

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

In re )  
 )  
 ) Administrative Order  
ORDER GOVERNING ) FLMB-2001-1  
ADMINISTRATIVE ORDERS )  
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ORDER GOVERNING ADMINISTRATIVE ORDERS

The United States Bankruptcy Court for the Middle District of Florida has grown in size from one bankruptcy referee to nine bankruptcy judges administering 40,385 cases in 2000. Over the years, the bankruptcy judges have entered general orders. Some of these orders apply to the entire district, others only to a single division within the district. No uniform system for entering, numbering, or maintaining these orders existed. As a result, some orders were lost and many are outdated. This order is designed to establish procedures that will apply to future administrative orders issued by this court and to clarify which existing orders are still in effect.

1. Definition. An administrative order is an order that does not relate to any specific case pending before this court. An administrative order may apply throughout the entire district or be limited to a single division.

2. Entry of District-Wide Administrative Orders. Only the chief judge of the bankruptcy court may enter an administrative order applicable throughout the entire district. The chief judge shall obtain the consent of two-thirds of the other judges in the district before entering any district-wide administrative order.

3. Entry of Division-Wide Administrative Orders. Only the presiding judge in any specific division may enter an administrative order applicable to a particular division. The

presiding judge shall consult with the chief judge and obtain the consent of two-thirds of all other judges in that particular division before entering any division-wide administrative order.

4. Numbering. Effective June 30, 2001, all new administrative orders shall be numbered as follows:

A. District-Wide Administrative Orders: The number shall begin with the term “Administrative Order”, followed by the term “FLMB”, followed by the year and the next consecutive number of that specific administrative order, beginning with one. For example, the first administrative order with district-wide applicability entered after June 30, 2001, would receive the following number: Administrative Order— FLMB-2001-1.

B. Division-Wide Administrative Orders: The number shall begin with the term “Administrative Order”, followed by the applicable division, followed by the year, and the next consecutive number of that specific administrative order, beginning with one. For example, the first administrative order with division-wide application in the Orlando Division entered after June 30, 2001, would receive the following number: Administrative Order-ORL-2001-1.

5. Service of Administrative Orders. The clerk promptly shall serve copy of each administrative order upon its entry to every bankruptcy judge in the district, to the United States Trustee, and to the current president of each bankruptcy bar association in the district.

6. Access to Administrative Orders. The clerk shall maintain an index of all administrative orders. The clerk shall keep each original administrative order in a separate file accessible to the public. In addition, the clerk shall maintain all administrative orders currently in force on the district’s computer site together with a searchable index to assist parties in finding any particular administrative order.

7. Review of Administrative Orders. Every year the clerk shall review all outstanding administrative orders and recommend the deletion of any administrative orders that are no longer needed. The clerk shall provide each of the judges a report of these recommendations by June 30 of every year.

8. Existing Administrative Orders. A large number of outstanding administrative orders exist. Some of these orders remain valid; others are not. The numbering system is inconsistent and, in some cases, a reader cannot determine whether the order is applicable district-wide or only within a particular division. In order to cull out-dated administrative orders, paragraphs 9, 10, 11, 12, and 13 of this order will list all existing administrative orders that will continue to have any force, validity, or effect after June 30, 2001. All other administrative orders previously entered in this district shall be archived and hereby are superseded, set aside, vacated, rescinded, purged, or invalidated. To avoid any further confusion, the administrative orders that continue to have force and effect will be identified by their original number.

9. Administrative Orders with Continuing Validity - District-Wide Applicability. As of June 30, 2001, only the following administrative orders are enforceable and valid throughout this district:

<b>DATE</b>	<b>MISC. NO.</b>	<b>TITLE OF ORDER</b>
7/24/89	89-0003-MIS-TPA	Order Amending Local Rule 103
6/29/95	95-0005-MIS-TPA	Order Institutionalizing Local Rules Lawyers' Advisory Committee
8/3/95	95-0007-MIS-FLM	Order Exempting Duly Appointed and Qualified Trustees Acting in Chapter 7, 11, 12 and 13 Cases Filed Under Title 11 From Payment of the Prescribed Fee for Electronic Access
4/7/97	97-0001-MIS-FLM	Order Amending Local Rules to Comply with Nationwide Uniform Numbering System
8/26/97	97-003-MIS-FLM	Order Adopting Model Dispute Resolution Plan
10/14/98	98-0002-MIS-FLM	Order Amending Local Rules

9/9/99	99-0002-MIS-FLM	Order Thanking 1999 Retiring Members of Local Rules Lawyers' Advisory Committee and Appointing Successors
8/1/00	00-0001-MIS-FLM	Order Thanking 2000 Retiring Members of Local Rules Lawyers' Advisory Committee and Appointing Successors
11/30/00	00-0002-MISC-FLM	Order Amending Local Rules

10. Administrative Orders with Continuing Validity - Tampa Division. As of June 30, 2001 and in addition to the orders listed in paragraph 9 above, only the following administrative orders are enforceable and valid in the Tampa Division:

DATE	MISC. NO.	TITLE OF ORDER
3/27/98	98-001-MIS-TPA	Tampa Division General Order Regarding Use of Computer Equipment in the Clerk's Office
3/27/98	98-002-MIS-TPA	Tampa Division General Order Regarding Courthouse Access of Contract Court Reporters, with Computer Equipment and Electronic Recording Devices
2/29/00	00-0001-MIS-TPA	General Standing Order Implementing Local Rule 1073-1 in the Tampa and Ft. Myers Divisions
5/14/01	01-00002-MIS-TPA	Order Amending General Order 01-00001-MIS-TPA Prescribing Procedures for After-Hours Filing in the Tampa Division of the Bankruptcy Court, Middle District of Florida Entered February 21, 2001

11. Administrative Orders with Continuing Validity - Jacksonville Division. As of June 30, 2001 and in addition to the orders listed in paragraph 9 above, only the following administrative orders are enforceable and valid in the Jacksonville Division:

DATE	MISC. NO.	TITLE OF ORDER
8/1/90	90-01-BKC-MISC-JAX (90-0003-MIS-TPA)	General Order Imposing Time Limitations Requiring Certifications by Trustee and Debtor(s) and Imposition of Penalty in Chapter 13 Cases

3/8/91	91-01-BKC-MISC-JAX (91-003-MIS-TPA)	Order Amending in Part General Order Imposing Time Limitations, Requiring Certifications by the Trustee and Debtor(s) and Imposition of Penalty in Chapter 13 Cases
4/25/94	94-003-MISC-JAX	General Order Requiring Interim Payments and Requiring Adequate Protection Payments in Chapter 13 Cases to be Paid Through the Standing Trustee
2/2/99	99-00001-MIS-JAX	General Order for Disposal of Unclaimed Exhibits
3/15/01	01-0001-MIS-JAX	Order Amending General Order 96-0002-MIS-JAX Prescribing Procedures for After-Hours Filing in the Jacksonville Division of the Bankruptcy Court, Middle District of Florida Entered August 21, 1996

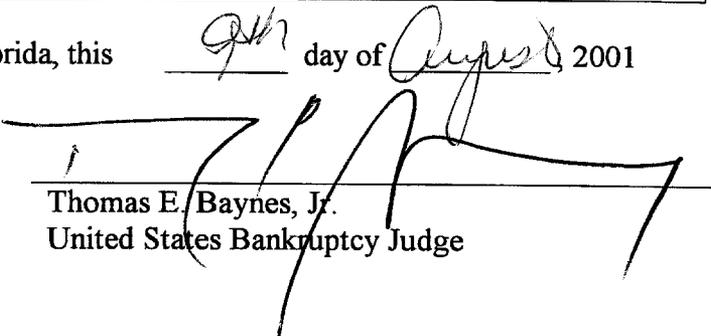
12. Administrative Orders with Continuing Validity - Orlando Division. As of June 30, 2001 and in addition to the orders listed in paragraph 9 above, only the following administrative orders are enforceable and valid in the Orlando Division:

<b>DATE</b>	<b>MISC. NO.</b>	<b>TITLE OF ORDER</b>
10/30/89	89-0004-MIS-TPA	General Order Governing Photographs, Broadcasting, Televising or Recording
1/16/96	96-0001-MISC-ORL	Order Directing Collection of Chapter 13 Standing Trustee Fees From Pre-Confirmation Payments
9/24/96	96-00002-ORL	General Order Prescribing Procedures for After-Hours Filing in the Orlando Division of the Bankruptcy Court, Middle District of Florida
12/12/96	96-00003-ORL	General Order Prescribing Procedures for Use of Computer Equipment in the Courtroom
11/19/97	97-00001-ORL	General Order Directing Additional Service of Motions to Dismiss
12/6/99	99-0001-MIS-ORL	General Order for Disposal of Unclaimed Exhibits

13. Administrative Orders with Continuing Validity - Ft. Myers Division. As of June 30, 2001 and in addition to the orders listed in paragraph 9 above, only the following administrative orders are enforceable and valid in the Ft. Myers Division:

DATE	MISC. NO.	TITLE OF ORDER
4/14/99	99-00001-MIS-FTM	Order Limiting Authority to Expend funds
2/29/00	00-0001-MIS-TPA	General Standing Order Implementing Local Rule 1073-1 in the Tampa and Ft. Myers Divisions
5/14/01	01-00002-MIS-TPA	Order Amending General Order 01-00001-MIS-TPA Prescribing Procedures for After-Hours Filing in the Tampa Division of the Bankruptcy Court, Middle District of Florida Entered February 21, 2001

DONE and ORDERED at Tampa, Florida, this 9<sup>th</sup> day of August, 2001

  
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 Thomas E. Baynes, Jr.  
 United States Bankruptcy Judge