



THE COURT CONNECTION

**United States Bankruptcy Court
Middle District of Florida
Jacksonville, Orlando, and Tampa/Fort Myers Divisions**

JULY 2012

The Court Connection

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MISSION STATEMENT

Our Court serves the public by processing and deciding bankruptcy cases with fairness, impartiality, and excellence, while treating everyone with dignity, integrity, and respect.

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Thanks to the Court's Outreach Committee and its Chair, Tia Buggs, for naming the Court's Quarterly Newsletter – "The Court Connection"

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Enjoying the Ride and Overcoming Challenges—Two Perspectives by: Chief Judge Karen Jennemann and Clerk LeeAnn Bennett

Clerk LeeAnn Bennett's Perspective:



When Chief Judge Jennemann suggested a biking trip from Washington D.C. to Pittsburgh, I jumped at the idea. Exactly the type of vacation I've always wanted to take – being outdoors, sightseeing along the way, and the bonus of including exercise.

Knowing that I've never really biked more than 5 miles at a time and knowing that the total mileage of this trip would be in excess of 300 miles, I was still confident in my ability to meet

the challenge. To prepare for the trip, I trained twice on the local rails to trails routes (one 20 miles and one 30 miles). Near the end of the 30 mile ride, I started to feel a little apprehensive about my ability to accomplish the task at hand but still very excited about the challenge. I also talked with friends who are avid riders and researched in order to plan for the unexpected (and the expected).

The trip ended up being much more challenging than I could ever anticipate but also much more rewarding. Biking an average of 60 miles a day proved to be extremely difficult. Many parts of my body hurt (some of which I don't care to discuss on paper)! Although we were prepared with rain gear (including rain shoes), we were not prepared for how difficult biking became after a day of rain (mud is not easy to bike through).

Enjoying the Ride (continued)



I also didn't expect the detours along the way which made our trip longer and more difficult. However, the beauty of nature was breathtaking; everything green and lush. Wildflowers paved our way through many miles.



Deer grazed along the path and the sound of running water filled the silence. At the end of each day, I appreciated my biking mates – we encouraged each other during the difficult times, we helped each other overcome obstacles (carrying bikes and saddle bags up numerous steps), we shared food, fun and laughter, and in the end found that with teamwork and support, great things can be accomplished even in difficult times.

Near the end of our adventure, Judge Jennemann and I discussed how much the trip parallels what the court will face in the coming year. Based on the budget outlook, we know we will experience storms which will make for a challenging year. With the need to reduce staff, we will have to do more with less and overcome obstacles by becoming as efficient as possible and helping to carry one another's load.

We will prepare as much as possible for the coming year by anticipating the challenges; knowing that there will be difficulties that we cannot predict. However, like the bike trip, we will encourage and help each other. Through teamwork and support we will discover great things can be achieved. No matter the unknown, at the end of the day, we will look back and appreciate each other and appreciate our accomplishments.

Chief Judge Jennemann's Perspective:



In May, our incredibly fit Clerk, LeeAnn Bennett, and I, a not so svelte Chief Judge, decided to ride a bicycle from Georgetown in Washington, D.C. to Pittsburgh, Pennsylvania. The trip followed the C & O Canal National Park along the Potomac River for 185 miles, and then continued on the Great Allegheny Passage for an additional 140 miles. We crossed only 6 roads in the entire trip. Check out the websites for more information on these incredible national treasures we have in these off-road long distance biking paths.

As we had hours and hours of time to chat, LeeAnn and I both commented how our bicycling trip was similar to the challenges we currently face at the Bankruptcy Court as we shrink in size and face uncontrollable budget shortfalls. Here are just a few of the lessons:

Aim Big

At the Court, we are working on a big goal of thinking district-wide in procedures, in rules, in forms, and in staff expectations.

On the bike trip, we set high standards for ourselves. We were a group of five inexperienced bike riders when we started the trip. In addition to the Clerk and me, our husbands, Dave and Scott, and my BFF, nicknamed the "Ever Ready Bunny" for never slowing down on the entire trip, joined us on the ride.

We decided to ride about 60 miles per day. Of course, none of us had ever ridden 60 miles in any day before. Nor had any of us ever ridden a fully loaded bike with saddlebags weighing about 25 pounds on dirt trails.



However, we quickly learned that 60 off-road miles with a heavy bike is quite a feat. We averaged only 8 miles per hour. We encountered detours requiring us to portage our bikes up ramps. We hit walls where we literally "bonked" from exhaus-

Enjoying the Ride (continued)

tion. A couple of days we rode for almost 10 hours when you factor in breaks and obstacles.

Yet, every single day we finished our route. We really had no real choice. We had no sag wagon to pick us up and take us to our lovely hotels. We picked a goal; we worked hard; we met our goals. Of course, we could have picked an easy goal and achieved it, but by reaching high, we did more.

The Court will have the same success. By focusing on working more closely together as a District, we will (and I would say already are) thinking district-wide.

Be Prepared

Given that we were novice bikers, none of us really knew what to bring or to expect. Every one of us, however, contributed in a significant way to our success. LeeAnn brought food the first day when to our great, great sadness we saw that the restaurant we expected to serve us lunch was still closed for the winter. We had no other alternative, but to share with LeeAnn's peanuts and drinks. We managed.

In the same way, LeeAnn and her staff are working to prepare us for the lean financial years ahead. The decisions are hard and soon the monies tight but we do have a plan. We are prepared.

Be Flexible

In Cumberland, Maryland, where the C&O Trail ends and the GAP begins, my husband got ill. He rode all day, and at dinner that night, he just lost his voice. He was physically unable to ride any further. (When we got home, we learned he had walking pneumonia.) Now we had four very tired riders and one invalid. So, what to do?

We thought "out-of-the-box." We revised our goal. We asked an expert in a local bike shop. He spent an hour helping us find someone who would transport my husband to the next stop, while the rest of us biked on. He got there safely, and the rest of us had a wonderful ride.

At the next stop, we realized a little more tweaking was needed. We had made reservations the next day to see Falling Water, the masterpiece built by Frank Lloyd Wright:



None of us realized how much more there was to see in the area. We simply could not visit for three hours and then leave. We needed to revise our goal of biking all the way to Pittsburgh to spend time on a more important goal—to spend more time at this incredible spot.

Goals are important, but the most important goal is to remain flexible enough to change a goal when needed. As we strive for district-wide procedures, we also need to stay flexible and attuned to the needs of individuals.

Enjoy the Ride

This brings me to the most important lesson. Even though we encountered rain, sore muscles, a few bruises, one case of walking pneumonia, and significant adversity, we had a great time. I spent a week with my best friend riding through the most beautiful scenery on the eastern seaboard. We saw historical sites like Antietam Battlefield, Shepherdstown, and Harper's Ferry. We learned about the role long-distance canals and trains played in our country and glimpsed a way of life before cars and paved roads. We met incredible innkeepers and fellow riders and spent day after day appreciating nature seeing wildflowers for over 200 miles flowing along the banks of the beautiful rivers.

Did I ache? Absolutely. Was the ride uncomfortable? Yes. Do I remember any of that today as I write this article. Yes, I do. But, what I remember most are the laughs, the beauty, the history, the friendships, and the achievement of trying something outside of my comfort zone.

As we face the certainty of the Court doing more with fewer people and less money, I hope you remember some of these "lessons." We have big challenges facing us. Yet, we have an incredible staff, loyal attorneys, and judges who are up to the task. We all will have to remain flexible. We will need to approach problems with a broader view of what is important and what is not. We will need to be prepared and likely will rejigger goals as we progress through the next few months and years.

Yet, I plan to enjoy this ride. This Court is a place where people and businesses facing financial reverses come for relief and a fresh start. We offer a unique benefit that helps thousands of people every year. We have a very important job, and we excel in our service to the public. Regardless of what is thrown our way, we will continue to provide excellent service to our bar and to our public for years to come.



Now we just need to focus on enjoying the ride!



“Never measure the height of a mountain until you have reached the top. Then you will see how low it is.”

- Dag Hammarskjold



PROCEDURES FOR REQUESTING HEARING TRANSCRIPTS AND AUDIO DIGITAL NON-TRANSCRIPT CD

Parties can order official transcripts of court hearings and/or a CD of digitally recorded hearings (in courtrooms using FTR) by completing and submitting via the Court’s website:

For a Digital Audio (FTR) Official Transcript Request Form:

<http://pacer.flmb.uscourts.gov/ftr/requestformofficial.asp>

For a Non-Transcript Request Form:

<http://pacer.flmb.uscourts.gov/ftr/requestform.asp>.

DEAR POINT AND CLICK:

Dear Point and Click

Q: I am moving to a new law firm. Will I need to go through the online training modules to get a login and password for use at my new firm?

A: Your login credentials are unique and assigned only to you and not your law firm, so they go with you wherever you go. Be aware that your CM/ECF User Account must reflect your correct address, so the appropriate form located on the Court’s website will need to be submitted. The Court must be advised of which cases, if any, are staying with the former firm and which

cases, if any, you are taking with you to your new firm. Once the **appropriate form has been submitted** with all applicable attachments, a global change of law firm will be implemented throughout CM/ECF which will place an entry in all open cases associated with your user account.

To access the necessary forms, go to the Court’s website and click on the following link: <http://www.flmb.uscourts.gov/cmecf/>. On the next screen under Popular/Often Used, the Attorney Change of Address and Attorney Change of Law Firm forms are listed.

Click on the appropriate form, fill it out and submit.

Your e-mail address must also be current for you to receive electronic notification for the cases in which you are involved. To verify your e-mail address, Log In to CM/ECF, under Utilities, you will select Maintain Your ECF Account - Email information. This is where you can add or change the e-mail addresses for electronic notification. Once you have made the change, be sure to click Return to Account Screen, then Submit and then select Next in order for the change to be finalized.



Local Rules Advisory Committee Solicits Proposals for New or Revised Local Rules

By Judge Caryl E. Delano

The Local Rules Advisory Committee would like your input and suggestions for revisions to the existing Local Rules, as well as ideas for new Local Rules, to facilitate uniform procedures within the Middle District. The Committee has developed a timeline for the review of proposed Local Rules. Members of the Bar (individually, or through bar associations), as well as chambers and clerk's office staff, are invited to submit their suggestions, comments, and proposals for our Local Rules.

The open solicitation period runs through September 15, 2012.

Suggestions should be emailed to Local_Rules@flmb.uscourts.gov, or discussed with any member of the Committee.

Committee members are Judge Delano, Roberta Colton, Greg Champeau, Betsy Cox, Donald Kirk, Richard Webber, Jo Shumard (counsel to the Clerk of Court), and Raymond Waguespack (Operations Deputy).

The Committee will review all proposals and present them, with recommendations, to the Bankruptcy Judges.

If the proposed rules are approved in concept by the Judges, they will go through the process of drafting, preliminary judicial approval and public comment. Once this process is complete, the proposed rules will be presented to the Judges for final approval, submission to the Eleventh Circuit Court of Appeals, and publication, with an anticipated effective date of July 1, 2013.

Message from the Bankruptcy Clerk of Court

Access to the Sam M. Gibbons U.S. Courthouse will be very limited during the Republican National Convention ("RNC") that will be held in Tampa, Florida, during the week of August 27, 2012. No Court proceedings will be held in the Tampa Courthouse that week. Attorneys, as always, must rely on CM/ECF to file pleadings. The United States District Court has agreed to allow delivery of paperwork via their filing deposit box which will be located on the first floor of the Courthouse. The Court encourages the public to file papers through CM/ECF or by mail. For those unable to file through CM/ECF or the mail, an Administrative Order will be entered allowing filings by fax provided the original is received by 12 noon on Tuesday, September 4.

KEEP IT PRIVATE: Remember to Redact Confidential Information

The Committee on Rules of Practice and Procedures (the Rules Committee), a branch of the Committee on Court Administration and Case Management of the Judicial Conference of the United States, has recommended that courts take further steps to ensure that their staff and members of the bar are aware of redaction obligations and privacy rules related to case filings. This is *especially* important in the bankruptcy courts, where parties' information may be highly sensitive.

Fed. R. Bankr. P. 9037 outlines the redaction requirements under the Bankruptcy Code. It requires pleadings that include certain private identifiers to be redacted from electronic or paper filings. Filings may only include: (1) the last four digits of a social security number, (2) the year of a party's birth, (3) a minor's initials, or (4) the last four digits of a financial account. A party filing a document that includes this information waives its rights to privacy protection. Be sure to check subsection (b) for the few exceptions to the redaction requirements. Additionally, a court may order a pleading to be redacted in whole or in part, or limit a party's remote electronic access to a pleading, for cause. A party making a redacted filing may also file an un-redacted copy under a court's seal if it so chooses.

Federal Rule of Civil Procedure 5.2 and Federal Rule of Criminal Procedure 49.1 are almost identical to Bankruptcy Rule 9037, with a few exceptions. Actions for benefits under the Social Security Act and actions relating to certain immigration proceedings may have limitations placed on remote access to electronic files. Federal Rules of Appellate Procedure 25(a)(5) determines which privacy protections are imposed upon appeal.

In some situations, an entire case may be sealed for a party's protection. See Federal Rule of Bankruptcy Procedure 9037(c). These situations are limited because public access to court records is essential to maintaining public knowledge about, and confidence in, the judiciary. An entire civil case file should be sealed only if sealing is required by statute or justified by extraordinary circumstances, and alternatives have been considered such that sealing the entire file is the last resort. Judges who seal case files will be required to make findings justifying the seal. Judges must then review sealed cases annually and lift a seal when the reason for the sealing has ended.

Attorneys should be knowledgeable about the redaction and privacy obligations imposed by each of the rules mentioned above. Take some time to read these rules, and consider how you will implement privacy and redaction policies in your daily practice.

Merging of Orlando Case Management Teams

It's been said that the only constant in life is change. That is certainly true for the Orlando Division. Effective on June 5, 2012, the two case management teams for Chief Judge Jennemann and Judge Briskman merged to one Orlando case management team. This decision is in line with the Court's core values to "build a positive district-wide team".

Change is not an easy road for many, but the Orlando Judges and the Clerk's Office have been working together to make a smooth transition to one set of procedures for the Orlando office. The Court continues to keep the Bar informed of changes through email blasts and updates to our website. With the right commitment and open communication, the Court strives to flourish and grow, while continuing to meet the demands of the bankruptcy community.

Attorney/Court Staff Round Table Discussion

Have you ever asked yourself, "What does the court want?". If your answer is yes, then this is the perfect time to gain the inside scoop and attend the next Attorney/Court Staff Round Table Discussion. The Orlando Division of the Court previously held two sessions to discuss "Top Ten Document Deficiencies" and "Navigating the Court's Website". Both sessions received positive feedback.

Orlando plans a third Round Table Discussion in the fall. Not only will you receive invaluable information and meet staff, but you will also be able to view our Court's new space facility in the George C. Young Federal Building. Both attorneys and their staff are encouraged to attend, so don't miss out on this great opportunity to discuss pending issues in a casual setting.

2012 Marks the 50th Anniversary of the Middle District of Florida !**SAVE THE DATE****FIFTIETH ANNIVERSARY SYMPOSIUM
OF THE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA****OCTOBER 25 - 26, 2012****2012 MARKS THE 50TH ANNIVERSARY OF THE
MIDDLE DISTRICT OF FLORIDA!**

TO CELEBRATE, THE MIDDLE DISTRICT'S CHAPTERS OF THE FEDERAL BAR ASSOCIATION AND THE MIDDLE DISTRICT OF FLORIDA HISTORICAL SOCIETY ARE PLANNING A DINNER ON THE EVENING OF THURSDAY, OCTOBER 25, 2012, FOLLOWED BY AN ACADEMIC SYMPOSIUM ON FRIDAY, OCTOBER 26, 2012, FEATURING PROMINENT FLORIDA LEGAL SCHOLARS WHO WILL REFLECT ON THE HISTORIC CASES AND ISSUES THAT HAVE IMPACTED THE MIDDLE DISTRICT OF FLORIDA OVER THE PAST 50 YEARS.

THE 50TH ANNIVERSARY ACADEMIC SYMPOSIUM WILL BE HELD IN ORLANDO, BUT ALL MEMBERS OF THE MIDDLE DISTRICT OF FLORIDA ARE ENCOURAGED TO PARTICIPATE IN THIS DISTRICT-WIDE EVENT.

**FIFTIETH ANNIVERSARY SYMPOSIUM OF THE
MIDDLE DISTRICT OF FLORIDA****HILTON ORLANDO
6001 DESTINATION PARKWAY, ORLANDO, FL 32819****50TH ANNIVERSARY CELEBRATION
THURSDAY, OCTOBER 25, 2012****50TH ANNIVERSARY ACADEMIC SYMPOSIUM
FRIDAY, OCTOBER 26, 2012**

ADDITIONAL DETAILS, INCLUDING TICKET PRICES, HOTEL ACCOMMODATIONS, AND THE AGENDA FOR THE ACADEMIC SYMPOSIUM, ARE COMING SOON. UNTIL THEN, PLEASE MARK YOUR CALENDARS AND BE SURE TO SHARE THIS WITH YOUR COLLEAGUES!

NO PUBLIC MONIES ARE BEING USED FOR THIS EVENT

Roberta Colton of Trenam Kemker Receives the Doug P. McClurg Professionalism Award

At the annual dinner of the Tampa Bay Bankruptcy Bar Association (TBBBA), held on June 5, 2012, Judge Glenn introduced Roberta Colton as the recipient of the Doug P. McClurg Professionalism Award for 2012. The "Doug P. McClurg Professionalism Award" was established on April 4, 2006, by the TBBBA, following the untimely death of Doug McClurg on November 10, 2002. The plaque of recipients is displayed in the Tampa Federal Courthouse on the main floor below the picture of Sam Gibbons.

The McClurg Award is presented from time to time to an individual who exemplifies the traits of Doug. Criteria include a) reputation for thorough preparation; b) civility and courtesy to opposing counsel; c) appropriate courtroom demeanor; d) ethical conduct and professionalism at the highest level; and e) long-term service to the bankruptcy bar.

This is the most prestigious award that the TBBBA gives to a member of its Association. There is a selection committee comprised of the current president, the current chair, two past chairs, a prior recipient, and one bankruptcy judge currently sitting in the Tampa Division.

The award and its recipient remains a secret until the actual announcement. At this year's annual dinner, Judge Glenn, before an audience of over 175 attendees, began with a wonderful tribute to the Honorable Alexander L. Paskay that evolved into the announcement of the McClurg Award recipient. Roberta Colton was quite surprised. With her quick and savvy intellect, she had the quote of the evening: "I am too young to receive this award!" It was a wonderful evening dedicated for a tribute to the late Judge Paskay, with Mrs. Paskay in attendance, as well as Chief Judge Jennemann. I am proud to work along side Robbie and this award could not have gone to a more deserving member of the TBBBA.



Pictured Left to Right: Keith Appleby, Lara Fernandez, Roberta Colton

New District Wide Telephonic Appearance Procedures

The Court conducted a survey last spring to gather your thoughts on our current telephonic appearance procedures. The overwhelming majority of you reported high satisfaction with Court Call. Listening to your comments, on August 1, all Judges will use Court Call and, more importantly, have agreed to use the uniform Policies & Procedures printed below. You may see a little variance in Chapter 13 hearings in Orlando and Jacksonville but essentially all Judges will allow telephonic appearances at all non-evidentiary hearings without prior motion or approval.

We did receive a very few number of negative comments about Court Call, mostly due to cost (nothing we can do about that), sound quality, and dropped calls. We want to track these types of complaints and, if you look at the last line of the procedures, you will see a link to register complaints with us about any problems you encounter during a telephonic appearance. We plan to address each individual problem you encounter. We want your feedback as we try to make telephonic appearance procedures uniform throughout the District.

EFFECTIVE AUGUST 1, 2012

**United States Bankruptcy Court
Middle District of Florida**

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Policies and Procedures on Telephonic Appearances

Telephonic hearings are considered a privilege, not a right, and are subject to the discretion of the assigned Judge. Counsel assumes the risk of the prejudice that may result from not being present in person.

General Conditions and Limitations on Telephonic Appearances:

Counsel resident in a Division of the Middle District generally must appear in person at all hearings and trials in that Division.

Participation of counsel appearing by telephone is limited to a short statement in support of or in opposition to the relief requested unless permitted otherwise by the Judge.

With permission from Chamber's Staff ([Chambers Contact Information](#)): (1) individual parties with no lawyer may attend hearings by telephone, and (2) parties represented by counsel may attend hearings by telephone on a "listen only" basis.

Telephonic appearances are not allowed in evidentiary hearings or trials. Only limited telephonic appearances are permitted in Chapter 13 hearings in the Orlando and Jacksonville Divisions.

The Court may mute or disconnect the call and conduct the hearing without participation of counsel appearing telephonically in the event of equipment failure or audible background noise.

General Procedures:

Telephonic appearances must be arranged by contacting CourtCall at 866-582-6878 not later than 5 p.m., EST, on the business day prior to the hearing date.

CourtCall will provide counsel with written confirmation of a telephonic appearance and give counsel a number to call to make that appearance.

Counsel is responsible for dialing into the call by the time of the scheduled hearing. CourtCall does not place calls to counsel.

To ensure the quality of the record, the use of speakerphones is prohibited and the use of cell phones is discouraged. Counsel should cover the telephone handset or use the mute option to minimize background noise.

Those appearing telephonically shall pause from time to time while speaking to facilitate future transcription of the hearing and to allow for inquiry or comments by the Judge.

Counsel shall identify themselves for the record each time they speak.

Please direct questions regarding charges and payment arrangements directly to CourtCall.

Click [HERE](#) to leave feedback regarding your experience with CourtCall.

Orlando Moves to New Quarters in October 2012
By: Becky Case, Project Manager/Interior Design

It's hard to believe we will all be sitting in a different building in just a few short months; holding court, working in our new cubicles and offices, and holding video conference with brand new equipment. Lots of things will be changing in a good way. We have waited for years to get to this point... How exciting!

There are many unique environmental aspects to this courthouse that we have not experienced in our other courthouses or in the Fairwinds Building.

The air conditioning will be accomplished with icemakers in the Annex. Icemakers literally will work all night to help cool down AC coils for air to blow over and then send the cool air towards

our building. We will not need to buy power from OUC in the daytime to maintain correct temperatures. The building also will use recycled water. Rainwater from the roof will be collected and used for watering the vegetation and flushing. We will only need to purchase water from the city for water fountains and in a few other select spots. Our new roof is an Inverted Roof Membrane Assembly (IRMA) roof: which is about 4' thick. It insulates the building as well as providing a roof system.

The construction on fifth and sixth floors is moving forward. The wood on the courtroom walls is beautiful. As in the last several courthouses, we have selected a specific forest

for the courtroom wood. The trees are numbered according to how they are weathered, then the slices are numbered, and layered out on the wall as if opening a book.

Soon moving crates will be landing outside our doors. The move date is expected to be October 13-14. We truly value the assistance everyone has offered over the course of this project and all the support you will continue to offer as the project concludes. Your continued cooperation will ease the transition from building to building.



Committee Update and Reports

By: Raymond Waguespack, Operations Deputy

The District's Committees are gearing up and starting their work. The four procedures related teams are busy reviewing internal and external websites of every bankruptcy court district in the country looking for procedures manuals that could be great resources as we develop our district-wide procedures. Those committees will each begin working on the first three procedure processes chosen for review. Our Outreach and Website Committees have each met and began working on their missions and have reports included in this newsletter. The IT Committee and Training Committees will begin meeting this month.

Timely Submission of Orders and Trial Exhibit Removal

By: Raymond Waguespack, Operations Deputy

As part of its mission to achieve uniformity, the District is adopting a new closing order that will be used in all divisions when closing chapter 7, 12 and 13 cases. This order replaces the closing orders currently in use in the Orlando and Jacksonville Divisions and the Final Decree currently in use in the Tampa Division. This new closing order has new language that addresses pending motions and paper trial exhibits.

Pending Motions:

The new language is very important and represents a change for some in our district. The new language in the order is meant to address situations where orders are overdue for submission. As a matter of course, throughout the life of the case, the Clerk's Office will no longer track receipt of an order on motions, applications or objections. This places the responsibility on the attorney to submit an order or risk having the case closed without the entry of an order.

The Clerk's office will continue to audit the docket at the time of closing to determine if there is anything pending that must be addressed prior to closing. As a general guide, items that were recently filed and the time for submitting an order has not expired at the time of auditing the case for closing would continue to delay closing. Also anything where the Court is going to prepare the order or has an upcoming hearing that needs to be held prior to closing would delay closing. The case will be closed absent an order for all other pending items that are overdue for order submission.

Trial Exhibits:

The new closing order contains language that provides a 30 day period for retrieval of trial exhibits. Counsel should be aware that the Clerk's office staff will dispose of any trial exhibits that have not been retrieved within 30 days of closing.

Outreach Committee Update (Newsletter Name Game)

By: Tia Buggs, Generalist, Orlando Division

The Outreach Committee eagerly met on June 6, 2012 to determine upcoming events and also to designate a name for the quarterly newsletter. While choosing a name for the newsletter the Committee considered suggestions that were submitted in the Court's FLMB Newsletter Volume 1, Issue 2 dated April 2012. In addition to the names suggested in the FLMB Newsletter, the Committee also brainstormed for new ideas. The Committee narrowed down their suggestions to: "Court Compass", "The Court Connection", "Coast to Coast", "Court to Court", "Court Express", "In the Middle", and "One Voice". The Committee voted by show of hands and determined the name of the quarterly newsletter should be, "The Court Connection". Although, "The Court Connection" is a previously used name from a past newsletter, we as a Committee considered the name to hold a great deal of relevance. As we are embracing the philosophy of thinking district-wide, it is important to keep the middle district connected thru the use of our newsletter. What's a better name for the quarterly newsletter than "The Court Connection"?

The Outreach Committee has discussed future events and activities that would assist in uniting all three divisions while creating positive morale. The Committee also would like to plan ongoing donations and seasonal contributions that would be made to surrounding communities. As we are pressing toward being more unified the Outreach Committee finds it a privilege to be able to discover creative ways to encourage positive morale and to give back to others.

Website Committee Update

By: Jo Shumard

The members of the Website Committee enthusiastically conducted their first meeting on June 20, 2012. The Committee identified its mission of acting in an advisory capacity to design user-friendly external and internal websites utilizing the following guidelines: Is it needed? Is it fair? Is it as simple as possible?

Our first agenda item was Chief Judge Jennemann's request for input concerning the Court's ability to videotape bar and Court CLE programs, and how to best make them available on our website to lawyers in our district. While the Committee was excited about having the videos available on the Court website (in the video and/or attorney section), it suggested that the videos be accessed through CM/ECF. This would limit access to attorneys and staff and restrict them from the general public. It was also recommended that the videos be accessed through the intranet (internal) website for staff, and be organized by date and topic.

Thank you to Paula Luce for volunteering to be the first member on the agenda to present her suggestion of adding a Federal Trade Commission ("FTC") link to our external website. Paula presented an array of FTC materials for members to review that may be of assistance to the general public. The Committee supported Paula's suggestion and recommended adding the link www.ftc.gov to our external website. Additionally, it was suggested that FTC materials be made available in each division's lobby as they are available in quantity free of charge from the FTC. As this is outside the scope of the Website Committee, this suggestion is being referred to the Clerk and Operations Deputy to determine whether the matter should be referred to another committee such as Outreach or the Steering Committee.

Members shared many suggestions that will be discussed at future meetings, including:

- That information be organized by category, such as for trustees, attorneys, creditors, debtors, etc.;
- Categorizing questions (i.e., Considering Filing? Filing this month? Pending Bankruptcy Case? Bankruptcy Case Concluded?);
- That the judges uniformly provide certain information within each "Judges Corner" section;
- Using a model similar to District Court's intranet database which permits certain information to be updated in chambers;
- That we review our intranet website to make it more useful to staff members;
- That we further scrub our websites for outdated content by dividing up menu items among committee members;
- Reviewing the site map for recommended changes.

Steering Committee Update

By: Jo Shumard

The Steering Committee welcomed two new members this month, Steven M. Fishman and Kelley M. Petry. Both are Tampa consumer bankruptcy attorneys. With the help of Steve and Kelley, the Committee is busy planning the Bench Bar Conference scheduled for November 7, 2012 and has made several recommendations to our Bankruptcy Judges in the effort to move towards uniformity.

This month, the Committee recommended against permitting non-bankruptcy attorneys who formerly mediated cases in state court (and non-attorneys) from joining the mediation panel. This recommendation was based on the need for bankruptcy counsel experienced in both HAMP and Chapter 13's in particular.

The Bankruptcy Judges also considered the Committee's recommendation for adopting more uniform procedures for addressing issues concerning attorney incompetence or misconduct. The judges share this concern and ask parties to raise the issues through appropriate motions and objections. This will permit the judges to address the problems in light of the specific facts of each case. In turn, the Bankruptcy Judges have agreed to share the results of these hearings with each other either through formal written opinions or through informal communications to keep all of the judges advised as to how they are addressing the problems.

At the Committee's request, the judges discussed the suggestion that Chapter 11 debtors be permitted to file a notice, rather than a motion, reflecting salary and benefits paid to affiliate officers/insiders. After full discussion and weighing the efficiency of the suggestion against the reasons for requiring debtors to incur the extra time and cost of formally seeking Court approval for insider compensation, the Bankruptcy Judges concluded to continue with their current procedures.

Based on a recommendation from the Committee to address problems with repeat filers, the negative notice chart was revised to include Motion for Order Confirming that the Automatic Stay is Terminated (362(c) and (j)).

The Steering Committee meets monthly and welcomes your suggestions for district-wide issues to address.

Please forward any suggestions to me at jo_shumard@flmb.uscourts.gov.

News from Northern District of Florida



Judge
Lewis M. Killian, Jr.

After more than 25 years of service with the United States Bankruptcy Court for the Northern District of Florida, Chief Bankruptcy Judge Lewis M. Killian, Jr. will retire from the federal bench on July 24, 2012.

A resident of Tallahassee, Judge Killian was first appointed by the Eleventh Circuit Court of Appeals as U.S. Bankruptcy Judge for the Northern District of Florida on September 22, 1986. On September 22, 2000, he was reappointed for a second term.

Before his judicial appointment, Judge Killian served as an officer in the U.S. Army during the Vietnam conflict where he received several military awards and decorations. This was followed by a distinguished career as an attorney with the law firm of *Ervin, Varn, Jacobs, Odom & Kitchen, P.A.*

Judge Killian is a 1969 graduate of the U.S. Military Academy at West Point and earned his J.D. with honors from the Florida State University College of Law in 1976.



Judge Karen Specie

Karen K. Specie has been selected by the United States Court of Appeals for the Eleventh Circuit as U.S. Bankruptcy Judge for the Northern District of Florida. Specie succeeds Judge Lewis M. Killian, Jr. who is retiring on July 24th. Ms. Specie earned a bachelor's degree in political science at the University of South Florida and a law degree at the Florida State University College of Law. She previously served as a Chapter 7 panel trustee for the Northern District and was in private practice in Gainesville and Jacksonville.

New Officers for Bar Associations

Jacksonville Bankruptcy Bar Association (JBBA) :

- Chairman: Mark Mitchell
- President: Ellsworth Summers
- Vice President: Jason Burgess
- Treasurer: Rob Heekin
- Secretary: Kevin Paysinger
- Director At Large: Doug Neway
- Director at Large: Nina LaFleur
- Director at Large: Edward Jackson
- Director at Large: Jerrett McConnell
- Director at Large: James Eidson
- Director at Large: Katie Fackler

Orange County Bar Association (OCBA):

- Chairman: Jeffrey Ainsworth
- Chairman Elect: Hunter Goff

Bankruptcy Bar Association of the Southern District of Florida (BBASDFL):

- President: Jason Jones
- President Elect: Daniel Gonzalez
- 1st Vice President: Scott Brown
- 2nd Vice President: Scott Grossman
- Secretary: Ido Alexander
- Treasurer: David Samole

Tampa Bay Bankruptcy Bar Association (TBBBA):

- Outgoing Chair: Lara Fernandez
- President: Keith Appleby
- Vice President: Stephenie Anthony
- Secretary: Edward Peterson
- Treasurer: Adam Alpert

Board Members

- Katie Brinson Hinton
- Jake Blanchard
- Cynthia P. Burnette
- Brad Hissing
- Kelley Petry
- Rob Soriano
- Suzy Tate
- Lori V. Vaughan
- Scott Stichter

“Kites rise highest against the wind, not with it”

- Winston Churchill

**THE ORLANDO BANKRUPTCY PRO SE CLINIC
OPENS
JULY 23, 2012**

The Bankruptcy Pro Se Assistance Clinic is the result of collaboration between the Central Florida Bankruptcy Law Association (CFBLA) and the Orange County Bar Association Bankruptcy Committee (OCBA). The Clinic is staffed by experienced bankruptcy attorney volunteers and offers free, on-site information and guidance to individuals who are representing themselves in the U.S. Bankruptcy Court. The lawyer volunteers at the Clinic can help the pro se litigant understand the bankruptcy process and provide limited case-specific advice. The Clinic will be open on Mondays & Tuesdays.

The success of the Pro Se Assistance Clinic depends on the attorneys who volunteer their time. The benefits of becoming a volunteer for the Clinic include:

- The opportunity to expand your legal expertise or develop new legal skills

- Free training and mentoring by experienced bankruptcy attorneys
- The opportunity to network within the bankruptcy law community
- Accounting of your pro bono hours for reporting to the Florida Bar
- Acknowledgement and recognition among your peers and the community
- The satisfaction of knowing you helped someone in need

The CFBLA and OCBA Bankruptcy Committee thank Justin Luna and Jeffrey Ainsworth for their tireless efforts and commitment to turn the idea of the Pro Se Assistance Clinic into a reality. For more information about the Clinic and how to become a volunteer, please visit our website at www.cfbla.org or contact Kelly Crumbaker at admin@proseassistanceclinic.com.

“When you get to the end of your rope, tie a knot and hang on.”

- Franklin D. Roosevelt

The Bankruptcy Pro Se Assistance Clinic is not affiliated or related in any way to the United States Bankruptcy Court.



Pictured from left to right: Bob Branson, Kelly Crumbaker, Tram Harper, Tammy Branson, Justin Luna, Andrew Roy, and Brad Saxton

THE SOUTHWEST FLORIDA BANKRUPTCY PROFESSIONAL ASSOCIATION

**THE SOUTHWEST FLORIDA BANKRUPTCY
PROFESSIONAL ASSOCIATION**

Hereby invites you to the

**ANNUAL ALEXANDER L. PASKAY BANKRUPTCY
BAR DINNER**

WEDNESDAY, SEPTEMBER 12, 2012, 6:00 P.M.

at

THE EDISON

3583 MCGREGOR BOULEVARD
FORT MYERS, FL 33901

RSVP on or before August 15, 2012, via email at generalmail@rlvlaw.com

\$50.00 per person payable to

SOUTHWEST FLORIDA BANKRUPTCY PROFESSIONALS ASSOCIATION

PLEASE REMIT PAYMENT TO **ROBERT L. VAUGHN, ESQ.**

6371 PRESIDENTIAL COURT, SUITE 4

FORT MYERS, FLORIDA 33919

239-936-9393

No. OF GUESTS: _____

CONTACT TELEPHONE NO. /EMAIL FOR ANY QUESTIONS:

NAME(S): _____

CHOICE OF ENTRÉE (TOTAL FOR ALL GUESTS ABOVE):

_____ Chicken Duxelles

_____ 12oz Grilled New York Strip



United States Bankruptcy Court
 Middle District of Florida
 Sam M. Gibbons United States Courthouse
 801 North Florida Avenue
 Tampa, Florida 33602

MEMORANDUM

From: Hon. Caryl E. Delano, Presiding Judge of the Fort Myers Division

To: All Attorneys Practicing in the Fort Myers Division

Re: New Procedures in Fort Myers

Date: June 19, 2012

On behalf of all of the bankruptcy judges of the Middle District, I would like to thank Judges Hopkins and Schermer, and Judge Adams before them, for their service to the Fort Myers Division. Their travel to Fort Myers once a month (and for Judge Adams, twice a month) was a personal sacrifice. Judge Hopkins' and Judge Schermer's assignment in Fort Myers was in addition to their existing duties in their home districts; their dedication to the Fort Myers cases has been exemplary.

As I am sure you know, I will assume responsibility for Judge Hopkins' caseload effective July 1, 2012. Judge Schermer's appointment has been extended until September 30, 2012, and effective October 1, 2012, I will be assigned the entire Fort Myers' caseload. Both Judge Hopkins' and Judge Schermer's appointments permit them to conclude, even after the last day of their appointments, any matters that they have taken under advisement during their terms of appointment.

Although I expect that there will be a certain amount of fine tuning over the next few months as I, my staff, and the bar adjust to the change in caseloads, I wanted to inform the practitioners in the Fort Myers Division of some of the changes that I plan to implement.

Hearings

I plan to hold "live" hearings in Fort Myers once each month, generally during the third week or fourth week of the month. My "live" hearing calendars through the end of 2012 are scheduled for the weeks of July 23, August 27, September 24, October 29, November 12, and December 17.

A template of the "live" hearing calendar is attached. As you will see, I plan to hold a full day of Chapter 11 hearings each month (as compared to the two half-day sessions presently scheduled). On Thursday mornings, I will hear reaffirmation agreements, motions in Chapter 7 cases, and motions in adversary proceedings, followed by Chapter 13 confirmation hearings and motions in the afternoon. Tuesdays and Fridays, and Mondays if necessary, will generally be available for final evidentiary hearings. This schedule will require the bar's cooperation in keeping the Court informed when contested matters and adversary proceedings are settled in advance of their scheduled trial date.

I will conduct a second Fort Myers court calendar each month by video and telephone, with pre-trials scheduled for Wednesday mornings. I generally treat pre-trial conferences as scheduling conferences, and there should be no need for an in-person court appearance. Motions to dismiss (which would ordinarily be set for hearing with the pre-trial conference) may be heard at the pre-trial if the parties rely upon their filings with the Court. If extensive oral argument is requested, the motion to dismiss will be scheduled for a live hearing in Fort Myers. Chapter 13 confirmation hearings and motions will be heard by video on Thursday afternoons.

Emergency hearings will be scheduled in Tampa, with counsel permitted to appear by video and by telephone.

This schedule should allow me to maximize live hearing time in Fort Myers, and should permit most individual debtors and creditors to have their matters heard in Fort Myers before a live judge. To improve the quality of the video hearing experience, the Court is in the process of installing improved audio/visual equipment in both my Fort Myers and Tampa courtrooms.

New Procedures in Fort Myers (Continued)

Telephonic Hearing Policy

I will post a revised telephonic hearing policy on my website. Generally, my new policy will permit the liberal use of telephonic hearings via CourtCall. Counsel (wherever their offices are located) will be permitted to appear by telephone at any hearing. However, their participation will be limited to a short statement or argument in support of the relief requested, and counsel may not participate in the introduction of evidence or examination of witnesses by telephone. While it has always been my belief that an attorney’s effective representation of his or her client’s position may best be served by an in-person court appearance, I will leave it to the attorneys and their clients to determine when a telephonic or video appearance will be sufficient.

Staffing

I am delighted to announce that Paula Luce, formerly Chuck Kilcoyne’s administrative assistant, will be resident in Fort Myers as a shared employee with the District Court. Paula will serve as my on-site courtroom deputy during the “live” Fort Myers hearings, and will supervise the courtroom and audio/visual equipment when I attend hearings by video from my Tampa courtroom. My Tampa courtroom deputy, Lisa Mills, will schedule my hearings in my cases. Dedra Gann will continue to schedule Judge Schermer’s hearings through September 30, 2012.

I am looking forward to working with all of you. I welcome comments on these procedures, as well as suggestions on these and any other procedures. If you have any questions, comments, or suggestions, please feel free to email Chuck Kilcoyne.

FORT MYERS’ HEARING TEMPLATE - DELANO

Live in Fort Myers – generally third week of the month, but may vary

	Monday	Tuesday	Wednesday	Thursday	Friday
9:00 a.m.		No hearings but available for FEH’s	Chapter 11	Reaffirmations Chapter 7 Motions Adv. Motions	No hearings set but available for FEH’s
1:30 p.m.			Chapter 11	Chapter 13 Confirmations and Motions	

Live in Tampa, via Video or Telephone

	Monday	Tuesday	Wednesday	Thursday	Friday
9:30 a.m.			Adversary Pre-Trials		
1:30 p.m.				Chapter 13 Confirmation and Motions	



Judges Corner



Judge Briskman's Retirement/Recall



Bankruptcy Judge Arthur B. Briskman (FL/M-Orlando) will retire effective July 24, 2012. Judge Briskman was first appointed a bankruptcy judge in 1985 by the 11th Circuit Court of Appeals. He served as a bankruptcy judge in the Southern District of Alabama from 1985 to 1993 and the Middle District of Florida from 1993 to Present. Due to the large volume of cases in the Orlando Division Judge Briskman has accepted recall status for a period of three years. During this time he will assist the Court by maintaining a full case load until a new judge is appointed and then handle a reduced caseload.

Judge May's First Published Photograph



Judge May started out with a 35mm camera in 1980. Today, he uses a Nikon D700 (full frame DSLR) paired with Nikon lenses and flashes.

He is actively involved with the Florida Museum of Photographic Arts – serving on the board, exhibits featured in the members' show, and attending workshops.

Judge May sharpens his skills with courses at the Morean Arts Center, Harmon School of Photography and Kelby Training online. His favorite shots can be found on Flickr.

SHOUT OUT TO JUDGE MCEWEN....



....For receiving Hillsborough Community College's Outstanding Alumni Award for 2012 on April 19, 2012. The award is given to alumni of Hillsborough Community College "recognized for exceptional professional leadership, outstanding contributions to the community, and a positive influence in the growth and development of Hillsborough Community College."



Judge Paskay's Eulogy
Presented by: Hon. Paul M. Glenn

EULOGY IN MEMORY AND HONOR OF
 ALEXANDER L. PASKAY
 NOVEMBER 5, 1922—APRIL 27, 2012

SACRED HEART CATHOLIC CHURCH
 TAMPA, FLORIDA

May 5, 2012

Strong
 Smart
 Decisive
 Direct

This is the person you saw

Intelligent
 Academic
 Humorous
 Sensitive
 Competitive

This is the person you got to know

A leader
 A teacher
 An author
 A man who made a National and International impact
 A devoted husband and father

This is the person he was

He was a remarkable man.

In his poem *Ithaca*, the Greek poet Constantine Cavafy wrote:

**When you set out on your journey . . . ,
 Pray that the road is long,
 Full of adventure, and full of knowledge . . .**

Alexander L. Paskay's journey began on November 5, 1922, 89 years ago, in Mohacs, a town in southern Hungary. This was a very different time and a very different world.

His early years were full of adventure and knowledge. He did well in school, learned languages, played sports—even went to see the 1936 Olympic Games in Berlin.

He went to Law School in Budapest. He had many talents, and while in law school he also wrote for a newspaper, acted in theater, and played sports. Bright, well rounded, and well liked—every door was open for him.

Cavafy continues:

**Do not fear the . . .
 . . . Cyclops and the angry Poseidon . . .**

Judge Paskay's strength and character were forged in 1944, when he was 22 years old. Germany invaded Hungary. Hungarian men were rounded up and marched toward the Austrian border to dig trenches for the German soldiers. Young Alexander and a few of his friends escaped from the German guards, traveled by night and hid by day, and reached the Allied forces. Because of his knowledge of languages, he served as an interpreter for the Allied Forces.

Judge Paskay Eulogy (Continued)

Cavafy continues:

**Pray that the summer mornings are many, when,
With such pleasure, with such joy,
You will enter ports seen for the first time**

When he arrived in Miami he was greeted by his Uncle and his uncle's wife.

On his first day in Miami he looked for jobs, and found a job as a sweeper and salesman at an Army-Navy store.

"On my second day" he wrote in the notes for his oral history for the Court, "I was greeted by my uncle's neighbor, who lived across the street, with a bottle of home-made wine. He introduced his daughter [and] she helped me . . . since I was not familiar with the typical American expressions."

And that daughter, Rose, was his dream. He proposed to her two weeks later. She gave it some thought, and they were married a year later. Steve was born in 1952 and Rick was born in 1955.

In the 1950s he worked full time, attended law school at the University of Miami at night, and graduated third in his class in 1958.

After law school he was selected to be a law clerk for U.S. District Judge Joseph Lieb. When Judge Lieb moved to take the bench in Tampa, Alexander Paskay moved with him.

And in 1963, at his request, Judge Paskay was appointed as a Bankruptcy Referee in the Middle District of Florida.

Ithaca continues:

**Visit many Egyptian cities,
to learn [and to teach with] the scholars;
. . .
And do not hurry the voyage at all;
It is better to let it last for many years . . .**

And this began the phase of his life where he became a person of national and international importance.

He was the leader of our Bankruptcy Court in the Middle District of Florida for almost 50 years, as the Court grew from 448 cases to 8 judges and over 60,000 cases in a year.

And in that almost 50 years, he led not only our Court, but he led and assisted with the development of the Bankruptcy and commercial laws in the United States and internationally.

Everywhere we go in the Bankruptcy world, when people learn that we are from Florida, they always ask about Judge Paskay.

And when you went into his chambers, you would understand why he was so widely known and highly regarded.

On his bookshelves were casebooks and textbooks and treatises.

- He was one of the most prolific writers among the Bankruptcy Judges in the Country. Westlaw has over 1,800 of his decisions on its website. Also, he wrote or contributed to numerous handbooks and treatises.
- His many opinions and treatises provide a foundation and significant guidance for the interpretation and application of the Bankruptcy and commercial laws, and they add to the common law of our land.

On the walls of his office were diplomas and certificates, and letters from Congressmen.

- He testified before Congress as Congress considered the adoption of the Bankruptcy Code.
- Then he was appointed by the Chief Justice to the Advisory Committee on the Bankruptcy Rules and Practice.
- And after his service on the Rules Committee, he was appointed to the Task Force for the revision of the Bankruptcy Forms.

Judge Paskay Eulogy (Continued)

Also on the walls were accolades and thanks from national organizations.

- In 1982 Judge Paskay joined with others to organize the American Bankruptcy Institute, that is now a major national organization for the education of all of the Bankruptcy lawyers in the country.
- He was one of the early Board members and was instrumental in the early years of the National Conference of Bankruptcy Judges, the professional association for all of the Bankruptcy Judges in the Country.
- And in 1990 he was honored as a Fellow of the American College of Bankruptcy, and inducted into its original class at the Supreme Court of the United States.

Also on the shelves was the textbook that he had written for the courses that he taught.

- He taught bankruptcy courses to law students at Stetson Law School since 1973. Many of his students are now successful lawyers, and are here today.
- He organized and chaired Stetson's annual bankruptcy seminar for attorneys and bankruptcy professionals for over 30 years, and was honored by Stetson and the American Bankruptcy Institute when the seminar was named "The Alexander L. Paskay Seminar on Bankruptcy Law and Practice."
- He organized and conducted international bankruptcy symposiums with the sponsorship of Stetson in Hungary, Italy, Germany, and Canada.
- Internationally, he has made presentations to the International Association of Jurists and to the World Jurist Association.
- And in 2007 he was inducted onto the Stetson University College of Law Hall of Fame.

When you were in his Courtroom, you saw a man who loved challenges and debate—who raised questions to test the breadth and depth of your knowledge, and of his own knowledge—a competitor who loved best those who could keep up with him.

And after the debate, regardless of the responses, you saw a man who cherished fairness and equity. He was fair to the law, and fair to the parties. And on both legal and non-legal matters, he was a person with a strong sense of right and wrong—a strong sense of fairness and equity.

And you also saw his sense of humor and perspective. Every time I saw Judge Paskay he had something light to add, whether or not there was something serious to discuss.

And finally, you saw the deep sense of importance he had for his family. He endured first hand the ravages of World War II, and witnessed families torn apart, lives destroyed, and the blind inequities of war. This contributed to his lasting devotion to fairness, principles of equity, and family.

Rose is a wonderful person—gracious and thoughtful—and an understanding wife. She often traveled with Judge Paskay, and she is also known nationally. Their successful sons, Steve and Rick, have seen and have learned the importance of hard work and the success it brings.

To cap his achievements, in 2007 he received the two highest awards for professionals in the fields of bankruptcy law:

- The William L. Norton, Jr. Judicial Excellence Award, presented by Thomson/West publisher and the American Bankruptcy Institute, for a Judge with a career of lifetime achievement; and
- The Lawrence P. King Award for Excellence in the Field of Bankruptcy, presented by the Commercial Law League of America, that recognizes a lawyer, judge, teacher, or legislator.

Very few people have had as great an influence on as many people in this country as has Judge Paskay.

So that is my portrait of Judge Paskay. The initial sketch from my first meeting with him was filled in with colors over the years; and the colors are not dabs of pastels, but the canvas is full and the colors are bold and deep and rich.

Judge Paskay Eulogy (Continued)

Cavafy concludes:

... anchor at the island when you are old,
Rich with all you have gained [and given to us] along the way.

The life of Alexander L. Paskay was an incredible life of ability, challenge, and achievement. It was the life of a man who began his journey in Hungary, experienced the ravages of war, came to America with only his dreams and aspirations, made national and international contributions to the laws, and ended his life as a legend.

His passing is truly the end of an Era.



May 28, 2008



March 28, 2009



July 12, 2011



Judge Paskay with Mary Morrison, his Judicial Assistant, and Sandra Harrell, his Law Clerk

Tech Tips: All Tech — All the Time by Richard Arendt

Unbreakable Passwords

Most of us use the Internet to pay bills, view credit card statements, make purchases, or access email. Because there are some many user names and passwords to remember, we have a tendency of reusing the same information.

When it comes to the security of online accounts, the biggest threats aren't necessarily viruses and spyware, but poorly chosen passwords, user names and security questions that can make accounts crackable by familiar people—and hackable by bad guys using common software.

A few simple steps can reduce to almost zero one's chances of being hacked, and reduce the frustration and time it takes to juggle multiple passwords for dozens of accounts. Here are some tips.

User Names

Start by setting up a user name that is difficult to guess. Most people use their own name, which means that anyone from your co-worker to a Russian mobster can log on to the Bank of America or Chase website and enter your name, and then attempt to crack your password.

Don't let the bad guys get to first base. Use an alias. After all, Chase doesn't care if your user name is Joe Jones, Whatsamata U or RomeoXOXO.

Uncrackable Passwords

Next, build a password with at least 10 digits. This isn't as hard as it seems. Begin by selecting a phrase from a poem, scripture, lyric or advertising jingle, and create a word using the first letter of each word. For your credit union account, it might be: IAWL ("It's a Wonderful Life").

Then capitalize every other letter, and add a special character (\$, # / etc.), followed by your ZIP Code: IaWl@10036. Once you get the hang of it, it's simple. MiTrO-aE\$\$10005 ("Money is the root of all evil").

You also could set up a password using your favorite section of the tax code, say, 411(b)(1)(H), which already sounds like gobbledygook you made up on purpose, or a Bible citation, such as "1Timothy_6:10," or "Job22:7."

For added security, make up a phrase and a number ("My mother is from Maryland") + (your height and age) = MmIfM%51170. Avoid using actual words, because password-cracking software can run through the entire dictionary in less than a minute.

Using Your Passwords

You don't need dozens of passwords. Create at least five, and use the most complex for sensitive accounts such as email, Facebook and your credit card. Use a different password for online retailers or airline awards programs, and another for utilities, such as your cellphone and cable providers.

Have a fourth password for less sensitive sites, such as Pinterest or Netflix, and a throwaway password for sites you visit once, such as a news site that requires you to set up an account to access an article.

If you write your passwords down, don't disclose the root "word," but instead use a hint. If your phrase is "Round up the usual suspects" (RuTuS), the hint might be "Casablanca." And don't write down all the numbers, either.

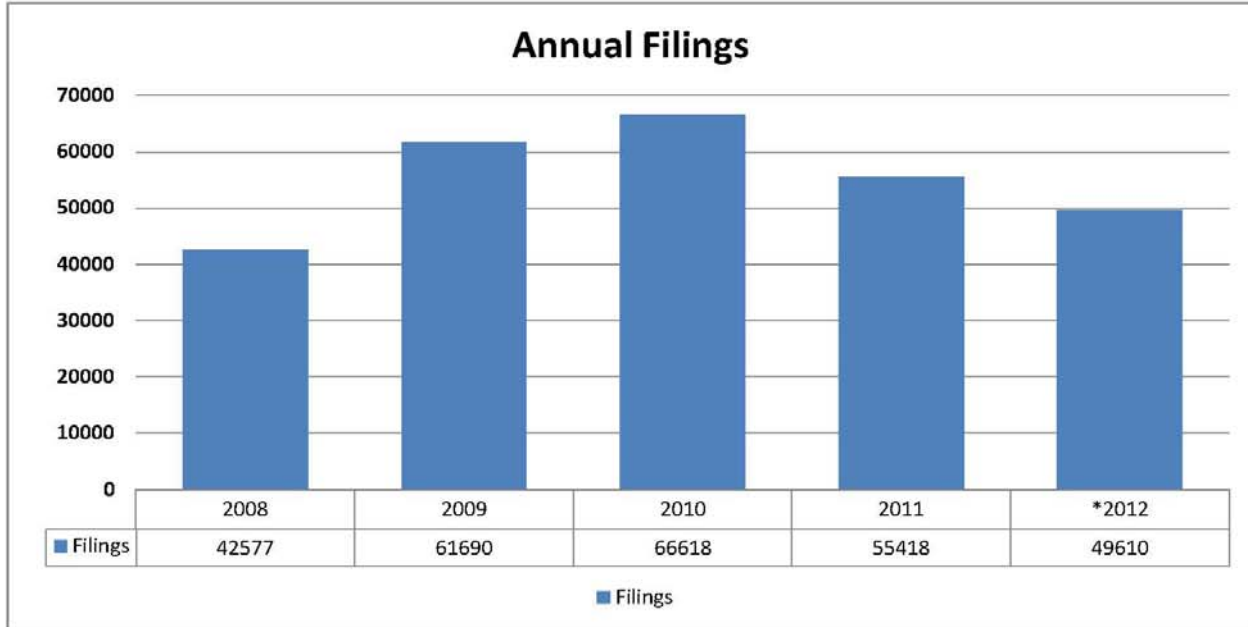
For example, if your password is RuTuS//10036, then the hint would be: Casablanca//1****6.

"Spirit has fifty times the strength and staying power of brawn and muscle"

- Mark Twain

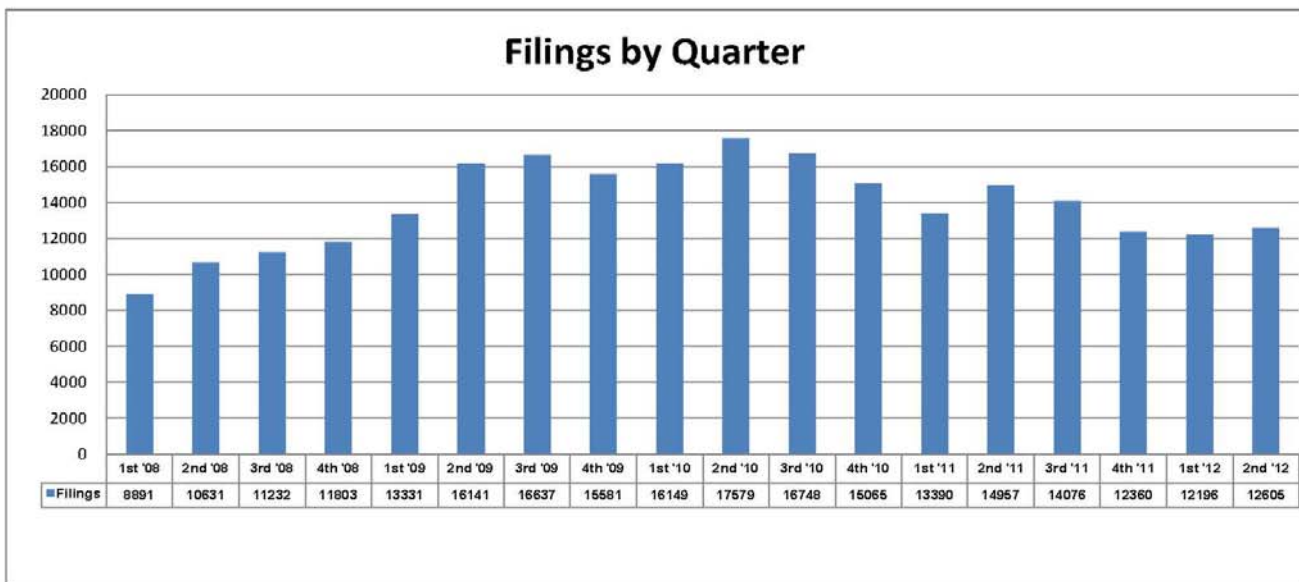
QUARTERLY STATISTICS AS OF JUNE 30, 2012, FOR THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF FLORIDA

United States Bankruptcy Court - Middle District of Florida
 Updated July 9, 2012 Meeting Data and Information
 Statistics as of June 30, 2012



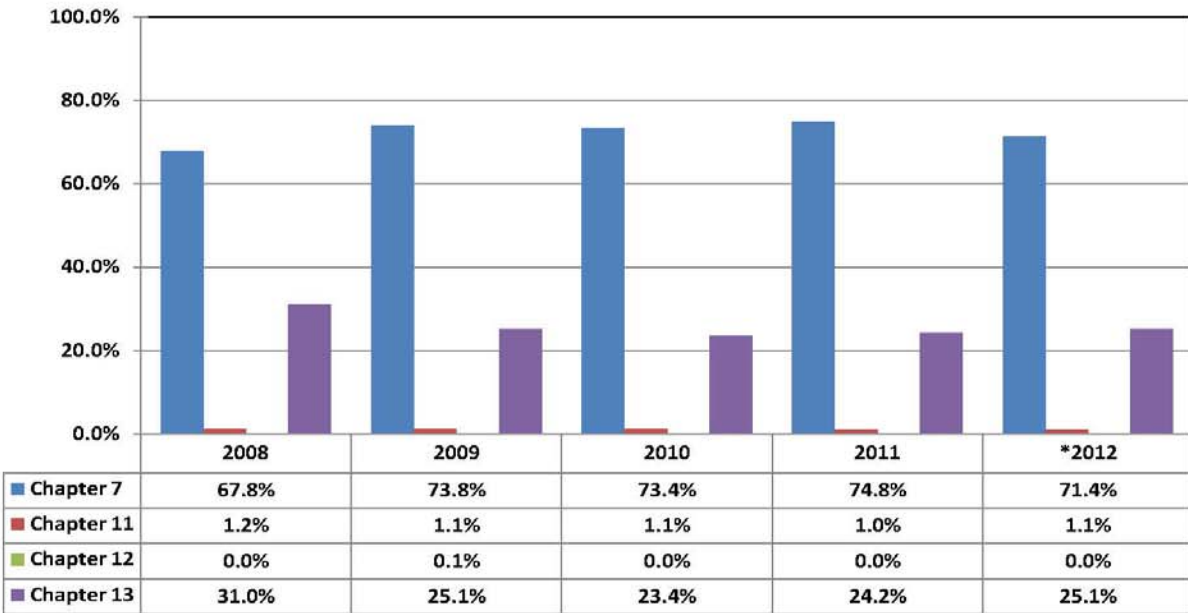
Year	Annual Filings	vs. 2008	vs. Prior Yr.
2008	42577		
2009	61690	45%	45%
2010	66618	56%	8%
2011	55418	30%	-17%
*2012	49610	17%	-10%

* Projected Filings for 2012

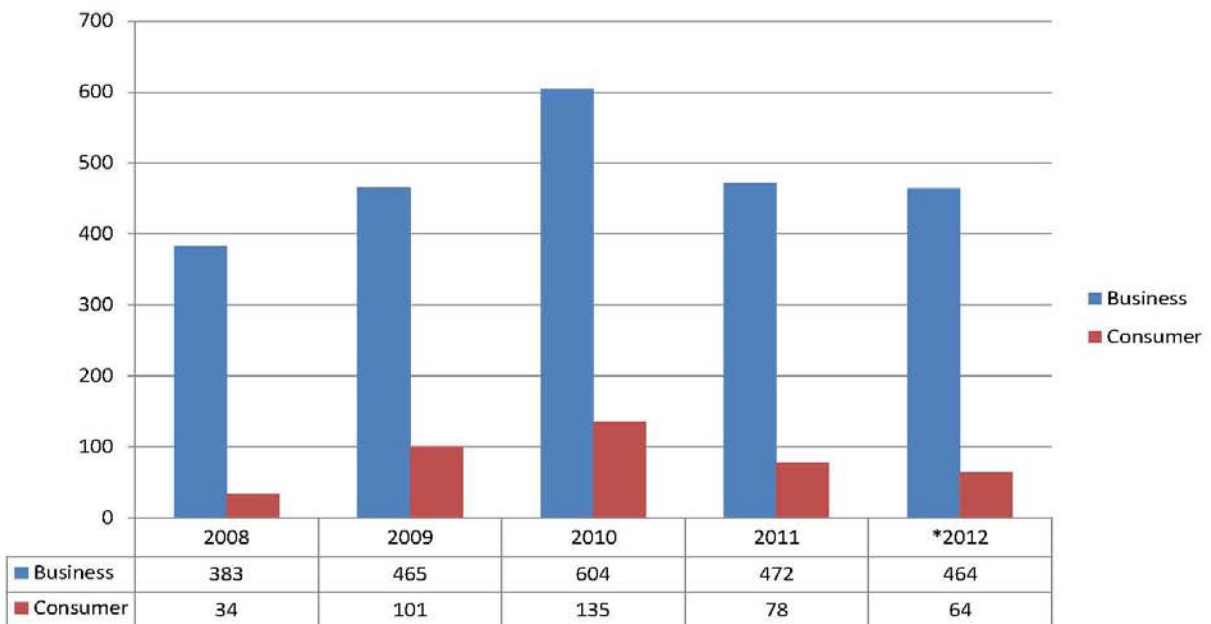


QUARTERLY STATISTICS AS OF JUNE 30, 2012, FOR THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF FLORIDA

Filings by % of Chapter Type

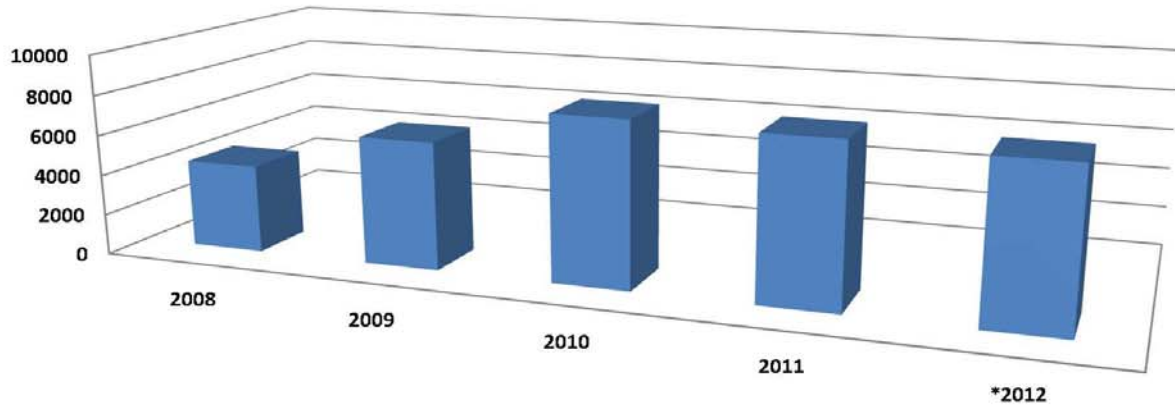


Chapter 11 Filings



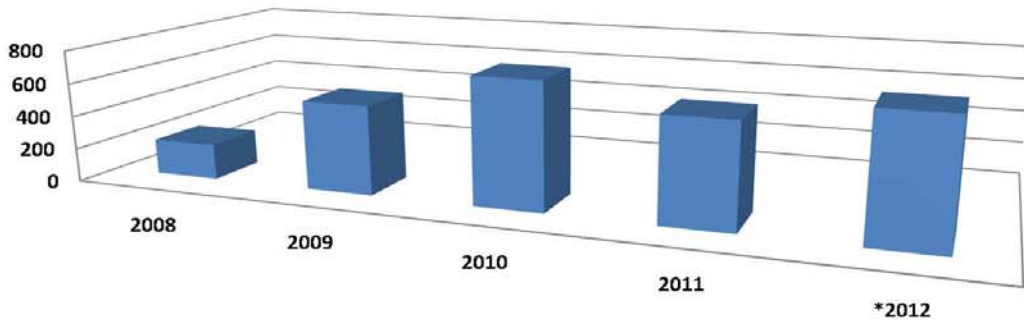
QUARTERLY STATISTICS AS OF JUNE 30, 2012, FOR THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF FLORIDA

Pro Se Filings



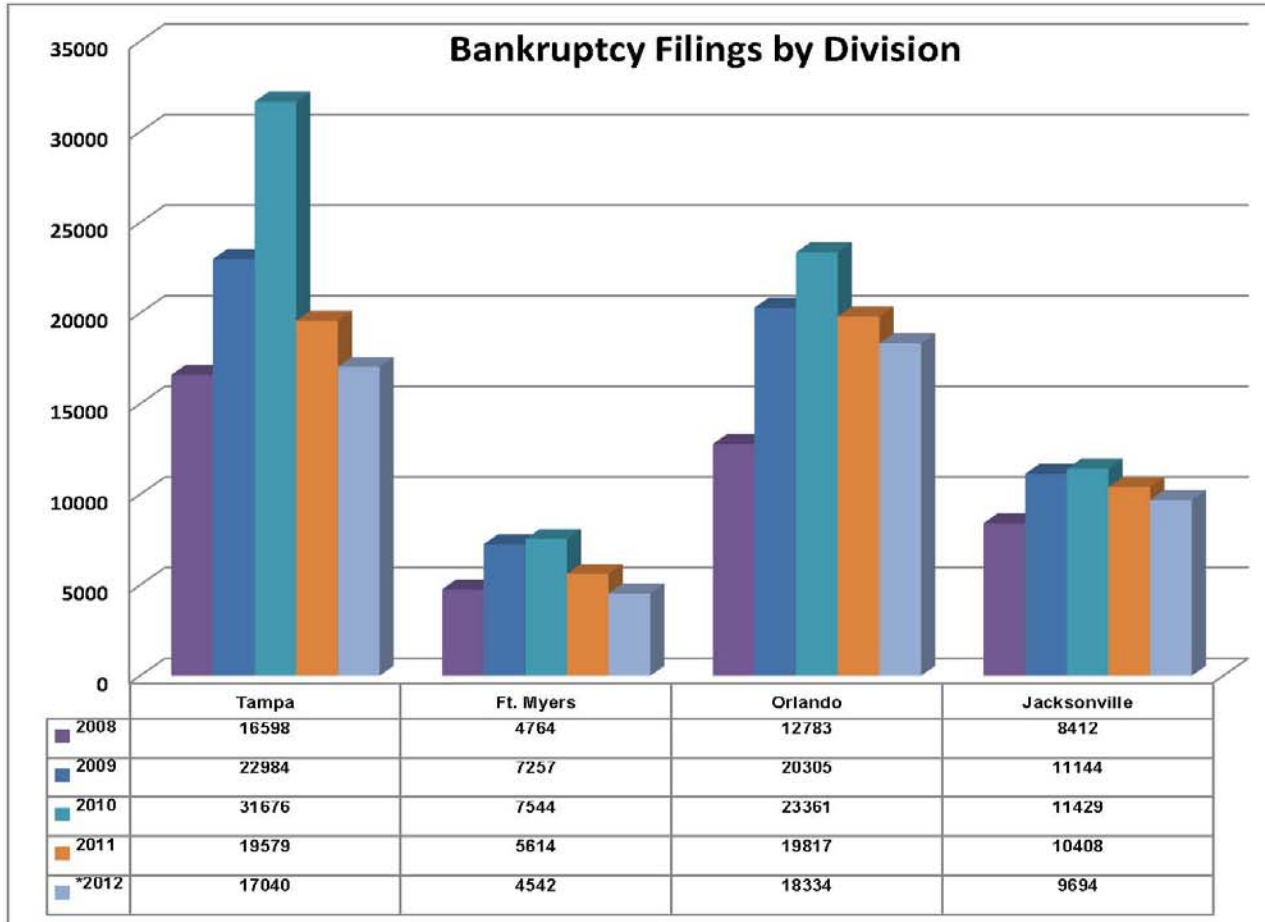
	2008	2009	2010	2011	*2012
■ Pro Se	4355	6297	8107	7913	7658
% of All Filings	10%	10%	12%	14%	15%

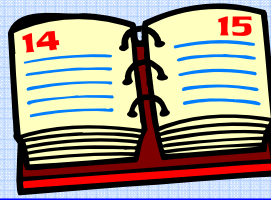
In Forma Pauperis Filings



	2008	2009	2010	2011	*2012
■ IFP Granted	213	532	751	614	726
% of All Filings	1%	1%	1%	1%	1%

QUARTERLY STATISTICS AS OF JUNE 30, 2012, FOR THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF FLORIDA



*****HAPPENINGS AROUND THE MIDDLE DISTRICT*******FT. MYERS**

August 9 @ noon	SFBPA meeting
September 12 @ 6 pm	Annual Alexander L. Paskay Bankruptcy Bar Dinner
November 8	View from the Bench (Tampa)

JACKSONVILLE

October 1 @ 2-4pm	Open Door Hours with Chief Judge Jennemann (4th Floor Conference Room)
October 11	JBBA Golf Tournament at World Golf Village
October 12	JBBA Annual Seminar at World Golf Village

ORLANDO

July 27 @ noon	OCBA meeting
August 16 @ noon	CFBLA meeting
August 31 @ noon	OCBA meeting
September 7 @ noon	Quarterly Brown Bag Luncheon presented by Laurie Weatherford and the Office of the Chapter 13 Trustee (USDC Jury Room)
September 28	Annual CFBLA Bankruptcy Seminar—Embassy Suites, Orlando, FL
October 18 @ noon	CFBLA meeting
October 25-26	50th Anniversary of the Middle District of Florida
October 26	OCBA Meeting
October 29 @ 2-4pm	Open Door Hours with Chief Judge Jennemann (5th Floor Conference Room by Courtroom A)
November 8	View from the Bench (Tampa)
November 15 @ noon	CFBLA meeting
November 30 @ noon	Quarterly Brown Bag Luncheon presented by OCBA (USDC Jury Room)
December 20 @ noon	CFBLA meeting
January 11	CFBLA Bankruptcy Primer Seminar
February 15 @ noon	Quarterly Brown Bag Luncheon presented by Charles R. Sterbach, Assistant United States Trustee (USDC Jury Room)
April 26	Annual CFBLA Bankruptcy Seminar—Embassy Suites, Orlando, FL
May 17 @ noon	Quarterly Brown Bag Luncheon presented by CFBLA (USDC Jury Room)

TAMPA

August 1 @ 11:30 am	TBBBA Clerk Appreciation Lunch (Tampa Courthouse)
September 12 @ noon	Judges' Quarterly Brown Bag Mentoring Program for Lawyers New to Bankruptcy (Nuances of Various Stay Relief Weaponry: Sometimes You Don't Need an Elephant Gun) (Courthouse-5th Floor training room)
October 24 @ 2-4pm	Open Door Hours with Chief Judge Jennemann (8th Floor Conference Room by Courtroom 8A)
November 8	View from the Bench (Tampa)
November 28 @ noon	Judges' Quarterly Brown Bag Mentoring Program for Lawyers New to Bankruptcy (Hodge Podge for \$400: No Jeopardy if you Follow Best Practices) (Courthouse-5th Floor training room)

OTHER**IMPORTANT DATES**

July 25-28	ABI Annual Southeast Bankruptcy Workshop – Ritz-Carlton, Amelia Island, FL
October 24-27	NCBJ – Annual Meeting in San Diego, CA
October 25-26	Middle District of Florida's 50th Anniversary Gala
November 7	Middle District Bench Bar Conference
November 8	View from the Bench – Tampa (Marriott Waterside)
November 9	View from the Bench – Miami (Venue to be announced)

**United States
Bankruptcy Court**

135 West Central Boulevard
Suite 950
Orlando, Florida 32801

Phone: 407-648-6365
Fax: 407-648-6051



**The Court Connection is
published quarterly
on:**

January 15
April 15
July 15
October 15

**Please submit news, photos, and
articles by January 1, April 1,
July 1 and October 1 to:**

Kim Osment

(kimosment@flmb.uscourts.gov; 407.648.6832)

www.flmb.uscourts.gov