



## CHIEF JUDGE'S CORNER – APPOINTMENT OF NEW JUDGE, FINANCIAL LITERACY AND A “THANK YOU” TO JUDGE HYMAN

By: Hon. Laurel M. Isicoff

The moment we have been waiting for has FINALLY arrived. The bankruptcy court family is thrilled to welcome our newest Judge, the Honorable Cori Lopez-Castro. When sworn in on May 30, Judge Lopez-Castro will be the third woman to sit on the bankruptcy bench for the Southern District of Florida (I was the first in 2006 and Judge Mora was the second in 2018). Judge Lopez-Castro will also be the first Hispanic bankruptcy judge in the entire state of Florida. Judge Lopez-Castro's formal investiture will be held sometime in the summer or early fall. Keep an eye out for announcements.

Judge Lopez-Castro was born in San Juan, Puerto Rico. Her parents emigrated from Cuba. Ultimately the entire family moved to South Florida where Judge Lopez-Castro graduated high school before attending Brown University, where she received a degree in economics. Judge Lopez-Castro started her legal career at Kozyak Tropin & Throckmorton after she graduated from University of Miami School of Law in 1990. After a brief stint in Ohio at Hahn Loeser & Parks, Judge Lopez-Castro returned to Miami and Kozyak Tropin & Throckmorton, where she has worked up until she is sworn in on May 30.

I have had the pleasure of knowing Judge Lopez-Castro since 1992 when I joined Kozyak Tropin & Throckmorton. We worked together on many cases over fourteen years (other than the Ohio sojourn). After that, Judge Lopez-Castro appeared before me many times in significant cases; she is an incredible lawyer and she will be an incredible judge. I am personally thrilled to have Judge Lopez-Castro as my colleague, and thrilled for our entire bankruptcy community that we have such an incredible addition to our bench. While we miss Judge Cristol, Judge Lopez-Castro is a worthy successor. And, as Judge Lopez-Castro recently stated in an article about her selection, Judge Cristol's public service will be a blueprint for her as a judge.

I want to take this opportunity to thank former Chief Judge Paul G. Hyman, Jr., for his continuing service to the Southern District of Florida. As you all know, Judge Hyman has served on recall since his “retirement” in January of 2018. Since that time Judge Hyman has filled in each time we had a vacancy until our retiring judges' successors are sworn in. Judge Hyman served for several months from his official retirement date until Judge Mora was sworn in; Judge Hyman served for just a few weeks after Judge Ray retired until Judge Grossman could be sworn in. Judge Hyman then served for almost seven months after Judge Olson retired until Judge Russin was sworn in. And of course, Judge Hyman is filling in since Judge Cristol's retirement until Judge Lopez-Castro is sworn in. More significantly, Judge Hyman has continued to serve our district by conducting judicial settlement conferences, with tremendous success, saving judicial resources and financial resources for those parties fortunate enough to have his help. Recently I received an email from an attorney who has served in the Southern District of Florida for many years. He wrote:

*Our Judge Paul G. Hyman, Jr. is a gem. I cannot emphasize enough how very fortunate our legal community is to have him serving as Settlement Facilitator in Judicial Settlement Conferences. He has the special combination of patience*

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### Bankruptcy Cases Filed From 01/01/2023 to 4/30/2023

<b>TOTAL FILED:</b>	<b>3,452</b>
• Chapter 7	1,697
• Chapter 9	0
• Chapter 11	93
• Chapter 12	0
• Chapter 13	1,645
• Chapter 15	17

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

Select: [“Case Filing Statistics”](#)

**CHIEF JUDGE'S CORNER** (continued from page one)

*and wisdom. In addition, unbelievable in this day, Judge Hyman offers his service free to the parties. Recently, I had the privilege of representing two parties engaged in such a settlement conference. Of course, the JSC is confidential, other than, it impressed after two days. Yet, the results are not the point. The point is to advise you just how grateful my clients are for Judge Hyman's efforts. He was masterful and kind.*

Yes, Judge Hyman, you are a gem and we are all grateful for your continuing service to the Southern District of Florida.

In other news, April was Financial Literacy Month as declared by the United States in 2004 and just declared in March for the State of Florida (thank you Carlos Sardi, and the Financial Literacy Task Force of the Business Law Section of the Florida Bar). Financial Literacy is incredibly important for everyone. Less than half of the adults in the United States are financially literate.

What, you ask, is "financial literacy"? According to the National Financial Educators Council, financial literacy is "the ability to use knowledge and skills to manage one's financial resources effectively for lifetime financial security."

In 1997, now retired bankruptcy Judge John Ninfo, deeply disturbed by the number of young adults he saw in his court, created CARE (Credit Abuse Resistance Education), a financial literacy program to educate young people about the cost of credit and budgeting. Judge Ninfo rallied judges and lawyers across the country to put on CARE programs in their cities, and to this day CARE programs are taught throughout the country. Check out the CARE website at [CARE4yourfuture.org](http://CARE4yourfuture.org).

We had a very robust CARE program in the Southern District of Florida for many years, although during COVID those programs petered off for obvious reasons. Volunteers throughout the district went to high schools and junior colleges, and incarcerated juvenile facilities, teaching our young people about the cost of credit, budgeting, student loans, and savings. Now, through the efforts of volunteers and other advocates over many years, financial literacy is a mandatory graduation requirement for Florida high school students. But does that mean the mission is ended? NO. There are many young people in college and trade schools who have not had the benefit of financial literacy education. And it will take at least two or three years for the formal financial literacy curriculum to be rolled out in our high schools. The Bankruptcy Bar Association of the Southern District of Florida has restarted its financial literacy programming and is looking for volunteers to go out to our high schools, trade schools and juvenile facilities. If you are interested, please contact Carlos Sardi, president-elect of the BBA.

The Business Law Section of the Florida Bar has a Financial Literacy Task Force. That Task Force led the BLS in its advocacy in favor of the mandatory high school graduation requirement. That Task Force, together with the Pro Bono Committee of the BLS, spearheaded the efforts to put on our very first Veteran's Financial Literacy Program in 2021, with the Southern District of Florida as the inaugural venue. That program was so successful we will be doing it again statewide this November 4 – in Miami, Fort Lauderdale, Palm Beach, Tampa, Jacksonville and Pensacola. If you are interested in volunteering please reach out to me (Miami, Fort Lauderdale and Palm Beach), Judge Cathy McEwen (Tampa), Judge Karen Specie (Pensacola) or Judge Jay Brown (Jacksonville).

Remember, financial literacy is a long term, year round need. So everyone, remember to sign up as a Financial Literacy volunteer, welcome Judge Lopez-Castro, and remember to thank Judge Hyman if you see him. Enjoy spring!

The next edition of the Courthouse Beacon News will contain a more detailed biography of our newest Bankruptcy Judge.

**RECENT USBC SDFL ADMINISTRATIVE and GENERAL ORDERS**

Links: **Current Administrative Orders:** <https://www.flsb.uscourts.gov/general-orders> **Clerk's Notices:** From home page of the Court's website <https://www.flsb.uscourts.gov/> select "News and Announcements" in the lower left column on the page

[AO 2023-01](#) Adoption of Interim Local Rule 3017-1 and Approval of Amendments to Local Forms

[AO 2023-02](#) Adoption of Interim Local Rule 2090-1(C)(2)

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

[Clerk's Notice of Amendments to Mortgage Modification Mediation \(MMM\) Program Procedures and MMM Local Forms \(3/2/23\)](#)



## FROM THE JUDGES' CHAMBERS

**LET'S GO BACK TO COURT, AT LEAST SOMETIMES**

By: Hon. Peter D. Russin and Hon. Scott M. Grossman

The world has suffered beyond description from the COVID-19 pandemic. It is difficult to find positives from the experience. But in the face of adversity, humankind has an incredible ability to adapt. The restrictions required to limit the spread of the virus forced the courts and legal system to pivot quickly by holding hearings remotely by Zoom. The technology existed but certainly was not being used to hold court hearings, at least in this district. With necessity being the mother of invention, the use of Zoom exploded and quickly became the norm resulting in a fundamental shift in how we function. Courts have been able to operate and lawyers and pro se litigants have been able to participate without leaving the comfort of their homes or offices. The benefits are demonstrable including: (i) increased access to justice, a key component to the Federal Court system, (ii) cost savings for litigants not having to pay for their lawyers' travel time to and from the courthouse, and lawyers saving on gas and dry-cleaning costs, (iii) greater efficiency for all who participate, and (iv) a vast improvement over telephone hearings.

Zoom is by no means perfect. Its two-dimensional universe limits a participant's experience to a very small video square on a computer screen. The communication is often complicated by technical difficulties including internet issues, poor lighting, and sound and camera problems. There are often distractions, like lawn mowers, barking dogs, cats jumping on laps, crying babies, strange people walking around in the background, bizarre visuals like piles of dirty clothes, and unmade beds. Certainly, for fully settled, non-evidentiary matters, these issues might be tolerated because the benefits outweigh the distractions and complications.

Is something more fundamental lost, though? What impact do video hearings have on our judicial system itself? Federal Courts thrive on the public's confidence that justice will be done. Much of that confidence is dependent upon the public's trust that litigants are getting "their day in court." The judicial system was designed hundreds of years ago and adopted by the United States upon its founding to promote that trust and earn the respect of the public, the judiciary, the litigants, and their counsel. For that reason, the courtroom is designed to be a formal, solemn place where very serious proceedings occur that have a substantial impact on people's lives. All who appear in court, including the judge, must observe rules of etiquette and conventions of orderly, courteous, and respectful behavior. They must dress appropriately and engage with one another deferentially all out of a respect for the system itself. The formalities of the courtroom experience ensure that each lawyer, litigant, witness, and judge brings their best to the moment resulting in the highest level of legal practice and greatest opportunity at achieving justice. When the participants in the judicial process follow these rules and conventions, the dignity of our judicial institutions remain relevant and effective.

An important element promoting the dignity and solemnity of judicial proceedings includes the layout of our courtrooms. They specifically include the seal of the court and the United States and state flags behind a raised bench on which the robed judge sits able to see all that is transpiring in the courtroom. There are separate counsel tables for the respective parties and their lawyers. Lawyers and litigants address the court and examine witnesses standing at a podium. The witness is called and must stand and take an oath to tell the truth and then sit in a separate box and subject themselves to difficult questioning in what most consider an intimidating environment where lying is made more difficult than in the comfort of one's own home and with the distance cyberspace affords. And, of course, there is a gallery where the public is invited to sit and observe the

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## FROM THE JUDGES' CHAMBERS

**Let's Go Back To Court, At Least Sometimes** (continued from page 3)

proceedings. There is ample space outside of the courtroom where litigants and their lawyers may talk face to face in an effort to resolve disputes right before letting the judge control their destiny. While some of these characteristics may be mimicked on a video screen, they cannot match the real thing.

The Bankruptcy Court system in this country deals more directly with more human beings than any other Federal Court. We use our courtrooms more than any other Federal Court. The statistics are clear. Bankruptcy, by design, requires the litigants to appear before the court early and often throughout a case and is at its core a negotiated process. We can all remember the days before the pandemic when major issues were set to be heard by the court, the nerves that accompanied a difficult argument or evidentiary hearing, and the impact winning or losing would have on the client. Somehow, though – when face to face with the opposing party and their lawyer outside the courtroom minutes before the start of or during a break in the hearing – as reality set in, cooler heads would prevail, allowing the matter to settle.

What about the non-verbal communication that occurs in person in three dimensions that a two-dimensional one-inch square video screen simply cannot capture? What about the art of oral argument? The art of examining a witness? What about young lawyers and the training and experience they need to become the best possible lawyers they can be? On Zoom, many of these intangibles are lost. And while that may be acceptable in the greater cost benefit analysis in certain circumstances, we must strive to achieve a new balance that exploits these benefits but preserves those attributes that have come to define our system of justice.

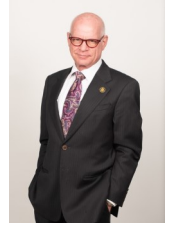
The guidelines adopted by the Bankruptcy Judges in the Fort Lauderdale Division attempt to strike the proper balance. We have no interest in requiring anyone to appear in person unnecessarily. In fact, the guidelines are designed to only require in person attendance when the advantages outweigh the disadvantages. For example, there should be little debate that absent good cause under Rule 43, all evidentiary hearings should be in person. There should also be little debate that fully agreed matters may be heard by Zoom. There should be no debate that anyone with a contagious illness (COVID included of course) should not risk spreading that illness even if healthy enough to work. The debate arises with respect to everything else.

The Fort Lauderdale Bankruptcy Judges have attempted to lay out very clear guidelines subject to little interpretation. At the same time, we have attempted to provide a mechanism that can capture those circumstances making remote appearance appropriate when in-person attendance may otherwise be required. A simple ex-parte motion and proposed order is all that is necessary. The motion may include a cost benefit analysis or any other appropriate argument. While the motion may not always be granted, you can be sure that we will do our best to exercise appropriate discretion balancing the concerns of the movant with those of the other parties and the judicial system itself.

The pendulum had swung, for good reason, toward remote hearings. With the pandemic thankfully waning, it was time to reexamine and try to find the proper balance. As we learn more about the impact of our new guidelines, perhaps they will be tweaked. In the meantime, we hope that you appreciate our purpose and will yourselves appreciate that the analysis is beyond pure convenience and must consider the greater good of all parties, the court, and the judicial system itself as well as the public's confidence in it.

**PRO BONO CORNER**

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



On February 15, Judicial Chair, The Honorable Mindy A. Mora and our new Lay Chair, Peter Kelly, convened the most recent meeting of our Court's Pro Bono Committee. Twenty-one of the twenty-five members of our committee were in attendance. Our consistent attendance record demonstrates the level of our members' commitment to the mission of this Committee. Every legal aid provider from the Greater Miami, Broward, Palm Beach, and Martin County areas are represented by at least one Member on our Committee. Our members also include Florida Rural Legal Services for Indian River, St. Lucie, Martin, and Okeechobee counties. Our members also include a law school professor, Patricia "Trish" Redmond, and three bankruptcy practitioners from our Southern District of Florida. Trish Redmond runs a mentorship program that provides law students with hands-on training in bankruptcy practice and procedure. Of course, Trish's students are working on pro bono matters in our bankruptcy court! To say our committee has "reach" would be an understatement! Credit Judges Isicoff and Mora with marshalling the forces that created this dynamic and energetic group of individuals who are completely devoted to pro bono and the underlying *raison d'etre*, access to our Court and the relief it provides under Title 11 of the United States Code.

We had a special guest attending our February meeting; Judge Jacob Brown, from the Middle District of Florida's Bankruptcy Court. Judge Brown reached out to our committee to offer his assistance in implementing the Middle District's online application process to match qualified pro bono applicants with volunteer bankruptcy attorneys. To get a glimpse of how this process unfolds in the Middle District, link into the Middle District's pro bono site at <https://www.bankruptcyproseclinic.com/>. From our February 15 meeting, a subcommittee was formed to explore implementation of a similar model for the Southern District. Presently, Peter Kelly and I conduct our monthly pro se clinics via Zoom. While the use of the Zoom platform for our monthly clinics was initially in response to the Covid-19 pandemic, we have found that the virtual platform offers greater accessibility to the public and obviates the need for courtrooms to be reserved in our three divisions. While our subcommittee studies the Middle District's model, we continue to provide our monthly pro se clinic to attendees from Fort Pierce to Key West. Our thinking is that even if we were to return to live presentations, we might also continue to offer a monthly virtual platform. Unless an individual is within easy driving distance of one of our divisions, we have been told that individuals simply would not attend but for our Zoom sessions. Our subcommittee will have recommendations to discuss at our next Pro Bono Committee meeting.

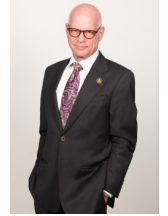
Joe Falzone and I reported on FLSB and national filing statistics during our February 15 meeting. In short, our filings were down 17.8% in 2022. Notably, FLSB is ranked #5 in chapter 13 filings. There's good news regarding pro se filings in our District. We are way down there at #25! We attribute our low pro se filing rate to our pro bono programs and our pro se clinics. We educate prospective pro se filers and present a compelling case against filing for relief without an attorney, whether it is for a fee or for free. Our pro bono committee, and the various legal aid organizations represented, collectively provide increased access to our court. We credit our Court Clerk, Joe Falzone, with ensuring that pro se individuals can easily navigate the FLSB website to find valuable information on where pro bono resources can be found. Our court's website also publishes the annual calendar for our monthly pro se clinics along with a wealth of information for both the public and attorneys.

As many of you know, Judge Isicoff sets chapter 13 pro se debtors to be heard at the conclusion of the hearing calendar. This provides more time for the court and the pro se litigant to exchange and frees up practitioners who would otherwise be stuck at the end of a lengthy calendar. Our committee and our practitioners are hopeful that our chapter 13 trustees will do the same.

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**PRO BONO CORNER** (Continued from page 5)

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



In addition to the above topics, our committee heard and considered reports from our Help Desk committee, the Law School Programs committee (chaired by Trish Redmond), our Veteran's Programs committee, the Pro Bono Week committee, the Elder Affairs committee, and the Website Review committee. We have also formed a new committee to examine the "Dress for Success" women's services program. Dressed for Success provides professional attire and assistance with the interview process by conducting mock interviews. The program also offers various programs such as financial planning workshops. Joey Grant, Trish Redmond, Heather Ries and Tara Trevorrow have each volunteered to serve on this important new committee.

Another committee was formed at our February 15 meeting: The Student Loan Forgiveness committee; certainly, an issue of significant importance to our bench and bar. The Student Loan Forgiveness committee, consisting of Matt Bayard, Peter Kelley, Nadine White-Boyd, and Ariel Sagre will have their hands full trying to interpret new guidelines for student loan forgiveness and will keep us all informed in this developing (changing) area.

Not to sound like a record cartridge stuck in the groove of a vinyl record (how many of you even know what I am referring to here? Lol.), but on behalf of our court's pro bono committee I am asking that you each contribute something towards our cause. Twenty-five committee members cannot accomplish what is needed without your help. We need volunteer lawyers for both pro bono and low bono representation of debtors and the occasional pro se creditor. Beyond being a requirement for practice before our court, contributing to pro bono is something that everyone should want to do. You should "feel" compelled to help our cause as it benefits all of us; pro se debtors should not suffer a loss of assets where exemptions are available but unknown. We have a responsibility to uphold the U.S. Constitution and to ensure that everyone has access to justice. We have the knowledge and experience needed to provide protection from creditor harassment and to ensure that the honest but unfortunate debtor receives the fresh start promised to them by Title 11. Please reach out to us and offer your help.

### **ATTEND FREE PRO SE BANKRUPTCY CLINICS VIA ZOOM**

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

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

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

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

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



## CERTIFICATION AND FORMS FILING REQUIREMENTS FOR INDIVIDUAL CHAPTER 7 AND CHAPTER 13 DEBTORS ELIGIBLE FOR ENTRY OF AN ORDER OF DISCHARGE

By: Cameron Cradic

The primary goal for most individual debtors filing bankruptcy is to seek a “fresh start”, which usually includes receiving an Order of Discharge. In addition to complying with other requirements during the administration of their cases, eligible individual chapter 7 and chapter 13 debtors seeking entry of an Order of Discharge must comply with the certification and form filing requirements which are described below. For information visit the USCOURTS website at this link

<https://www.uscourts.gov/services-forms/bankruptcy/bankruptcy-basics/discharge-bankruptcy-bankruptcy-basics>.

### Required Filing for Chapter 7 and Chapter 13 Cases:

(see also [USBC](#), [SDFL Local Rule 4004-3](#)) “Discharge in General”.)

**Financial Management Certification** A Certificate of Debtor Education, commonly known as the financial management certification, is a requirement for all individual debtors to receive a discharge in Chapter 7 and Chapter 13 cases pursuant to 11 U.S.C. §§707, 727, and 1328, and Bankruptcy Rule 4004(c), as applicable. Please note the following:

- ◆ If the certification has not been filed, the clerk’s office will enter a courtesy reminder to file the certification(s) by generating a Notice of Requirement to File a Certificate of Completion of a Financial Management Course.
- ◆ Ultimately, if the certification is not filed, the clerk’s office will close the case without entry of a discharge. A notice of such action will be served upon all case participants.
- ◆ If the case has been closed without entry of a discharge due to the debtor’s failure to file a certification, a debtor may wish to cure the condition by filing a Motion to Reopen Case in compliance with LR5010-1(G). A filing fee may be required pursuant to LR9013-1(C)(20), along with the financial management certification(s). Attorneys must e-file this motion by selecting [Bankruptcy > Motions/Applications > “Reopen Case for Issuance of Discharge”](#) and e-file the certification separately by selecting [Bankruptcy > Other > “Certification of Financial Management Course”](#).

### Required Forms for Chapter 13 Cases

One of three local forms is required to be filed by all Chapter 13 debtors before the clerk’s office may enter a discharge. These forms are designed to ensure proper case progression by summarizing specific filing requirements and conditions.

- ◆ “Debtor’s Certificate of Compliance, Motion for Issuance of Discharge and Notice of Deadline to Object”, [LF-97A](#). This form is the most common, and it is typically filed after the Chapter 13 trustee has filed a notice of completion of plan payments.
- ◆ “Debtor’s Certificate of Compliance, Motion for Issuance of Discharge Before Completion of Plan Payments, and Notice of Deadline to Object”, [LF-97B](#). This is commonly referred to as a request for a hardship discharge because the debtor will not have completed plan payments.
- ◆ “Motion for Issuance of Discharge and Notice of Deadline to Object”, [LF-97C](#). Use this form when plan payments have been completed and one (or both) debtors are deceased. The form confirms that a redacted death certificate must be attached. Further, if the deceased debtor has not already filed the required financial management certification, a separate request (motion) to waive the financial management certification must be filed pursuant to LR4004-3(A)(3).

All LF-97s set a 21-day objection deadline, must be properly served in compliance with instructions contained in each form, and any filed objection must be resolved before the clerk’s office will enter a Discharge of Debtor.

Attorneys must e-file the above local forms by selecting [Bankruptcy > Other > “Certificate of Compliance, Motion for Discharge and Notice of Deadline to Object”](#).

### Entry of an Order of Discharge

A discharge will be served upon all parties subject to the provisions of LR2002-1(C)(4).

### Obtaining Copies of a Previously Entered Order of Discharge

Any party may obtain a copy, or certified copy, of an entered Order of Discharge. Please note that two related entries will appear in each case. The first entry is the actual discharge. A subsequent entry is a Certificate of Notice that includes the details of service upon all case participants.

**ELECTRONIC FILING FOR PRO HAC VICE ATTORNEYS**

By: Diana Cohen, Data Quality Analyst

If you have received an order granting pro hac vice status in a main case or adversary proceeding, you may wish to become an electronic filer in our court and receive Notice(s) of Electronic Filing of all docket entries. Please review Local Rule 5005-4(B)(2):

***Rule 5005-4. Electronic Filing.***

***(B) Access to Electronic Filing.*** Access to electronic filing in this district is required, encouraged or prohibited as follows:

***(2)*** If the court grants a pro hac vice appearance in a case under Local Rule 2090-1(B)(2), the attorney may apply to become a registered user in this district with full filing privileges and enter an electronic appearance in that case. The court grants pro hac vice appearance on a case by case basis. Attorneys granted pro hac vice appearance who subsequently become registered users with full filing privileges may only enter an electronic appearance in a case in which an order granting pro hac vice has been entered.

ALL attorneys must complete Local Form 95, Acknowledgment of Responsibility and Registration Form Full Attorney Privileges. Check the box in Section II and indicate the case(s) in which an order granting an appearance was entered.

**II. Basis for Request for Full Filing Privileges:** I certify that I am qualified to register as:

- An attorney qualified to practice before this court pursuant to Local Rule 2090-1(A); or
- An attorney approved by this court to appear pro hac vice in Case(s) # \_\_\_\_\_ pursuant to Local Rule 2090-1(C)(2); or
- A government attorney appearing pursuant to Local Rule 2090-1(C)(3) [except for an attorney appearing on behalf of the US Trustee's office].

**ATTORNEYS must concurrently register as an Attorney Filer at <https://pacer.uscourts.gov/register-account>. For existing PACER attorney e-filers, submit a request from PACER to this court via Manage My Account > Maintenance > Attorney Admissions / E-File Registration > follow the prompts.**

The form is available at <https://www.flsb.uscourts.gov/forms/local-forms>.

The clerk's office will approve your request upon receipt of the local form AND a PACER request (follow the instructions in red in the form). Next, e-file a Notice of Appearance using your PACER login code to start receiving NEFs.





**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 received something called a "Notice of Chapter 11 Bankruptcy Case" in the mail from a company I used to work for. What am I supposed to do with this?

The notice was sent to you because the company that filed bankruptcy listed you as one of its creditors. That notice provides dates that are important to the case. For example, there is a section called "Meeting of Creditors," which is an opportunity for a creditor, like yourself, to appear, meet the trustee overseeing the case, and ask the debtor questions. If you are unsure what to ask, you can listen and observe what the trustee asks the debtor.

You can also stop by any of our divisional offices and use the public terminals to obtain additional information about the bankruptcy case. If you prefer to use your own computer, you can obtain bankruptcy case information from PACER (Public Access to Court Electronic Records). PACER is an electronic public access service that allows registered users to obtain online case and docket information from federal appellate, district, and bankruptcy courts. PACER is provided by the Federal Judiciary in keeping with its commitment to providing public access to court information.

To register for a fee-based PACER account, visit: <https://www.pacer.uscourts.gov>. There is a \$.10 per page charge for case information on this system. However, if you accrue less than \$30.00 in a particular quarter, the fees are waived for that quarter. You may also contact PACER by calling (800) 676-6856. In the event you wish for the clerk's office to print any court record, fees for copies and/or certifications must be paid at the time of the request. To view the Clerk's Summary of Fees, visit <https://www.flsb.uscourts.gov/clerks-summary-fees>.

To better understand the bankruptcy process, you can access our court website at: [www.flsb.uscourts.gov](http://www.flsb.uscourts.gov). Under the "Don't Have a Lawyer" tab, there is a section called Creditor Resources with links to frequently asked questions. It is highly recommend that you watch the Bankruptcy Basics video since it provides an example of a meeting of creditors setting. The video is not that long but full of helpful information.

Answer to Bankruptcy Word Jumble on page 9

Bankruptcy

Payback

Claim

Court

Where can I find information about filing bankruptcy?

[Bankruptcy Basics](#)



## CORONAVIRUS RELATED INFORMATION FOR THE PUBLIC

### **End of the Federal COVID-19 Public Health Emergency (PHE) Declaration and Our Court's Status**

The Center for Disease Control and Prevention has announced on its site that the federal COVID-19 PHE declaration will end on May 11, 2023 and that the CDC is shifting from an emergency response to incorporating COVID-19 activities into routine public health practice. Visit this link on the CDC website for more information about the effect of the end of the federal COVID-19 PHE: <https://www.cdc.gov/coronavirus/2019-ncov/your-health/end-of-phe.html>.

Our Court has previously entered Administrative Orders to address the COVID-19 PHE and, as the risk of potential spread declined, has continued to monitor the need for COVID-19 related restrictions and procedures. Currently, face masks are NO longer required in Southern District of Florida courthouse facilities. The Clerk's Office was fully reopened under Court's Administrative Order 2021-10 "Full Reopening of the Clerk's Office Intake Hours of Operation to Serve the Public for In-Person Filings" which was entered on May 5, 2021 and remains in effect.

The free pro se bankruptcy clinics will continue to only be offered via Zoom with information available at this link: <https://www.flsb.uscourts.gov/node/231>

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

The U.S. Bankruptcy Court for the Southern District of Florida is providing judges the ability to conduct court proceedings remotely by videoconference, using the Zoom for Government® platform ("Zoom®"). Participants are encouraged to review any relevant order setting hearing or notice of hearing and each judge's web page for additional requirements and/or instructions. To participate in the hearing remotely via Zoom, you must register in advance no later than 3:00 p.m., one business day before the date of the hearing, except for hearings set on an emergency basis, in which case participants must register at least one hour before the hearing. Upon registration, Zoom will provide a password-protected link for the Zoom conference. All participants must conduct a pre-hearing test of Zoom using the same equipment that they intend to use during the hearing.

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

The U.S. Trustee Program has extended the requirement that section 341 meetings be conducted by telephone or video appearance to all cases filed during the period of the President's "Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak" issued March 13, 2020, and ending on the date that is 60 days after such declaration terminates.

[https://www.flsb.uscourts.gov/sites/flsb/files/documents/news/USTP\\_Notify\\_-\\_U.S.\\_Trustee\\_Program\\_Extends\\_Telephonic\\_or\\_Video\\_Section\\_341\\_Meeting\\_\[August\\_28\\_2020\].pdf](https://www.flsb.uscourts.gov/sites/flsb/files/documents/news/USTP_Notify_-_U.S._Trustee_Program_Extends_Telephonic_or_Video_Section_341_Meeting_[August_28_2020].pdf)

**U.S. Federal Center For Disease Control Website For Updated Information [www.coronavirus.gov](http://www.coronavirus.gov)**

**Florida Department of Health websites for Miami-Dade, Broward and Palm Beach counties:**  
<http://miamidade.floridahealth.gov>      <http://broward.floridahealth.gov>      <http://palmbeach.floridahealth.gov>

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

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

In addition, this link on the Court website provides information on other legal aid programs  
<https://www.flsb.uscourts.gov/legal-assistance-debtors>

## **EMERGENCY RENTAL ASSISTANCE (ERA) PROGRAMS**

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



## FLORIDA SOUTHERN BANKRUPTCY MORTGAGE MODIFICATION MEDIATION STATISTICS

(From April 1, 2013 through April 30, 2023)

	MIA	FTL	WPB	TOTAL
MMM Motion (Attorney Rep.)	8298	5513	3193	17004
MMM Motion (Pro Se)	106	50	30	186
<b>Total Motions Filed</b>	<b>8404</b>	<b>5563</b>	<b>3223</b>	<b>17190</b>
Order Granting MMM Motion	7371	4888	2736	14975
Final Report of Mediator	6241	3889	2143	12273
Mediation Agreement Reached	2673	1819	996	5488

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

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL =
<b>MIAMI</b>													
2013				18	82	106	137	130	173	181	169	141	1137
2014	171	157	184	179	170	164	156	126	198	146	123	138	1912
2015	161	168	189	183	142	164	127	122	127	108	93	93	1677
2016	111	124	79	102	119	110	60	92	99	84	78	74	1132
2017	59	49	59	52	59	56	54	44	48	57	63	39	639
2018	40	48	54	64	57	44	59	50	44	52	40	39	591
2019	57	39	48	41	48	35	31	42	45	45	35	23	489
2020	35	38	24	20	31	19	8	14	5	15	9	18	236
2021	18	19	15	22	18	18	14	16	21	16	11	29	217
2022	31	13	22	24	27	32	20	23	24	17	12	29	274
2023	25	20	32	23									100
													<b>8304</b>
<b>FT. LAUDERDALE</b>													
2013				49	92	98	116	144	189	118	99	77	982
2014	91	82	69	108	89	89	107	61	99	100	121	95	1111
2015	96	101	109	89	94	94	82	74	93	89	91	79	1091
2016	86	81	58	61	68	63	46	75	59	43	54	50	744
2017	38	25	38	26	47	42	40	34	33	39	29	26	417
2018	20	21	36	24	33	43	47	46	28	33	26	21	378
2019	34	20	31	24	28	20	20	18	25	19	26	19	284
2020	26	13	25	19	22	17	8	12	5	5	6	8	166
2021	9	21	13	12	8	5	15	9	9	16	15	20	152
2022	16	12	15	17	22	19	21	16	15	7	10	11	181
2023	12	7	20	18									57
													<b>5506</b>
<b>WEST PALM BEACH</b>													
2013				9	35	56	91	83	147	63	68	67	619
2014	47	43	64	54	66	74	54	43	83	52	49	44	673
2015	51	57	52	41	47	54	48	39	35	35	33	36	528
2016	46	33	33	32	36	29	29	32	18	13	16	25	342
2017	22	18	21	22	20	10	23	27	18	24	17	13	235
2018	19	8	10	15	21	20	26	18	24	25	13	12	211
2019	22	20	13	28	14	20	27	19	10	31	18	10	232
2020	16	14	18	13	10	10	15	5	11	11	7	13	143
2021	4	8	6	4	7	6	7	10	9	5	19	10	95
2022	1	0	12	5	6	16	8	8	12	6	7	5	86
2023	14	7	12	6									39
													<b>3164</b>

### UPCOMING COURT HOLIDAY CLOSINGS \*

- ♦Monday, May 29 - Memorial Day
- ♦Monday, June 19 - Juneteenth National Independence Day
- ♦Tuesday, July 4 - Independence Day
- ♦Monday, September 4 - Labor Day
- ♦Monday, February 20 - Washington's Birthday

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

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

### COURT MISSION STATEMENT

To promote public trust and confidence in the administration of bankruptcy cases:

- through easy access to comprehensible, accurate information about the court, its procedures, and records;
- by the efficient, respectful, and dignified conduct of business at all levels of the court, clerk's office, chambers and courtroom;
- through adjudication of bankruptcy cases by a fair and impartial tribunal that is designed to provide relief to the honest debtor, equitable distribution of available assets to creditors, and preservation of jobs and value through successful business reorganizations.

### CONTACT "COURTHOUSE BEACON NEWS" PUBLICATION STAFF

If you have any comments regarding this issue or want to suggest ideas for future articles, please contact "Courthouse Beacon News" staff at the following email address:

[Debbie\\_Lewis@flsb.uscourts.gov](mailto:Debbie_Lewis@flsb.uscourts.gov).

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

Visit the court website [www.flsb.uscourts.gov](http://www.flsb.uscourts.gov) for local filing information.

Thank you.

Miami: (305) 714-1800

Ft. Lauderdale: (954) 769-5700

West Palm Beach: (561) 514-4100

**Please Note:**

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