

As usual, I conclude *Pro Bono Corner* with a request that you each contribute to our committee's pro bono mission: To ensure that everyone has access to justice, whether debtor or creditor. Please volunteer to take on a pro bono or low-bono case, prosecute a student loan adversary, represent a pro se creditor, or contribute to the Bankruptcy Bar Foundation. We are open to other offers of assistance...just come up with something you can contribute. Take into consideration that you are in "*Pro Bono Corner*" right now. There's a reason for that nomenclature. My job is to "corner" you out there (in a non-confrontational manner, of course), and to convince you that you have the time and ability to share your knowledge and expertise for the common good and the mission of our committee. We have the knowledge and experience needed to provide protection from creditor harassment and to relieve the burden of unserviceable debt, thereby ensuring that the honest but unfortunate debtor receives the fresh start promised to them by Title II. At the same time, ensuring that creditors are treated in accordance with our Bankruptcy Rules and the Code is just as important. Please reach out to us and offer your help for either side of the courtroom. We need you!



Diversity, Equity & Inclusion: Committee News Accommodations for Individuals with Hearing Disabilities

Accommodations are available for those who visit the clerk's office, attend courtroom hearings, and attend virtual Section 341 Meetings of Creditors.

The website for the Bankruptcy Court for the Southern District of Florida provides the following compliance information (https://www.flsb.uscourts.gov/ada-accommodations):

"In support of the American with Disabilities Act (ADA), it is the policy of this court to provide reasonable accommodations to participants in court proceedings who have communicative disabilities. Participants in court proceedings include parties in the case, attorneys, and witnesses who are deemed qualified to serve the court. Reasonable accommodations to participants in federal court proceedings include sign language interpreters and other appropriate auxiliary aids to all deaf, hearing impaired, or participants having other communications disabilities.

Coordinators responsible for arranging these services have been established at each court location. Individuals (litigants and witnesses) seeking assistance should contact the coordinator **at least one week in advance** of the scheduled court proceeding, or upon notification, so that appropriate accommodations can be arranged. Contact may be made by telephone, fax, in writing, or in person."

The link above includes the name and phone number of a coordinator at each of our three divisional offices. As needed, the clerk's office will procure a licensed American Sign Language (ASL) vendor, ensure that the vendor is available on the specific hearing date and time, may procure alternate vendors in the event of a scheduling conflict, and will ensure that the interpreter fully understands court terminology and protocols. The availability of interpreters has been known to vary depending upon location and when the hearing is scheduled. Accordingly, it is critical that parties reach out to our clerk's office contacts as soon as practicable.

Court hearings may be conducted in-person, utilize the Zoom platform, or be a hybrid of both. Each judge sets the protocol. Parties must review the court document that set the hearing for attendance instructions (e.g., Notice of Hearing or order).

For those participating in Chapters 7, 12, and 13 Section 341 Meetings of Creditors, know that the U.S. Trustee implemented virtual meetings using the Zoom platform in August 2023. As such, meetings are held by video conference. Please contact the case trustee for accommodations. For Chapter 11 section 341 meetings, contact the Office of the U.S. Trustee and/or the attorney appearing in the case on behalf of the U.S. Trustee.

For Zoom hearings and meetings, the platform allows parties to enable closed captioning, which are referred to as subtitles of spoken in-meeting communications. **In most circumstances, the host controls automated captioning.** If an attendee requires closed captions, please reach out to the host well in advance of the event.

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My

Please, raise your right hand!



By: Jacqueline Antillon

Courtroom Deputy to the Honorable Robert A. Mark

You do solemnly swear, that the testimony you are about to give in this case now before the court, will be the truth, the whole truth, and nothing but the truth under the penalty of perjury? We understand why we are sworn in prior to giving testimony, It's a common practice and it's supposed to represent integrity, honesty, and commitment, with the promise that those under oath "promise" to say the truth. And if you've never been in a courtroom, surely, you've seen it on TV or in the movies. The Oath symbolizes the obligation to the tell the truth, and the process of a fair resolution of legal disputes. It reminds us that our legal system relies on the truth, and that all involved have a duty to be truthful in legal proceedings, including those who serve on a jury. Many know it's a requirement, but few know the true origin. Ever wonder where or how that practice started?

Interestingly, some scholars believe the historic tradition goes further back to the days of Abraham, over 2000 years ago. People took oaths with their right hand according to the bible. In the Old Testament, Abraham raised his right hand to the king of Sodom, "With raised hand I have sworn an oath to the Lord, God Most High, Creator of heaven and earth, that I will accept nothing belonging to you..." The word "right hand" occurs 166 times in the Bible, giving it some significance. The right hand, associated with the bible and ancient cultures, signified strength, a symbol of power, and authority. Therefore, it is believed, raising one's right hand has religious connotations, while others would say there are no sources connecting the practice to biblical times. In Western Europe, the ritual goes back centuries, as Oaths were demanded of governmental and religious leaders. In ancient Rome, Roman soldiers pledged their allegiance by invoking Roman gods, and they vowed their loyalty by invoking the "sacramentum"* oath.

Today, besides the legal field, many professions administer an oath. This includes deputized clerks of the U.S. Courts. Other professions, such as healthcare and elected officials, include the President of the United States, members of Congress, the House of Representatives and the Supreme Court justices. These professional oaths are an understanding to uphold their duties with integrity and honesty.

Many today believe that raising your right hand and administering the oath in court originated back to the I7th century, where the practice started in London's central criminal court, the Old Bailey**. Unlike today's modern technology, there were no formal registries or a criminal record system, and judges had no way of knowing if a criminal defendant had a prior record. To determine and resolve which was the appropriate punishment, they sadly decided to brand criminals. Literally, this meant classifying a convict with a branding iron. Convicts pleaded for a benefit of the clergy; back in the days members of the church appeared in court for trials and felons would ask for the "Benefit of Clergy." Basically the defendant was sentenced by the Church and not the court, many times resulting in lighter sentences, and were spared from the death penalty. However, you were only allowed to use the services of the clergy once. To keep from offering the same service twice, criminals were painfully branded on their thumb or palm "T" for theft, "F" for felon and "M" for murder. If convicts found themselves in front of the court again, it was required of them to raise their right hand, allowing the Court to determine if they had committed any previous crimes or had received

^{*}https://oxfordre.com/classics/display/10.1093/acrefore/9780199381135.001.0001/acrefore-9780199381135-e

^{**}https://www.oldbaileyonline.org/



Music brings us together!

By: Jacqueline Antillon

Courtroom Deputy to the Honorable Robert A. Mark

Music is the universal language we can all understand. It transcends all language barriers. It has a history of bringing us together. It has the power to make us smile, bring tears to our eyes, transport us back in time, and inspire us. Music impacts our mood and it brings us together as individuals,. We sing, we dance and for the most part, we lose ourselves. It's that powerful! It's that emotional! It touches our hearts and brings sorrow to our souls. Music is life-changing. From the day we were born, music has been a fundamental part of our lives, from our moms singing lullabies, to keeping the tradition when we have our own children, and what a beautiful bond between mother and child. Music can soothe us, music can excite us, and music can transport us to another hemisphere. I'm no music scholar, but I know when my happy feet take off. There's no stopping me, and maybe you too. It makes us want to move, and you don't need to be an expert to know that it unites us. Bonds are formed, and social relationships are cemented. The mighty rhythms make us feel alive, and dance, dance! According to the BBC*, music brings us together. It improves our health and well-being, it's a creative outlet, and mostly, music is fun. Sadly, I can't carry a tune, but that doesn't stop me from singing in my car or singing karaoke with friends. It doesn't bother me that I can't carry a tune; all I know is that it makes me feel good, and when I'm stuck in traffic, singing to the top of my lungs, it changes my mood from frustration to a positive, feel-good vibe. From frustration to positive, feel -good vibes, you be the judge; give it a try next time you are stuck in traffic. Music is inspirational, how many times have we heard lyrics to a song that has helped us overcome a difficult situation? It takes us on a magical journey and to weather storms. It can remind us of good times. It literally can transport us to another place and time. Music** has the power to heal us, improve our lives, and even help certain medical conditions. Lyrics capture essential feelings we can relate to; the rhythms and beats drive us to bob our heads, wave our hands, tap our fingers, stomp our feet, and many times dance like no one is watching. Can you imagine running or exercising without music? Music is a pivotal running/working out tool. It can rev up your engine and slow down your stride. The ultimate natural workout enhancer.

Whether at home, in your car, in the office, at a social gathering, or at a concert, music connects all of us. What's your poison when listening to music? Soft rock, metal, pop, opera, country, rap, salsa, merengue, reggaeton, classical, 70s, 80s, 90s, punk, blues, reggae, indie, alternative, or dance music, each awakens our soul, and lowers our cortisol and stress hormones***. And just imagine attending a sporting event without music in the background! I can't. It energizes us as we cheer on and celebrate our team.

Music strengthens and relaxes us, and it keeps us young. Whatever your music genre or style, share it with your neighbor or your co-worker. You would be surprised at what new sounds will make your heart happy. Try listening to something you're not comfortable or familiar with, and you might be pleasantly astonished. Years ago, I had the pleasure of being invited by Judge Mark's law clerk to his house, where he invited "RAM" chambers to dinner and introduced us to Tabla and Mridangam, ancient traditional hand drums and percussion instruments of India. I fell in love with the powerful movements. That day, we celebrated Indian

^{*}https://www.bbc.co.uk/teach/bring-the-noise/five-reasons-why-music-is-important/zv3krj6

^{**}https://www.hopkinsmedicine.org/news/articles/2022/08/harnessing-the-healing-power-of-music

^{***}https://www.psychologytoday.com/us/blog/stonewall-strong/202107/how-music-heals-and-inspires-us-in-challenging-times



Chapter II (Subchapter V) and Chapter I3 Debt Limits Decreases on June 21, 2024 By: Joe Falzone

In August 2019, The Small Business Reorganization Act (SBRA) was enacted with an effective date of February 19, 2020. Upon enactment, small business debtors with less than \$2.725,625 (and later adjusted for inflation to \$3,024,725) in debts could voluntarily elect to proceed under a new Subchapter V of Chapter 11. The debt limit was temporarily increased under the CARES Act to \$7.5 million for bankruptcy cases filed on or after March 27, 2020, and subsequently extended by the passage of the Bankruptcy Threshold Adjustment and Technical Corrections Act (BTATCA) in 2022, which also increased the debt limits for Chapter 13 bankruptcy case to \$2,750,000.

Absent Congressional action to make the current debt limits permanent or for a further extension, on or before June 21, 2024, the debt limits established under the CARES Act and extended by BTATCA will revert back to \$3,024,725 of aggregate non-contingent liquidated secured and unsecured debt in subchapter V cases, and for chapter 13 cases, noncontingent liquidated unsecured debt of less than \$465,275 and noncontingent liquidated secured debt of less than \$1,395,875.

Subchapter V is an efficient and cost-effective means by which a small business debtor may file for bankruptcy protection under the Code. If Congress fails to permanently extend the increased debt limits currently in effect through June 21, 2024, then small businesses will have no alternative but to seek reorganization through the more costly and time-consuming process under a traditional chapter 11.

Music brings us together! (Continued from page 11)

culture, friendship, and how the power of drumming is therapeutic healing. Without a doubt, music and dance are the language of the soul we all speak. Music is fun, and most importantly it can bring us together. I can't imagine a world without beats and rhythms, soulful, joyous, at times banging loud, and at times soothing. Music is amazing, so why not share it with others? Invite your friends, family, neighbors, or co-workers and dance the night away with some conversation, coffee, or a little vino. Remember, dance like no one is watching, and who cares if you have two left feet? It's not about who sings or dances the best. It's about making a connection, having fun, and letting go, even for small moments in time. It's about breaking barriers and boundaries that only music brings. It is the one language that we recognize together. Where there is music, there is happiness and life. Allow music to be an integral part of your life. It connects us, and in the end, we can use a little more connection. It connects us regardless of our ethnic and cultural background.

"I think music in itself is healing. It's an explosive expression of humanity. It's something we are all touched by. No matter what culture we're from." – Billy Joel

Please, raise your right hand! (Continued from page 10)



leniency for past offenses. For a very short period, thieves were branded on the cheek. That practice was far too prejudicial, as many convicts were unable to find work. Quickly, that practice was abolished, but the practice of raising the right hand in court continued.

Thankfully, the practice of pillorying no longer takes place, and modern records have replaced cruel and uncivilized ways. Perhaps the practice does predate to 17^{th} century, but today the practice of raising our right hand and administering an oath still takes places in many courtrooms across the country as a sign or gesture of respect. It further serves as a reminder of the history that paved the way for today's modern courtroom. In conclusion, there is importance in understanding its effectiveness.

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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 have a conflict and need to be at a hearing in Miami in the morning and Palm Beach in the afternoon on the same day. Can I appear remotely?

Each judge will indicate, either in an order or a notice of hearing, whether video conference is available.

- If a courthouse location is provided, along with a Zoom link, then the hearing is hybrid. You have the choice of attending the hearing in-person or by Zoom.
- If only a courthouse location is provided, then the hearing was set for in-person only.
- If only a Zoom link is provided, then the hearing will be conducted by video conference only.

The court may grant leave to attend remotely for good cause shown by ex parte motion. Review the judge's webpage for filing instructions and be advised that the ex parte motion must be filed as soon as practicable in advance of the hearing. There is a dedicated motion event titled Appear Remotely (Ex Parte). Since it is ex parte, upload an order immediately after filing the motion.

If participating by video conference, you must register not later than 3:00 pm on the business day prior to the hearing using the registration link provided in the order or notice of hearing.

Please access our court website to read the preferences of each judge: www.flsb.uscourgs.gov/ludges.



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FLORIDA SOUTHERN BANKRUPTCY MORTGAGE MODIFICATION MEDIATION STATISTICS														
(From April 1, 2013 through May 31, 2024)														
		MIA		FTL		WPB								TOTAL
MMM Motion (Attorney Rep.)		8493		5661		3291								17445
MMM Motion (Pro Se)		107		51		31								189
Total Motions Filed		8600		5712		3322								17634
Order Granting MMM Motion		7559		5008		2826								15393
Final Report of Mediator		6399		4010		2206								12615
Mediation Agreement Reache	d	2713		1869		1024								5606
MMM MOTIONS FILED BY MONTH (Attorney Rep. & Pro Se)														
MIAMI	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec		
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	29		274
2023	25 12	20	32	23	20	26	16	12	20	21	8	9		232
2024	12	21	11	10	10								TOTAL =	64
FT. LAUDERDALE	lon	Eab	Mor	Anr	Mare	Lun		A	Son	Oot	Nov	Doo	IOIAL =	8600
2013	<u>Jan</u>	<u>Feb</u>	Mar	<u>Apr</u> 49	<u>May</u>	Jun 98	Jul 116	<u>Aug</u>	Sep 189	Oct 118	<u>VoV</u>	Dec 77		982
2013	91	82	69	108	89	89	107	61	99	100	121	95		1111
2014	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	11		181
2023	12	7	20	18	20	6	8	8	10	10	18	16		153
2024	21	9	9	7	7									53
													TOTAL =	5712
WEST PALM BEACH	<u>Jan</u>	Feb	Mar	Apr	May	<u>Jun</u>	<u>Jul</u>	Aug	Sep	Oct	Nov	Dec		
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 21	32	36	29	29	32	18	13	16	25		342
2017 2018	19	18	10	15	20	10 20	23	27 18	18	24	17	13		235
2018	22	20	10	28	14	20	26	18	10	31	18	10		211
2019	16	14	18	13	10	10	15	19 5	10	11	7	13		143
2020	4	8	6	4	7	6	7	10	9	5	19	10		95
2021	1	ő	12	5	6	16	8	8	12	6	7	5		86
2022	14	7	12	6	8	11	6	4	4	10	4	8		94
2024	7	é	4	10	14			-	-	10	-	-		44
	-	_	-										TOTAL =	3302
1														

UPCOMING COURT HOLIDAY CLOSINGS *

- ◆Thursday, July 4 and July 5 Independence Day
- ◆Monday, October 14 Columbus Day
- ◆Thursday, November 28 Thanksgiving Day
- ◆Monday, September 2 Labor Day
- ◆Monday, November 11 Veterans Day
- ◆Wednesday, December 25 Christmas Day

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: Dania_Muniz@flsb.uscourts.gov.

Please do not use the above email address to file or send papers to the court or to ask questions about court procedure or status of a particular case. Contact the clerk's office at any of the following numbers for assistance in these matters.

Visit the court website www.flsb.uscourts.gov for local filing information. Thank you.

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

Please Note:

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

^{*}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