

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF FLORIDA

DECEMBER 2025

Changes Abound!

By: Hon. Scott M. Grossman

As we close the book on the first quarter of the 21st Century and move forward into 2026, there are many changes coming to the United States Bankruptcy Court for the Southern District of Florida. Here are some updates:

New Chief Judge. On October I, I succeeded Judge Kimball as Chief Judge. I want to thank Judge Kimball for his leadership during the past two years, and I want to thank the District Court for putting their faith and trust in me to lead our Court going forward.

Government Shutdown. One of my first duties as Chief Judge was to deal with the 43-day government shutdown that started on the day I became chief. To that end, I want to give a special thank you to the entire court staff – led by our Clerk of Court extraordinaire, Joe Falzone – for their unwavering dedication to the Court, our mission, and serving the public during this challenging time. We truly have a great team, and I am extremely proud of everyone in our Court Family in helping navigate this together.

Judge Isicoff's Retirement. Judge Isicoff will be retiring this summer. When she retires, Judge Russin will be moving to Miami, and Judge Isicoff's seat will be filled in Fort Lauderdale. The Eleventh Circuit has already selected her successor, subject to that person's background check. Stay tuned for more details about how we will celebrate Judge Isicoff and her extraordinary contributions to the Court, the practice of law, and our society at large.

New Fort Lauderdale Courthouse. The new Fort Lauderdale courthouse is coming along on schedule and is on track to be finished by the end of 2026. The building's exterior has been substantially completed, the construction tower cranes have been removed, and interior construction is going full steam ahead. Indeed, on December 9, I visited what will be my courtroom, and I am pleased to report that it is coming along nicely. Here is a picture:

(Continued on page 2)

INSIDE THIS ISSUE	
FROM THE JUDGES' CHAMBERS	3
PRO BONO CORNER	14
NATIONAL BANKRUPTCY CASE FILINGS INCREASE 10.6 PERCENT	15
PACER MULTIFACTOR AUTHENTICATION [MFA] UPDATE	16
AMENDMENTS TO FEDERAL BANKRUPTCY RULES AND FORMS	17
CM/ECF TIP OF THE MONTH	18
CYBERSECURITY AWARNESS: EVERYDAY HABITS THAT PROTECT THE COURT	18
QUESTIONS AND ANSWERS: E-FILING TIPS FOR MOTIONS	19
MMM STATISTICS	20

Bankruptcy Cases Filed From 01/01/25 to 11/30/25

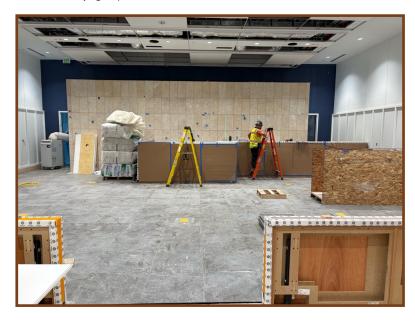
T(OTAL FILED:	14,197
•	Chapter 7	7,887
•	Chapter 9	0
•	Chapter 11	305
•	Chapter 12	1
•	Chapter 13	5,995
•	Chapter 15	9

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

Select: "Case Filing Statistics"



Changes Abound! (continued from page 1)



Amended and Restated Local Rules. A few months ago the Southern District of Florida Bankruptcy Judges approved a substantial overhaul of our local rules. They have not yet been released for public comment, though, because implementation will require significant revisions to nearly every form and other document issued by the clerk's office. As we speak, Joe Falzone and Chief Deputy Cameron Cradic – together with their staff – are hard at work making this happen.

The current local rules are over 62,000 words. The amended and restated local rules will be less than 21,000 words – a nearly 2/3 reduction. Some of the changes you will notice are improved readability and a more organized structure. Every local rule will now be keyed to a specific Federal Rule of Bankruptcy Procedure. For example, right now our local rule governing exhibits is in Local Rule 9070-1, which has no corresponding federal rule. But the Federal Rules of Bankruptcy Procedure have a specific rule on evidence – Rule 9017. So under the amended and restated local rules, this rule will be moved to Local Rule 9017-1. Likewise, because the amended and restated local rules follow the numbering convention of the federal rules, the definitions used in the local rules will now be found in Local Rule 9001-1 (Federal Rule of Bankruptcy Procedure 9001 is titled "Definitions").

Another significant change is that we are eliminating use of the Latin term "ex parte," which means "one -sided." In our district, however, the term has been (mis-)used for years to mean "without a hearing." We are keeping the concept of certain relief being available without a hearing (the full list of motions and applications that may be considered without a hearing will be in new Local Rule 9013-2(c)), but instead of being called an "ex parte" motion or application, it will now have to say, "relief requested without a hearing."

We are also adding an earlier objection/response deadline for chapter 11 and chapter 15 cases in which a matter is set for hearing on more than 21 days' notice. In those cases, a response or objection must be filed 7 days before the hearing in order to be considered by the Court. The 4:30 p.m. two business days before the hearing deadline will continue to apply in all other matters.

Looking Ahead. I'll have much more to report in the coming months regarding the local rules, the new courthouse, Judge Isicoff's retirement, and our new bankruptcy judge. I am honored and humbled to be leading the Court forward during this next phase.







Tips and Best Practices for Counsel

By: Honorable Erik P. Kimball

The following are issues and concerns that have come to mind in recent months.

When It is Important, Appear in Person at Hybrid Hearings. Although many lawyers and parties appear in person at my weekly motion calendars, I permit remote appearances by Zoom for most non-evidentiary matters. This is particularly useful where your involvement is limited or when the matter is unopposed. However, if you are involved in a highly contested matter or the motion will require more than 10 minutes of argument time (by all parties combined), I strongly encourage you to attend the hearing in person. Keep in mind that your experiencing technical difficulties may not result in a continuance of the hearing. For example, if I am unable to hear your presentation or if it is interrupted several times because of bandwidth or hardware concerns, I may disconnect you from the hearing and continue without you. You and your client bear the risk of your technology or your connection not being sufficient to permit an effective presentation.

If You Appear at a Hearing You are Now in the Case. Even if you have filed nothing in the case, if you appear on behalf of a client at any hearing before me you are now counsel for the client in that matter. Under the rules of ethics for Florida lawyers, you have all the usual duties to your client and to the Court. If you wish to withdraw, you must do so formally, consistent with our Local Rules, which often require you to file a motion. Since you are now engaged in the matter, you should file a notice of appearance so that you will receive service of documents.

In Chapter II Plans, Each Secured Creditor Gets Its Own Class. Every secured claim is unique. Even if more than one creditor has a lien on the same asset, their rights are distinct. No secured claim is "substantially similar" to any other secured claim within the meaning of II U.S.C. § II22(a). You must separately classify each secured creditor and must tabulate votes for each such class assuming they are impaired.

When Acting Within a Deadline, Reservations of Rights are Worthless. When there is a deadline to act or respond, a "reservation of rights" stating that the party may present additional arguments at a later time achieves nothing. You cannot extend a deadline by saying that you may add something later.

Section 330 is the Sole Basis for Consideration of Fees for Professionals Retained Under Section 327. Congress long ago established what the Court should consider in reviewing fee applications. II U.S.C. § 330 (a). In proposed fee orders tendered to me, please do not cite any basis for approval of fees and expenses other than section 330(a).

Motions to Strike Affirmative Defenses are Rarely Useful. Although it is objectionable that counsel often include a number of irrelevant or unsupported affirmative defenses, it typically is not worth the effort to move to strike them. Often the so-called affirmative defenses are simply attempts to negate the plaintiff's burden of proof on an element of the claim. Other times they are bare restatements of a series of

(Continued on page 4)







Tips and Best Practices for Counsel (continued from page 3)

affirmative defenses that have nothing to do with the case. If you wish to neutralize affirmative defenses, you can address them in discovery. For example, if you ask for all evidence in support of an affirmative defense and get nothing, then the defendant cannot present the relevant defense (assuming it is actually an affirmative defense).

In Motions to Assume Executory Contracts and Unexpired Leases Address Cure Amounts Explicitly. With your motion to assume or to assume and assign, file a table listing each contract or lease, the counterparties with service addresses, and the alleged sum outstanding. Even if you believe there is no amount due on an executory contract or unexpired lease, include \$0 in the table. This avoids confusion and claims of lack of due process.

<u>Do Not Upload Multiple Copies of the Same Proposed Order</u>. We often see counsel upload multiple copies of the exact same proposed order, apparently in an attempt to speed entry of the order. This has the opposite effect, creating confusion and delay.

<u>Local Counsel Must Sign All Documents</u>. In my view, when our Local Rule 2090-I(C)(2) states that local counsel must "participate in the . . . presentation of . . . all papers in" the relevant case or proceeding, that means they must sign all documents filed on behalf of the client. This is not a view shared by all of the Judges in this District.

<u>File Objections to Chapter 13 Plans by the Deadline or Have Your Objection Stricken</u>. I will strictly enforce the deadline for written objections to confirmation set out in Local Rule 3015-3(B)(I). This deadline is clearly stated in the notice to creditors issued in each chapter 13 case. The filing of an amended plan does not create a new ability to object other than for creditors adversely affected by the amendment. Debtors may move to strike late objections. If creditors need more time, file a motion to extend the deadline before the deadline passes.

Do Not File an MMM Chapter 13 Plan Unless You Have Filed an MMM Motion. Under the Court's Mortgage Modification Mediation (MMM) program, if a debtor has filed a request for mediation the debtor may file a chapter 13 plan including specified language. Among other things, the MMM plan language includes this sentence: "The debtor has filed a Verified Motion for Referral to MMM with ("Lender"), loan number, for real property located at ______." If a debtor files a chapter 13 plan with this language but has not filed an MMM motion, the quoted sentence is knowingly false. If requested, I will strike any plan filed with MMM language in a case where there is no MMM motion.







A Plea from Your Court Pro Bono Committee

By: Honorable Peter D. Russin

I step into my role as the new Judicial Chair of our Court's Pro Bono Committee with deep appreciation for the extraordinary work of my predecessor, Judge Mindy Mora. Her energy, vision, and unwavering commitment to access to justice have built a thriving Committee and Pro Bono landscape that provides meaningful opportunities to serve those who need it most.

I am pleased to work with Joe Grant who will be serving as the new Attorney Chair of the Committee. Joe and I are both grateful to Peter Kelley for his many years of dedicated leadership, quiet persistence, and hands-on work in developing the Committee's many pro bono projects. Peter's efforts have made a tangible difference in the lives of countless debtors and creditors who otherwise would have faced the system alone. Both Joe and Peter are recipients of our Chief Judge's Pro Bono Award, reflecting not only their devotion to the work of the Committee but also their consistent personal commitment to pro bono representation. We should all be proud of the example they set.

Pro Bono Matters Now More Than Ever

Access to justice is not an abstract concept. It depends almost entirely on whether real people can get real lawyers when it matters most. For those who cannot afford counsel, pro bono representation is the single most direct way our profession turns the promise of justice into something tangible. In our world that may mean a saved home, a stabilized family, and a fresh start.

By taking a pro bono case, a lawyer allows our system of justice to work fairly, humanely, and without regard to wealth. We are living in a moment when the rule of law is tested daily by public cynicism, misinformation, and the growing sense that the system works only for those few who can afford to pay for it. When lawyers do not step forward to represent the people who need counsel the most but can least afford it, we reinforce that cynicism and weaken the very legitimacy of our courts. Pro bono work is how we show, case by case, that "the arc of the moral universe is long, but it bends toward justice."

Your Professional Obligations and Identity

The Florida Bar makes clear that pro bono service is not optional. It is a core part of your professional identity. When you took the Oath, you said: "I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay anyone's cause for lucre or malice." The "cause of the defenseless or oppressed" is central to your obligation as a lawyer... as it must be.

The Bar's aspirational goal is that each Florida lawyer annually provide at least 20 hours of pro bono legal services to the poor or contribute at least \$350 to a qualified legal aid organization. You are also required to report your pro bono service (or contribution) each year with your Bar renewal. That is not meant as a bureaucratic chore. It is a reminder that access to justice is a shared professional responsibility.

But beyond your oath, there is a deeper question: What kind of lawyer do you want to be?

(Continued on page 6)







A Plea from Your Court Pro Bono Committee (continued from page 5)

For many of you, pro bono work may feel like one more demand in an otherwise very busy schedule. But if you talk to lawyers who have done it consistently, you will hear a very different story. They will tell you that that their pro bono cases are among the most meaningful matters of their careers. They often see the clearest impact of their skills in these cases. And they rediscover, in a very concrete way, why they went to law school in the first place.

By taking pro bono work you are saying that your license is not only a means of making a living, but also a means of ensuring that the doors of the courthouse are open in a meaningful way to everyone, regardless of the ability to pay.

Pro Bono Committee Offerings

Our Court's Pro Bono Committee is here to make it easier, not harder, for you to say "yes." Our programs match volunteer lawyers with appropriate cases, including discrete matters and limited scope engagements, so you are not signing up for an open-ended commitment. The Committee also provides training and resources, including CLE programs, forms, and practice guides tailored to consumer bankruptcy and common pro se issues, so you are prepared and supported from the start.

We also work to build community among volunteers. The Committee supports mentoring and co-counsel arrangements, pairing newer lawyers with experienced bankruptcy practitioners so no one feels alone in a difficult case. We coordinate with legal aid organizations and clinics to channel your skills where the need is greatest, using infrastructure that already exists. And we continue to develop court-based initiatives such as pro se help desks, clinics, and targeted programs for recurring issues like dischargeability, reaffirmation agreements, stay violations, and small-business reorganizations. There are multiple, practical ways for you to meaningfully serve.

A Plea

So, please consider this a personal invitation. If you have never taken a pro bono bankruptcy case, let this be the year you do. If you used to do pro bono work but have drifted away from it, come back. And, if you are unsure where to start or what you are comfortable handling, talk to us. We will help you find a role that fits your schedule, your experience, and your interests.

If you are willing to volunteer or would like more information about how you can contribute, please contact Joe Grant at jgrant@loriumlaw.com or (561) 361-1000. We will add you to the volunteer list and quickly connect you with someone who needs assistance.

If you are unable to take on full representation, you can still help. To learn more about these opportunities, please visit the Court's website Pro Bono Corner https://www.flsb.uscourts.gov/pro-bono-corner.

On behalf of the Court and the Pro Bono Committee, thank you for your willingness to serve. We promise that by taking pro bono matters, you will add meaning to your daily practice and help provide the access to justice that is so critical to our judicial system and the rule of law.





FROM THE JUDGES' CHAMBERS



THE NATIONAL CONFERENCE OF BANKRUPTCY JUDGES **TURNS 100**

By: Judge Laurel M. Isicoff

Some of you, hopefully most of you, have had the opportunity to attend an annual meeting of the National Conference of Bankruptcy Judges (the "NCBJ") held in the Fall of each year. Some of you may believe the annual meeting is the NCBI (I always did). Actually, the NCBI is a voluntary organization made up of current and retired bankruptcy judges¹. And this year the NCB is turning 100!

The NCBJ was formed in 1926 by a group of bankruptcy referees in order to promote education, professionalism, and promote improvements to the bankruptcy system. 1926 was not the first attempt by bankruptcy referees to form an organization. The first attempt was made in 1899 right after the Bankruptcy Act of 1898 was enacted. That first attempt fizzled. However, reconstituted in 1926 the NCBI has continued to grow, spreading education, performing public outreach and continuing to work on improvements to the insolvency laws.

Those of you who attended our annual meetings these past two years saw the history posters that were displayed. These were just the teasers for what will be coming at our annual meeting in San Diego. There will be posters, yes, but there will also be videos, an interactive surprise highlighting the history of the NCBI and its contributions to the bankruptcy system, posters galore, programming focused on the history, and a few more surprises. . . For those of you who subscribe to the American Bankruptcy Law Journal (the "ABLI") (also celebrating its 100th year), there will be articles highlighting the history of the NCBI and the ABLJ.

The NCBJ website will also have additional material on the history, including an updated article by Chief Bankruptcy Judge Robert Jacobvitz (D.N.M.). The website will continue to be populated throughout the year.

Finally, bankruptcy judges and practitioners around the country are looking in their desks, filing cabinets, closets, under beds . . . looking for anything of historical significance, not only to the NCBJ but also the insolvency world, and adding what is found to the National Bankruptcy Archives at the Biddle Library at the University of Pennsylvania. For any history wonks out there the NBA at the Biddle is an incredible resource. The most valuable collection, in my opinion, is made up of the oral histories of some of the greats of our bankruptcy history, including our own Judge Cristol (may his memory be a blessing). Please check your closets etc for any treasures you may have. I will be happy to help facilitate transmission to the Biddle.

Full disclosure – in addition to being a Past-president of the NCBJ, I am also chair of the 100th Anniversary Committee. So, I am a little obsessed and excited about all this. If you want to know more about the history of the NCBI (what we have so far) go on the NCBI website - ncbi.org, or check out the Biddle Library collection - law.upenn.libguides.com/biddle archives/nba.

¹Magistrate judges have the Federal Magistrate Judges Association and district court judges have the Federal Judges Association. However, the NCBJ is the oldest such organization.







BBA FLC Outreach Continues to Expand

By: Tara Trevorrow, Career Clerk

The Financial Literacy Committee of the Bankruptcy Bar Association for the Southern District of Florida (BBA FLC) continues to expand its mission within South Florida. In the past three months, members of the BBA FLC offered presentations at Arc Broward (WorkBar location), McFatter Technical College, Broward College, Chapman Partnership, and Inn Transition. Our two newest locations, Chapman Partnership and Inn Transition South, represent a new level of outreach to members of our local community.

Chapman Partnership (Chapman) serves individuals facing homelessness, including persons impacted by domestic violence, veterans, the disabled, unaccompanied youth, and justice-involved or justice-connected adults. Chapman residents work collaboratively with case managers to reach their ultimate goal of independence. Alan Rosenberg, current BBA President, serves on Chapman's Board of Trustees and connected the BBA FLC with Chapman House. Alan and I gave the BBA FLC's first presentation on September 18, 2025, and we have two more sessions scheduled in the months ahead.

Inn Transition South (ITS) is a 56-unit gated community that houses survivors of domestic violence with their minor children for up to two years. Each adult resident works with a Miami-Dade County counselor to devise a personal plan for economic independence and self-sufficiency. Meaghan Murphy, current BBA First Vice President, is a member of Junior League of Miami (JLM) and connected the BBA FLC with ITS (ITS is JLM's flagship project). Paula Martinez, Sara McCann, Meaghan Murphy, and I presented at ITS on November 8, 2025. (Special thanks: Paula did an incredible job translating the slide deck into Spanish and serving as a live translator for the entire presentation.)

This December, Rayshelle Tasher and I will be presenting a collaborative program sponsored by the Wilkie D. Ferguson Bar Association as part of Dade Legal Aid's Put Something Back Program. In the spring, the BBA FLC will establish a new connection with Casa Valentina (Casa Valentina's mission is to provide at-risk and former foster care youth with safe affordable housing, life skills, and continued support so that they achieve and maintain self-sufficiency). Throughout the year, Will Reynoso, Rhys Williams, and I will continue to present at McFatter. Sara McCann has taken a leadership role with ArcBroward, presenting twice in the past few months.

The BBA FLC's Essay Contest also continues to develop and grow. Originally created by Carlos Sardi, this program provides a modest cash prize for up to three public high school students. Last year's contest reached all public high school students in Broward County. This year's contest will accept submissions from public high school students in Broward and Palm Beach counties. (We hope to get Miami-Dade County Schools on board for 2026-2027.) To encourage as much participation as possible, we will accept video reels in addition to written essays.

(Continued on page 9)







BBA FLC Outreach Continues to Expand (continued from page 8)

If the spirit of the holidays has motivated you to give back to your community, please consider joining the BBA FLC. We have more presentation opportunities than our schedules can cover, so more hands are always welcome. Meetings are held on the first Wednesday of every month at noon via Zoom. You do not need to be a bankruptcy attorney to participate. We welcome everyone who is willing to pitch in and make a difference!

For more information, please contact Tara Trevorrow (<u>tara_trevorrow@flsb.uscourts.gov</u>), Chair, or Judge Isicoff (<u>LMIsicoff@flsb.uscourts.gov</u>), Judicial Chair.



Paula Martinez, Sara McCann, Meaghan Murphy, and Tara Trevorrow at ITS



McFatter students with BBA FLC volunteers Rhys Williams and Tara Trevorrow







Know the Difference: Select the Right CM/ECF Event

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

Not all CM/ECF dictionary events are created equally, and understanding this is crucial for every e-filer. Why? Because the event chosen when filing may trigger important behind-the-scenes actions that impact your case in ways you might not immediately see. Some events: I) set deadlines, 2) change the status of a case, 3) trigger internal/external flags, 4) invoke a filing fee, and 5) generate statistical reports to the Administrative Office in Washington, D.C. Choosing the wrong event can lead to delays, miscommunication, or even a dreaded "Notice to Filer of Apparent Filing Deficiency" (NAFD). Think of it like using the correct form of "their," "there," or "they're" - small differences that dramatically change a meaning. Just as those words shape your message, CM/ECF events shape how your filing is processed.

Why It's Essential to Select the Right Event

Understanding the purpose and function of accurate event selection ensures: I) accuracy in court records, 2) efficiency in case processing, and 3) avoidance of unnecessary corrections or delays. If you are unsure whether the court has a dedicated event for your filing, use the Search feature in the ribbon menu bar. Type in a few keywords related to your document, and if a matching event exists, it will appear in the results. Select the event that best fits your filing. Final tip - If you receive an NAFD, do not ignore it. It is the court's way of flagging a potential issue that needs your attention. Addressing it promptly maintains the integrity of your filing and keeps your case on track. Remember, we are always here to help, and all you must do is reach out!

Motions Category: "Approve" vs. "Sell"

In CM/ECF, selecting the correct event is more than a formality. It directly affects how your filing is processed. A common mistake occurs when e-filers use the "Approve" event to request Court approval of a sale. This is incorrect. The appropriate event is "Sell." Before filing, ask yourself, "Is the sale being requested under §363(b) or §363(f)?" If you are filing under §363(f), a filing fee is required. Be sure to pay any outstanding fees before the close of business to avoid being locked out of CM/ECF on the following day. Using the wrong event will trigger necessary actions, delay the case processing, and result in the court issuing a "Notice to Filer of Apparent Filing Deficiency". The court relies on accurate events to manage deadlines, fees, and case status updates. If your sale is under §363(f), pay the filing fee promptly. And if you receive an NAFD, please do not ignore it. Correcting the issue quickly will avoid further complications.

Select the Correct Dismissal Event: "Dismiss Case," "Dismiss Adversary Proceeding," "Dismiss Document," "Dismiss Party," "Dismiss One Joint Debtor"

Misusing dismissal events can lead to processing errors.

Main cases: Use I) "Dismiss Case" only when requesting the Court to dismiss the entire case, 2) "Dismiss Document" to withdraw your own specific filing, 3) "Dismiss One Joint Debtor" to remove one debtor from a jointly filed case.

(Continued on page 11)







Know the Difference: Select the Right CM/ECF Event (continued from page 10)

Adversary Proceedings: Use I) "Motion to Dismiss Adversary Proceeding" when requesting the Court to dismiss the entire proceeding, 2) "Motion to Dismiss Document" to withdraw a specific filing, or dismiss specific counts in the adversary proceeding, 3) "Dismiss Party", when requesting to dismiss a specific party in the complaint (not all parties).

Remember, failure to use the correct event may result in inaccurate case data and the possible entry of a "Notice to Filer of Apparent Filing Deficiency".

"Extend" Events

The CM/ECF dictionary contains numerous "extend" events, and each is designed for a specific purpose. Using the generic "Extend Time" event should be used only when the Court does not offer a more descriptive event for your filing. There is an argument to be made, "knowing the difference does make a difference." Before filing, carefully review your motion and select the most specific "extend" event. As you can see, the Court offers an array of "extend" events": 1) Extend Plan Payments, 2) Extend Time to Appeal, 3) Extend Time to File Schedules/Plan/Required Information, 4) Extend Time to File Section 523 Complaint, 5) Extend Time to File Section 727 Complaint, 6) Extend/Shorten Exclusivity Period, to name a few. You may ask, when should I use the generic "Extend Time"? The generic "Extend Time" event should be used when asking the Court to extend a deadline to file a response, reply, objection, extend objection to exemptions, or similar procedural actions. Remember, the generic "Extend Time" should only be used if there isn't a specific event available. Lastly, and this is an important distinction, if your intent is to request permission to file a late claim, do not use a "Extend Time." Instead, select "Allow Late Filed Claims(s)."

"Vacate" Events

The "Vacate" event in CM/ECF should be used only when requesting the Court to vacate a condition that does not involve a debtor's discharge or case dismissal. If your intent is to vacate a debtor's discharge, use "Vacate Discharge," and if you are asking to vacate the dismissal order, use "Vacate Dismissal." Selecting the correct event matters. Our end goal is to provide an accurate public docket, ensure accurate tracking, and reduce any hindrance that impedes the progress of a case.

Answer/Responses Category: Select the Correct "Objection" Event

Use the generic "Objection" event only when objecting to a motion, response, or reply. If the objection relates to a plan, use "Objection to Confirmation of Plan."

Answer to Complaint

When responding to a complaint in an adversary proceeding, under the adversary module select Answer/Responses > "Complaint, 3rd, cross, counter" > and follow the remaining prompts. Do not use any generic Answer, Response, or Notice of Filing event. Why? Using the correct event terminates applicable deadlines,

(Continued on page 12)







Know the Difference: Select the Right CM/ECF Event (continued from page 11)

and it prompts the filer to identify if the answer includes affirmative defenses. Further, if your answer includes a counterclaim, crossclaim, third-party complaint or jury demand, you must also docket that action separately, immediately after filing the answer. To do so, from the Adversary menu, select "Complaint (Amended, Cross, Counter, Third Party)" > select the applicable item > and follow the prompts to upload the PDF document.

"Document" and "Notice of Filing" Events

These rarely used generic events should be used *only* for non-actionable documents and after you have exhausted all efforts to locate a more specific event that accurately reflects your filing. Use them only as a last resort.

"Other" Category

The "Other" category in CM/ECF contains a variety of important events that are often overlooked but are essential for accurate filing. Before defaulting to a generic event, take a moment to explore this section, you may find exactly what you need. Common events found in "Other" include: 1) Affidavit, 2) Bill of Costs, 3) Exhibit Register/List, 5) Memorandum of Law, 6) Pretrial Statement, and 7) several Small Business events, as well as many others. Each serves a specific purpose and ensures your filing is processed correctly.

Some titles might seem similar to other events, but they can be quite different in execution. For example, "Final Report of Estate (Ch II)" is not the same as the motion event titled "Final Decree." This mistake occurs quite often in Chapter II cases. Using the correct event "Final Report of Estate (Ch II)" automatically sets an objection deadline for the U.S. Trustee to respond to the final report. Using the incorrect event will result in the entry of a Notice to filer of Apparent Filing Deficiency.

"Summons Service Executed" or "Summons Service Unexecuted"

When filing proof of service for a summons, <u>do not use</u> generic events like "Certificate of Service" or "Notice of Filing." Instead, use the designated events found under the "Other" category titled "Summons Service Executed" or "Summons Service Unexecuted." These events are specifically designed to prompt for the date of service and ask whether an alias summons is being requested when service was unsuccessful. Using the correct event enables the court to track adversary proceedings more effectively.

Selecting the correct event in CM/ECF is more than just a technical detail. It is a critical part of ensuring accuracy, efficiency, and collaboration. When you use the correct event, it 1) reduces errors in case data and filing records, 2) saves time for e-filers, other parties, clerk's office and chambers staff, 3) streamlines workflow by helping the Court meet established deadlines more efficiently, 4) captures real time data reported to

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One Last Dance!

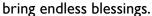
By: Jacqueline Antillon Courtroom Deputy to the Honorable Robert A. Mark

On Tuesday, December 2nd, members of the Southern District of Florida Chapter 13 Bar gathered in Judge Isicoff's courtroom in Miami to celebrate the end of the year, one more time, One Last Dance! As many of you know, Judge Isicoff will retire in June 2026. While we will miss her greatly, we wish her the very best as she embarks on new adventures.

Over lunch, we laughed, reminisced, and shared priceless memories from years past. We reflected on the changes we've witnessed, and those still to come, many more we hope. Surrounded by both familiar and new faces, the ambience was warm and welcoming. One thing we all agreed upon, laughter and camaraderie are amazing. Together, we created new memories, reinforced connections, and celebrated collaboration.

This past year brought its share of trials and tribulations, but also moments of joy, love, and the loss of dear friends. Experience reminds us how vital it is to come together for our well-being. This holiday season and throughout the year, may we all continue to make a difference. There is no greater joy than giving back and bonding with one another, and building kindness and understanding.

Here are a few pictures from Judge Isicoff's "Last Dance." We hope this social tradition continues, with someone stepping forward to carry the mantle from Judge Isicoff and keep alive this end-of-year celebration of life, family, friends, and colleagues. From all of us at the Bankruptcy Court, we wish you love, health, happiness, joy, peace, and prosperity in the year ahead. Cheers to us, cheers to you, cheers to all! May 2026



















PRO BONO CORNER



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



Pro Bono Committee Officially Convenes the 2025-2026 Term

New Subcommittees Launched!

On November 10, 2025, the Pro Bono Committee for the United States Bankruptcy Court Southern District of Florida held its first meeting of the 2025-2026 term. As usual, virtually all members of the standing committee were present. "Attendance" also means participation. "Active" describes the nature of our members' attendance. We are all very proud of this committee's accomplishments. The fruits of our committee's labors can be seen by looking at our newly-updated website (under the "Don't have a lawyer?" tab of the Court's website, www.flsb.uscourts.gov). Thanks to our Clerk of Court, Joe Falzone, working with our Lay Chair, Joey Grant, Peter Kelly, and me, our Pro Bono page is packed with helpful information that is designed to assist pro se litigants in understanding the bankruptcy process in our District. It's not just pro se litigants who benefit from our Pro Bono Page. We have found that our Pro Bono page is also accessed by non-bankruptcy lawyers and state court judges, all of whom are seeking answers to questions that are not easily answerable. Our practice is so very fact-specific that it's almost impossible to provide answers to questions without knowing the context of the question. Our Pro Bono Page, however, is an excellent starting point for many non-bankruptcy lawyers and state court judges. There are links to references galore. In our quest to ensure that everyone has equal access to our Court, our Court's website is the starting point that is available to all.

Our committee's first meeting was lengthy and productive. We now have a new subcommittee to interface with our local legal aid organizations. We heard reports from Dade Legal Aid, Legal Services of Greater Miami, and Legal Aid of Palm Beach County.

Discussions were held to address efforts to increase participation in our pro bono programs among Chapter 13 practitioners. The committee is working on ways to improve our interface with our District's Chapter 13 practitioners by forming a new subcommittee that focuses on this issue.

Our committee next discussed intake of pro bono candidates and increasing volunteerism. This is a tough challenge, but one which we seem to overcome, year after year. In many cases, members of our bar who do not currently volunteer ultimately participate by receiving information on how to volunteer and who to contact. Our committee does a great job of delivering that information to the bankruptcy practitioners in our District. Each year, we hope for more participation. We press for volunteers, as we must.

Next, our committee heard reports on our Help Desk and our Pro Se Clinic. What a fantastic job we have done in streamlining and improving these critical resources. We have had the cooperation of our Chapter 13 Trustees and our Judges in directing pro se litigants to the right resources. Our bankruptcy judges make special accommodations for lawyers who are appearing on a pro bono matter. This includes anything from a "thank you" from the court to prioritizing pro bono cases for hearing.

The committee also took up the issue of Al. A subcommittee has been formed to explore issues attending the interface between Al and the practice of law. Our initial discussions centered on how Al might be beneficial for pro se litigants (and how it may not be). We look forward to dissecting and analyzing issues relating to this challenging change in the way we use artificial intelligence. I will keep everyone updated on our findings and suggestions.

On behalf of our standing committee and members of our bankruptcy bar, many thanks go out to the Honorable Mindy A. Mora for the years of stewardship as our Judicial Chair. While the original fire was lit by the Honorable Laurel M. Isicoff, Judge Mora ran with that torch and energized our committee with her good sense and recommendations on how to achieve our goals... and we certainly achieved our goal of increasing accessibility to

(Continued on page 15)



National Bankruptcy Case Filings Increase 10.6 Percent

Personal and business bankruptcy filings increased 10.6 percent in the twelve-month period ending September 30, 2025, compared with the previous year. Click [HERE] for more detailed and statistical information.

Business and Non-Business Filings, Years Ending September 30, 2021-2025

Year	Business	Non-Business	Total
2025	24,039	533,337	557,376
2024	22,762	481,350	504,112
2023	17,051	416,607	433,658
2022	13,125	370,685	383,810
2021	16,140	418,400	434,540

Total Bankruptcy Filings By Chapter, Years Ending September 30, 2021-2025

Year	Chapter										
	7	11	12	13							
2025	344,825	8,937	293	203,118							
2024	298,644	9,012	202	195,971							
2023	248,680	6,473	142	178,214							
2022	229,703	4,762	182	149,077							
2021	310,597	5,622	344	117,784							

Pro Bono Committee Officially Convenes the 2025-2026 Term (continued from page 14)

our Court and the relief it can provide under the Code. While we will miss having Judge Mora at our now-monthly meetings, we are excited about working with our new Judicial Chair, the Honorable Peter D. Russin. Our first meeting with Judge Russin was terrific. A lot was accomplished, including Judge Russin's new subcommittee assignments! We look forward to Judge Russin's tenure as our Judicial Chair and know that we will continue to achieve the goals of four committee under the leadership of Judge Russin. Welcome!

In closing, I would like to wish everyone a Happy Holiday season, and don't forget to sign up to take a case or to be a mentor to a lawyer who wants to break into bankruptcy law. We have so many opportunities for you to volunteer. Please reach out to us and we will provide you with all the assistance you will need.

Thanks for listening, and importantly, for taking action and volunteering to help those in need...especially during this holiday season.

Best,

Steven S. Newburgh

Page 16



PACER Multifactor Authentication [MFA] Update

On October 16, 2025, PACER released an update that allows users with CM/ECF-level access (e.g., filers, interested parties, etc.) whose account search status becomes inactive due to search inactivity the ability to reset their own password without contacting the PACER Service Center (PSC).

Users with CM/ECF-level filing access can still file even if their search status shows as "inactive" due to six months of inactivity.

Some common questions are answered on the PACER website on the MFA Tips and Resources page. Please visit this page before contacting the PSC, as most issues can be handled by following the steps outlined on the website.

When to contact the PSC

You will need to contact the PSC to reactivate your PACER search status if your account has been deactivated.

When you do not need to contact the PSC

- If you do not receive an MFA enrollment prompt when logging into PACER, no action is necessary.
- If you receive an MFA enrollment prompt, you can enroll on your own by following the steps outlined on the MFA Tips and Resources page. Support from the PSC is not required for enrollment.

Thank you for your patience as we work to reduce call wait times and strengthen account security. Contacting the PSC only when necessary will help ensure support is available for those who have an urgent need.

Know the Difference: Select the Right CM/ECF Event (continued from page 12)

the Administrative Office of Washington, D.C., 5) allows court employees to deliver clear records to external users, and 6) improves tracking, minimizes disruptions, and reduces those dreaded "Oh no, not another red-lettered Notice to Filer of Apparent Filing Deficiency!"

This is a team effort. When e-filers use the correct events, it empowers the court to provide better service and ensures smoother case management for everyone involved. The end goal is shared success. Accurate event selection supports the overall success of both internal and external users. The benefits are monumental, and if you are ever in doubt about which event to use, please reach out to the clerk's office. We are here to assist and guide you through the process. "The best way to serve individuals on the team is to see that the whole team wins." — John C. Maxwell



Amendments to Federal Bankruptcy Rules and Forms

Amendments to Federal Bankruptcy Rules 3002.1 and 8006 will become effective on **December 1**, **2025**. To conform with the amendments to Rule 3002.1, new and amended Official Bankruptcy Forms will be required for all chapter 13 cases beginning December 1, 2025. **Use of the Official Forms is required, and each has a same-titled docketing event in CM/ECF.**

AMENDED BANKRUPTCY RULES

FRBP 3002.1. Mortgage Claim Secured by a Security Interest in the Debtor's Principal Residence. Amended to encourage a greater degree of compliance with its provisions and to allow assessments of a mortgage claim's status while a chapter 13 case is pending in order to give the debtor an opportunity to cure any post-petition defaults that may occur.

FRBP 8006. Certifying a Direct Appeal to the Court of Appeals. Amended to clarify that any party may file a request to the court of appeals to authorize a direct appeal in accordance with FRAP 6(c).

NEW/AMENDED OFFICIAL/DIRECTOR'S BANKRUPTCY FORMS

Form 410C13-MI, Motion Under Rule 3002.1(f)(1) to Determine the Status of the Mortgage Claim

Form 410C13-MIR, Response to [Trustee's/Debtor's] Motion Under Rule 3002.1(f)(1) to Determine the Status of the Mortgage Claim

Form 410C13-N, Trustee's Notice of Disbursements Made

Form 410C13-NR, Response to Trustee's Notice of Disbursements Made

Form 410C13-M2, Motion Under Rule 3002.1(g)(4) to Determine Final Cure and Payment of Mortgage Claim

Form 410C13-M2R, Response to [Trustee's/Debtor's] Motion Under Rule 3002.1(g)(4) to Determine Final

Cure and Payment of the Mortgage Claim

Form 410S1, Notice of Mortgage Payment Change

Director's Form 2000, Required Lists, Schedules, Statements, and Fees

Director's Form 2030 and Instructions, Disclosure of Compensation of Attorney for Debtor

<u>Director's Form 4100C</u>, Order Determining Whether Defaults Have Been Cured and Postpetition Amounts Paid

Information about the rule amendments is available at https://www.uscourts.gov/forms-rules/pending-rules-and-forms-amendments.

Information about the form amendments is available at https://www.uscourts.gov/forms-rules/pending-rules-and-forms-amendment/pending-or-recent-changes-bankruptcy-forms.



CMmECF TIP OF THE MONTH

By: Cameron Cradic

The CM/ECF Docket Event "**Pro Bono Representation of Debtor [PAPERLESS]**" was created with the intent to recognize and support the valuable public service provided by members of the bar who volunteer their time to assist those in need. Attorneys who accept and handle pro bono cases are advised that the Court will give priority to those matters by calling them first on the motion calendar.

This [PAPERLESS] event is located under the *Bankruptcy* or *Adversary* "Other" menu and can be entered on the court docket after the initial appearance is made (filing of a petition or other initial appearance document). The event may also be entered in pending cases.

For questions about this new event, do not hesitate to contact any of our CM/ECF Help Desks: Miami (305) 714-1800; Fort Lauderdale (954) 769-5700; and West Palm Beach (561) 514-4100. Case-related questions should be directed to the division in which the case judge is assigned.

Cybersecurity Awareness: Everyday Habits that Protect the Court

By Felix Cabrera, Network Administrator

From word processing, communication, and to entertainment, computers play a central role in your day-to-day work duties and tasks. However, where there is reliance, there is a continuing cyber threat. Fortunately, many risks can be reduced through a few consistent, everyday habits.

Be careful with e-mail. Phishing remains one of the most common methods of compromising accounts. Messages may appear legitimate but are designed to steal information or install malicious software. Always verify the sender, and avoid unexpected attachments, especially messages that demand immediate action.

Use strong passwords and multi-factor authentication. The combination of a long passphrase and multi-factor authentication greatly reduces unauthorized access. Even in the event of a password compromise, the additional verification step provides significant protection.

It is critically important to lock your computer when you leave your desk, even if you need to step away just for a brief moment. Locking your computer secures that sensitive information. Press Windows + L before you walk away, and for Mac users, press Control + Command + Q. It takes less than a second, and it can prevent unauthorized access.

Be extremely cautious when using USB devices. Insecure or personal USB drives can import malware into your computer and ultimately infiltrate your network servers. Only use authorized devices and approved means of file sharing. You should reach out to your IT staff if you have any questions before connecting any external device.

Keep systems current. Software updates usually contain security patches for newly discovered vulnerabilities. If a computer prompts you to reboot, rebooting allows it to apply those protections.

If something appears unusual, please contact your IT staff immediately. Early reporting can help prevent minor issues from escalating into major incidents. Whether you clicked on a suspicious link or your computer is just behaving funny, your IT staff are trained professionals and can quickly provide corrective action.



Q & A E-Filing Tips for Motions

By: Cameron Cradic

The following questions and answers are helpful tips for practitioners and their staff.

Q: "I filed a new motion that also includes an objection to an opposing party's previously filed motion, which was already set for a hearing. The title of my document clearly indicated both causes of action. Why did the clerk's office enter a deficiency notice that instructed me to refile my document?"

A: Generally, a new <u>motion</u> filed with an <u>objection</u> to an already calendared motion (a single document with two distinct actions) must appear on the docket as two <u>separate</u> docket entries. In CM/ECF:

- The motion is to be entered via the Motions/Applications category.
- The objection is to be entered via the Answer/Response category.
- The separate entries ensure that the newly filed motion is processed correctly and that the objection is linked to the matter already set on a pending calendar.

Q: "I want to e-file a single motion for two distinct types of motions. Is it permissible to use the Miscellaneous Motion event and type everything into the docket text box?"

A: Motions that have specific event titles in CM/ECF <u>must</u> be uploaded using the corresponding event.

Specifically, dedicated motion events have imbedded functions that enable proper and automated case management. Specifically, a fee may be applicable, the event may be programmed for self-calendaring, internal case flags and deadlines may be impacted, order functions require use of the correct event, and national tracking of specific events is required.

✓ <u>To determine if a dedicated event exists, use the **Search** function in CM/ECF to perform a keyword search of the system. If a dedicated event does not exist, then is it permissible to use the "Miscellaneous Motion" event.</u>

Q: "Do 'Amended Motion' and 'Motion to Amend' differ in use?"

A: The prompts in CM/ECF for an Amended Motion allow for linkage to a previously filed *pending motion*. It cannot be used if an order disposed of a prior motion. Amended Motions generally replace, not supplement, a previously filed motion.

The Motion to Amend allows linkage to an order being amended.

Page 20



FLORIDA SOUTHERN BANKRUPTCY MORTGAGE MODIFICATION MEDIATION STATISTICS

(From April	1, 2013	through	November	30, 2025)
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		MIA		FTL		WPB								TOTAL
MMM Motion (Attorney Rep.)		8676		5821		3432								17929
MMM Motion (Pro Se)		109		53		32								194
Total Motions Filed		8785		5874		3464								18123
Order Granting MMM Motion		7738		5181		2957								15876
Final Report of Mediator		6514		4149		2291								12954
Mediation Agreement Reached	I	2752		1898		1061								5711
•														
	MM	M MO	TION	IS FI	LED	BY M	ONT	H (At	torne	Y Re	p. 8	Pro	Se)	
<u>MIAMI</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	May	<u>Jun</u>	<u>Jul</u>	Aug	Sep	<u>Oct</u>	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 2022	18 31	19 13	15 22	22 24	18 27	18 32	14 20	16 23	21 24	16 17	11 12	29 29		217 274
2022	25	20	32	23	20	26	16	12	20	21	8	9		232
2023	12	20	11	10	10	25 15	7	13	16	10	13	7		145
2025	13	11	8	16	12	6	10	9	14	11	9	,		119
2023	13	1.1		10	12	U	10	9	14	11	9		TOTAL =	8800
FT. LAUDERDALE	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	IOIAL -	5500
2013	<u> </u>		11101	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	11		181
2023	12	7	20	18	20	6	8	8	10	10	18	16		153
2024	21	9	9	7	7	17	8	10	10	14	9	5		126
2025	10	6	7	12	16	13	9	10	9	7	8			107
WEST DALM DEACH	lan	Fab	N/1	A	N/lar-	Lun	11	A	Con	Ont	No.	Dos	TOTAL =	5892
WEST PALM BEACH 2013	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u> 9	May	<u>Jun</u>	<u>Jul</u>	Aug	Sep	Oct	Nov	Dec 67		610
2013	47	43	64	54	35 66	56 74	91 54	83 43	147 83	63 52	68 49	67 44		619 673
2014	51	43 57	52	41	47	54	48	43 39	83 35	35	33	44 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
2017	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	o	12	5	6	16	8	8	12	6	7	5		86
2023	14	7	12	6	8	11	6	4	4	10	4	8		94
2024	7	9	4	10	14	6	9	7	14	7	10	6		103
2025	13	4	6	10	11	6	9	5	9	9	7			89
													TOTAL =	3450

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.