

We Don't Know How Good We Have It

It's easy for Americans to take for granted all we have in this country. Take something as simple as tap water. I can remember visiting Uganda in 2007 and watching children trekking to the village well to gather water for their families. But it's more than just drinking water. We have a seemingly endless variety of food and consumer products—from apparel to shoes to kid's toys—available at affordable prices. We have affordable cars with the latest safety features, a complex network of roads to drive our cars on, and gasoline at a price that is half of what gas sells for in Europe. And most of us live in neighborhoods where we feel safe at night and have the freedom to avoid high crime areas in cities such as Detroit or Baltimore. These are the tangible benefits of living in a modern American society.

We have these benefits because we have commercial laws and institutions that create an environment for investors to invest in businesses with relatively low risk and decent returns on investment. These commercial laws and institutions are provided for by our federal and state legislatures who pass the laws, and our judges who fairly and efficiently resolve disputes that arise in a market economy.

But market economies are not created in a vacuum. They simply don't exist until laws and institutions are created to facilitate the conduct of business. The historical evolution of commercial laws has had its share of failures.

Take the system that prevailed in the Soviet Bloc of countries until the collapse of the Soviet Union in 1991. Suddenly, Poland, East Germany, Czechoslovakia, Romania, Bulgaria, Hungary, Albania, and Yugoslavia found themselves cut off from the Soviet legacy of a central economy run by bureaucrats rather than market forces.

These former Soviet Republics and Bloc countries suddenly found themselves adrift—with neither a central economy nor the laws and institutions needed to conduct commerce in a free market economy. The United States considered it in its national self-interest to assist and support these countries in their transition to market economies.

Initially, these efforts were conducted by the U.S. Agency for International Development (“USAID”), only to later be joined by the U.S. Department of Commerce's Commercial Law Development Program (“CLDP”). USAID then called for technical assistance from our bankruptcy judges, who are experts on commercial laws that are the foundation for any working economy: contracts, secured transactions, mortgages, and bankruptcy.

Not long after taking the bench, I was asked to provide such assistance as part of a team of commercial law experts that was helping develop commercial laws and

institutions in the former Soviet Republic of Azerbaijan. It was fascinating work and fulfilling to bring modern commercial laws to such an interesting place. Since 2002, I have worked on similar projects in other former Soviet-controlled countries: Russia, Macedonia, Bosnia-Herzegovina, and Georgia.

The former Soviet countries, however, are not the only ones that have needed help creating or modernizing a commercial law system. In Africa, for example, a number of countries have 19th and 20th century legacies of colonialism, repressive governments, and antiquated commercial laws. So, from 2007 to 2009, I went to Rwanda, Uganda, and Zimbabwe to assess the existing commercial laws and institutions in those countries and to recommend USAID-sponsored programs that could help those countries develop or modernize their commercial laws.

But most of my work has been in the Islamic countries of Afghanistan and Bahrain. Since 2007, I have been to Afghanistan nine times, initially to provide USAID with an assessment of Afghanistan's secured transactions and bankruptcy laws, and then later to actually draft a bankruptcy law for the country. After numerous trips over a 10-year period, and what seemed like countless "stakeholder meetings" of local leaders, judges, and business owners in Kabul, Jalalabad, Mazur-e-Sharif, and Herat, the bankruptcy law was finished and signed by President Ashraf Ghani in March of this year. I'll be returning to Kabul in a couple of weeks to start the process of training the professionals and judges that will be implementing their new law.

What all these experiences have confirmed to me is the stature that our American system of commercial laws enjoys worldwide. It is the "gold standard" for an efficient, working system that can be relied on to create and enforce contracts that underlie every aspect of our world economy. And I'm pleased to point out that the heart of our system is the team of "experts" in the Clerk's office and chambers who create, implement, and manage our caseload with incredible efficiency.

Upcoming Bar Events

Fort Myers

November 15 &
December 20

SWFBPA meetings
Time: 12:00 p.m.
Location: Federal Courthouse Building, 2nd floor, Jury
Assembly Room

Jacksonville

December 6

25th Anniversary/Portrait Ceremony
Honoring Judge Glenn and Judge Funk
Location: Bryan Simpson United States Courthouse

Orlando

November 15

CFBLA Luncheon – featuring Judge Jennemann and
Procedural Manual Trivia

November 30,
December 28, and
January 25

OCBA Bankruptcy Committee Meetings
Time: 12:00-1:00 p.m.
Location: OCBA Center

December 12

CFBLA Holiday Party
Location: Burr & Forman

Tampa

November 8
8:00 a.m. - 12:30 p.m.

[Bankruptcy Law & Practice: View from the Bench 2018](#)
Location: Center for Advanced Medical Learning and
Simulation (CAMLS)

December 4 &
January 8 @ noon

TBBBA Consumer Luncheons
Location: Sam M. Gibbons U.S. Courthouse, 5th Floor

December 11 &
January 15 @ noon

TBBBA CLE Luncheons
Location: University Club

Court Connection
Volume No. 7 – Issue No. 4
October 2018

Also of note:

Florida Bar Winter Meeting
January 16-19, 2019
Location: DoubleTree by Hilton Orlando

43rd Annual Alexander L. Paskay Memorial Bankruptcy Seminar
February 6-8, 2019
Location: Embassy Suites Tampa, Downtown Convention Center Hotel

JACKSONVILLE BANKRUPTCY BAR ASSOCIATION SEMINAR BLES FUNDRAISER

By: Jon Barber

The Jacksonville Bankruptcy Bar Association's 26th Annual Seminar was held on August 17, 2018 at the Marriott Sawgrass Resort in Ponte Vedra Beach. In addition to contributing to the event as a sponsor, Tranzon Driggers donated and raffled an Apple Watch as a fundraiser for the Bankruptcy Law Education Series Foundation (BLES). The purpose of BLES is to promote bankruptcy legal education and to fund pro bono and other public service projects relating to the practice of bankruptcy in the Middle District of Florida. Over \$400 was raised through the sale of the raffle tickets. Chief Judge Michael G. Williamson drew the winning ticket which was purchased by JBBA's chairman Daniel Blanks.

Based in Ocala, Florida, Tranzon Driggers works with debtors, creditors, and trustees in U.S. Bankruptcy Courts throughout Florida to provide real estate auction services. Using their proprietary Market Making System, Tranzon companies nationwide achieve the highest possible price in the shortest possible timeframe for the benefit of their clients.



Tranzon Driggers' representative, Jon Barber, and JBBA Chairman Daniel Blanks

JBBA SEMINAR PHOTO COLLAGE



Betsy Cox and Rick Thames



Raye Curry Elliott and Jay Brown



Mike Waskiewicz and Gene Johnson



Sarah Mannion and Kristyn Leedekerken



Rob Heekin and Brad Markey



Katheryn Hancock, John Freeman, Todd Davis, Max Story, and Ryan Sparks

Central Florida Bankruptcy Law Association

By: Michael A. Nardella, Esquire

On August 9th Judge Jackson hosted a reception for new members of CFBLA, which was also attended by Judge Jennemann and Judge Briskman. We appreciate the Judges taking their time to meet with some of CFBLA's young, new member attorneys.

On August 26th members of CFBLA met for a Family Fun Day at the Winter Park Racquet Club where members and their families could meet in an informal setting and have a good time. We look forward to holding something similar next year based on the positive feedback received from our members.

We also held some excellent luncheon programs this quarter, including a program on ethical social media marketing by Justin Luna, a program on director and officer liability by Donald Kirk, and a program on how experts lie with statistics by Franklind Lea.

CFBLA also provides its members with a number of CLE and networking opportunities. If you have not already done so, be certain to begin or renew your membership right away. Go to www.cfbla.org and click the membership application link. If you're new to CFBLA check out our website for some great information and how to become a member.

Upcoming Events:

October 3: Clerk's Appreciation Luncheon

November 15: *Procedure Manual Jeopardy*, Luncheon Presentation by Judge Jennemann and Ms. Kim Osment

OCBA Bankruptcy Committee
By: Joshua J. Tejes, Esquire

In August, we heard from Robert Lewis, Esq., of Lewis Roberts, P.A., who gave a presentation on student loans in chapter 13 bankruptcy discussing different ways to provide for student loans in chapter 13.

In September, N. James Turner, Esq., of N. James Turner, Attorney at Law, and Cynthia O'Donnell, Esq., of the Law Office of Cynthia O'Donnell, spoke about dealing with student loans when the “borrower” is a victim of identity theft.

In October, Adriana de la Torre, Esq. and Carina de la Torre, Esq., of The de la Torre Law Office, LLC, will speak on Social Security Appeals in Bankruptcy. Specifically, they will provide a comprehensive overview for bankruptcy practitioners of the Social Security Disability program discussing how practitioners can use bankruptcy and non-bankruptcy alternatives to assist disabled clients, including the discharge of disability over-payment claims in bankruptcy.

Meetings are on the last Friday of the month from 12:00 – 1:00pm at the OCBA Center.

Southwest Florida Bankruptcy Professionals Association
By: Michael dal Lago, Esquire

The SWFBPA has been holding its regular monthly lunches, during which several of our fellow bankruptcy professionals from the Middle and Southern Districts have given us superb presentations. We thank all of you who have taken the time to travel to Fort Myers to make these presentations, and we invite everyone, from all the Divisions and Districts, to join us at our meetings, either as a speaker or as a guest. I would be delighted to provide you with the upcoming dates if you contact me.

On October 25, 2018, the SWFBPA will be hosting its Seventh Annual Alexander L. Paskay Memorial Dinner at The Edison in Fort Myers. Tickets and sponsorship opportunities are still available. Please email Jonathan Tolentino at JTolentino@lawyer.com for more details.

CASE LAW UPDATE FOR Q4 2018
ISSUE OF THE COURT CONNECTION

Editors:

Bradley M. Saxton & C. Andrew Roy, Winderweedle, Haines, Ward & Woodman, P.A.

Eleventh Circuit Cases

Bennett v. Jefferson County (In re Jefferson County)

899 F.3d 1240 (11th Cir. Aug. 16, 2018)

In a case of first impression, the Eleventh Circuit held that the doctrine of equitable mootness applies in Chapter 9 cases. Applying that doctrine, the Eleventh Circuit dismissed an appeal of a confirmation order by sewer ratepayers.

Kaye v. Blue Bell Creameries, Inc. (In re BFW Liquidation, LLC)

899 F.3d 1178 (11th Cir. Aug. 14, 2018)

Previously, the Eleventh Circuit, in *In re Jet Florida System*, 841 F.2d 1082, 1083 (11th Cir. 1988), opined that a creditor could not assert a “new value” defense to a preference action unless the “new value” remained unpaid. But, in *In re BFW Liquidation*, the court observed that the “unpaid” requirement was dicta. Taking a fresh look at the issue, the Eleventh Circuit held that § 547(c)(4) does not require that “new value” remain unpaid in order to be a defense to preference liability.

Silva v. Pro Transport, Inc.

898 F.3d 1335 (11th Cir. Aug. 10, 2018)

Applying its decision in *Slater v. U.S. Steel Corp.*, 871 F.3d 1174 (11th Cir. 2017), which clarified the standard for applying judicial estoppel, the Eleventh Circuit held that the district court abused its discretion in imposing sanctions on a debtor who litigated a claim under FLSA after failing to list that claim on his bankruptcy schedules.

In re Daughtrey

896 F.3d 1255 (11th Cir. July 24, 2018)

The Eleventh Court held that the decision to dismiss or convert a case from chapter 7 to chapter 11 is within the “sound discretion of the court.” The court also held that the bankruptcy court did not abuse its discretion in denying the debtors’ request to convert to chapter 11 because “cause” existed to either dismiss the case or convert it back to chapter 7 given the overwhelming evidence that the motion to convert was a sham intended to cause further delay.

Bankruptcy Court Cases

Bryant and Company, LLC v. Kenny (In re Kenny)

2018 WL 4191477 (Bankr. M.D. Fla. Aug. 30, 2018) (Funk, J.)

A creditor sued to except \$712,140 of an arbitration award from the debtors’ discharge under § 523(a)(2)(A). Initially, the bankruptcy court ruled that collateral estoppel did not preclude the debtors from relitigating findings of fraud in the arbitration award. Assessing the merits of the § 523(a)(2)(A) claim, the bankruptcy court found that the debtors did not intend to deceive the creditor. The court also found that there was no justifiable reliance by the creditor because, although the parties were sophisticated businesspeople, the alleged promise was not memorialized in any writing even though the parties’ negotiations spanned nearly one year. The Court concluded that justifiable reliance “requires something more than a mere onetime oral conversation.”

In re Williams

588 B.R. 259 (Bankr. M.D. Fla. Aug. 16, 2018) (McEwen, J.)

The U.S. Trustee sued a non-attorney and his business alleging that they had been providing bankruptcy assistance services as a petition preparer in violation of §§ 110 and 526 – 28. The bankruptcy court ruled that even absent an intent to violate the Bankruptcy Code, the non-attorney and his business were required to refund all fees to debtors.

Coosemans Miami, Inc. v. Arthur (In re Arthur)

2018 WL 3816761 (Bankr. S.D. Fla. Aug. 7, 2018) (Mark, J.)

In what the Court described as a “close call,” Judge Mark held that a PACA trust does not satisfy the requirements for finding “fiduciary capacity” under § 523(a)(4) because it does not require segregation of assets until ordered by a court, and the trust assets may be used for non-trust purposes.

Brand New Feature & More Updates to The Source **By: Honorable Karen S. Jennemann**

This quarter you will see big changes to The Source. We added a new resource we call **Chapter 7 Trustee Pages** and four new procedures with sample forms. The Source landing page got a makeover too! As requested from last year's Bench Bar Conference, we added a table of contents to the PDF file of the whole Procedure Manual. The table of contents is easy to navigate. If you click on the page number next to a procedure, it will take you to that page in the PDF file.

We focused on a new project designed to assist attorneys and *pro se* filers. The Chapter 7 Trustees across the district have built a creative way to provide consistent information used by attorneys, creditors, and debtors in navigating the meeting of creditors and interactions with a Chapter 7 Trustee. The Trustees were represented by Doreen Abbott (Jacksonville), Lori Patton (Orlando), Dawn Carapella (Tampa and Fort Myers), and Maureen Gimenez (United States Trustee – Orlando).

We created a template that will be used by all Chapter 7 Trustees in the Middle District. Each Trustee will have his or her own page to list contact information, requested documents, preferred submission media, and other similar information.

These pages will help tremendously with case administration. The information on these pages will be current and updated on a quarterly basis. The Chapter 7 Trustee pages will house this template and any special documents provided by them on their individual pages. The debut of this new feature will occur in October.

Besides this new feature, we will add four new procedures:

- Motion to Continue or Reschedule 341 Meeting;
- Motion to Excuse Debtor from Appearing at 341 Meeting of Creditors;
- Motion for Waiver of Credit Counseling Requirement; and
- Motion to Waive Financial Management Course Requirement.

Make sure to check out the sample motions and orders attached to these procedures.

We updated the Audio CD Procedures explaining that a \$31 charge is assessed for **each** audio CD prepared by the Court. And we reformatted The Source landing page to accommodate adding the Chapter 7 Trustee pages. Download the PDF file of the Procedure Manual to check out the new table of contents feature.

Court Connection
Volume No. 7 – Issue No. 4
October 2018

The feedback we have received, and will receive from you, is invaluable. Please contact the Committee with any problems, concerns, or suggestions at flmb_procedures@flmb.uscourts.gov.

Helping the Pro-Se Debtor, 20 Minutes at a Time

By: Sarah Mannion, Esquire

As I get off the elevator on the 4th Floor of the Bryan Simpson United States Courthouse, I am greeted by the smiling faces of the Jacksonville Area Legal Aid Staff. At least one representative from JALA is present to help check-in the pro se participants and give a brief explanation of the service they will receive. The JALA staff are always very welcoming to the pro se participants, offering them water or candy as they wait. After I check in, I take a seat in one of the conference rooms and wait for some participants to arrive. I bring my laptop so that I can pull up PACER to review cases for the pro se debtors in real time to ensure they are receiving comprehensive advice as it relates to their case as a whole.

The first pro se debtor I meet with is a woman who filed a very simple Chapter 7 case. She received a notice from the Court regarding the requirement to file a Debtor Education Certificate. She is confused, as she thought she had already completed the class. After reviewing her case, I see that she completed the Credit Counseling Course but had yet to complete the second required course. She did not realize there were two separate courses. This is a brief meeting, as her case is all but complete - save for the completion certificate. She is relieved that the process will soon be over, and she only has one more step to go!

The next pro se case is a couple who are preparing to file a pro se Chapter 13 - no easy task! However, they have completed their petition and schedules prior to coming in and would like someone to review the documents before they are filed with the Court and their case begins. This meeting takes a bit longer than the allotted 20 minutes; however, no one else has arrived so I feel comfortable taking my time to explain the documents to them. The couple is filing to save their home and could not afford to hire an attorney, but they want to be sure they are answering the questions correctly. I am quite impressed with how well they have completed the documents without the assistance of counsel. But, there were many questions to be answered on Schedule J and Form B-22C. After going through the schedules and statements with them, the couple seems a bit more confident in the documents they have prepared. My hope is that my review will help to eliminate some of the errors that the Clerk and Trustee's office see on so many pro se documents and allow their case to go a bit more smoothly.

The next individual is a Chapter 7 debtor who has received a Notice of 2004 Exam, Motion for Turnover, and an order authorizing an appraisal. This debtor is very nervous and does not understand what was filed or what the documents mean. I pull up the docket and review the schedules that were filed. The debtor has not properly exempted personal property and clearly has equity in a paid-for vehicle. These

conversations are usually the toughest, as you are explaining to the debtor that there is a chance they can lose some of their property, unless they are able to come to an agreement with the Trustee. At these times, I believe it is always helpful to reframe the conversation in the big picture -- What is the benefit the debtor will receive from filing the Chapter 7? How will their life improve after the bankruptcy?

These conversations always make it very clear why the pro se clinics are incredibly helpful and necessary. Unfortunately, there are inevitably circumstances beyond the control of the debtor that have led them to file the bankruptcy. In many cases, the pro se debtors have done the best they can through research and consulting with friends and family members. However, when they need additional help with a troublesome case, or even with a simple question, they should know that they have a place to go to get those answers from an experienced attorney in a no-judgment zone.

The pro se clinics are offered twice a month and only take about an hour and a half of your time, but for a pro se debtor who is concerned and confused about their case, your time and attention can make all the difference.

Grateful for Volunteers in the *Pro Se* Assistance Clinic in Orlando

By: Honorable Karen S. Jennemann

In September, the Orlando Division of the United States Bankruptcy Court for the Middle District of Florida posted an Administrative Order thanking attorneys who volunteer their valuable time working in the Bankruptcy *Pro Se* Assistance Clinic (the “Clinic”).

The Administrative Order allows attorneys who volunteered at the Clinic within the last 90 days to request moving their matter to the beginning of a calendar. The Bankruptcy Judge will approve the request if it does not substantially impact or prejudice other scheduled hearings.

This is a small token of gratitude to reward these dedicated volunteers for their service to their profession, the Court, and our *pro se* filers.

You can read the Administrative Order (FLMB-ORL-2018-1) [here](#).

TAMPA PRO SE CLINIC HONOR ROLL

A World of Thanks to Tampa's Third Quarter Clinic Volunteers!

Gracias, Je vous remercie, Shukraan, Grazie, Todah Rabah, Obrigado, Dhanyavaad, Spasibo, Efcharistó, and Danke! In these and any other language, what we mean is we appreciate your helping others experience meaningful access to justice.

Attorney
Barnett, Michael
Berman, Steve
Boudreaux, Maria
Case, Kenneth
Dammer, Samantha
deBeaubien, Brad
DeLeon, Robert
DePaul, Wendy
Elliott, James
Ferrell-Anton, Becky (SRBP)
Fogarty, Dan (SRBP)
Geller, Robert
Gomez, Al
Hale, Matt (SRBP)
Harris, Amy Denton (SRBP)
Hart, Barbara (SRBP)
Hooi, Michael (SRBP)
Jacobs, Eric
Landkammer, John
Lim, Angelina
Markham, Michael
Oguntebi, Kemi
Petry, Kelley
Reinert, Ryan

To show our gratitude, the judges of the Tampa Division will host these and all the other 2018 volunteers for lunch in the 5th-floor training room of the courthouse on a date to be announced in January. So stay tuned!

Pep Talks for First-Time Filers

By: Judge McEwen

Rarely do I concede defeat. My pleas for a pro se law clerk—such as some other bankruptcy courts have—fell on deaf ears over a period of years, even after an internal survey indicated (at least to me) that a pro se law clerk would allow case managers to save time that could be devoted to case managing instead of talking to unrepresented debtors. Rather than give up, I recalled the mantra my former boss drilled into all his lawyers' heads: "Think of a way it can be done." So, recognizing that we have been in the top ten bankruptcy courts in the nation in pro se-filers-per-judge (and in some years at the top spot), I had to think of another way to triage pro se cases early in the case.

Absent a pro se law clerk, who is the next best person to meet with a first-time individual debtor to talk about problem areas and tips for success? Me! Yes, with the help of Denise Garcia, our chamber's Courtroom Deputy, we set an early-case status conference in each case filed by an unrepresented individual who has not filed before, or at least not in the last ten years.

The order we enter is titled Order Setting Status Conference to Discuss How to Make Your Case Successful, and it includes the reason for the setting as "you would likely benefit from participation in a status conference to discuss your purpose for filing bankruptcy and what obligations you must meet to make this case successful." We invite the debtor to participate by phone by contacting Denise and providing her with a telephone number to call at the time of the conference. (We do not make them use Court Call.) We set two or three cases for pep talks at the same time for efficiency's sake. Before each status conference, Denise provides the debtor, by email, a list of tips that I go over with them at their appointed court date. The tips come in two versions, one for a chapter 7 case and a slightly different one for a 13.

When the debtor appears, by phone or in person, I start out by saying that the court date is more of a "pep talk" than a hearing. I tell the debtor that we want them to be successful and that we care that their case is a success. Then, one by one, I go over the tips we sent them.

One of the tips is on the difference between exempt and non-exempt property. That one generates a laugh when I tell the debtor that, as a matter of law, "everything you think you own at this moment is really owned by the trustee, including the shirt you are wearing or the cell phone you are holding." I then go on to explain when he or she can expect his or her "wish list" of property to keep—as listed on Schedule C—to "jump out of the trustee's pile and back into your pile of stuff." Until then, I caution the debtor against selling or giving away any asset without first consulting the

Court InterConnection
Volume No. 7 – Issue No. 4
October 2018

trustee. I do tell debtors that they can consume what is in the refrigerator and pantry unless they have an expensive wine collection, and that statement draws another chuckle. I also cover the tax-refund-you-get-next-year-for-this-year issue as part of this tip.

An early study of the cases in which the debtors appeared for the pep talk yielded a 100 percent success rate. Maybe that measure is not scientific evidence of a correlation between the pep talk and success, given that many people are driven to get things right regardless. But if I saved one case from getting dismissed or one contested matter on turnover of a tax refund, then that one debtor (or their creditors) got benefit from the pep talk, and that one successful debtor is enough impact for me.

And besides, a valuable byproduct of the pep talk is the enhanced image of the judicial branch in the minds of the debtors. They appreciate that we care. And we need more citizens to recognize and appreciate that our judicial system is a national treasure, right? So, the pep talks are really a success for the Court, too.

Dear Point and Click:

QUESTION 1: When I file an Application for Waiver of Filing Fee or an Application to Pay Filing Fees in Installments on behalf of my client, do I need to submit a proposed order, and will I be required to serve the order approving?

ANSWER: You are not required to submit a proposed order. The Court prepares orders on these applications; however, counsel for the debtor will be directed to serve the order. In nearly every instance, orders granting or approving motions and applications are to be served by the movant's attorney. If unsure, review the service directive near the end of the docket entry and at the bottom of the order.

QUESTION 2: How must we sign papers filed electronically?

ANSWER: The Court's [Local Rule 1001-2\(e\)](#) addresses signatures. In general, the name of the person whose login is used to file papers through the Court's CM/ECF System must match the name on the signature line. Electronic signatures may be formatted as either the scanned image of a traditional signature or the typed name, preceded by "/s/" on the signature line. The Local Rule also addresses signature requirements for electronically filed papers which require the signatures of more than one party. You are encouraged to review the Local Rule in its entirety.

QUESTION 3: I filed a paper with negative notice and the Court entered an order abating due to problems with the legend. I am unsure of what is wrong.

ANSWER: The Court's [Local Rule 2002-4](#) provides specific language that must be included in the negative notice legend. In addition, the negative notice legend must include a correct and complete address for the division to which the case is assigned. This address must be complete, including the suite number. Please compare the negative notice language to the language in the Local Rule. Complete mailing addresses for each division are available on the left-hand side of the Court's website, under Court Information.

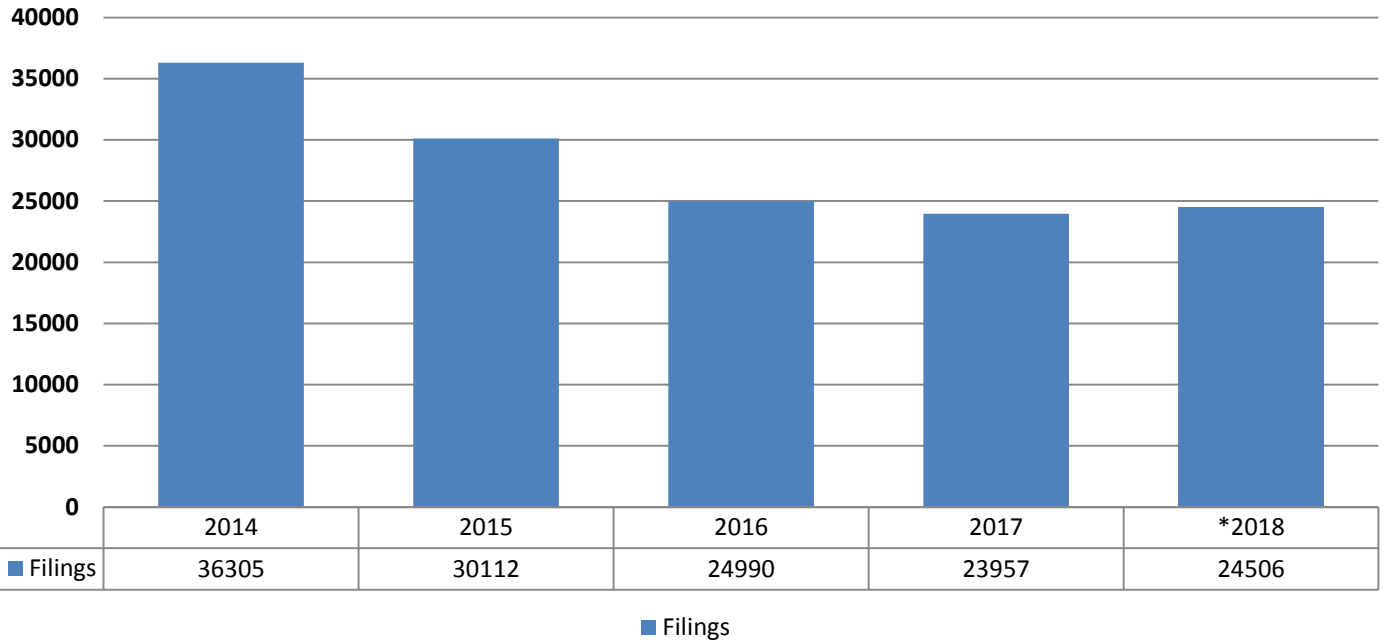
The Court is enhancing the language in its orders abating to assist with clarifying this deficiency.

QUESTION 4: I submitted a proposed order on an application to employ and it was rejected for failing to include the statement “Compensation will be determined later in accordance with 11 U.S.C. § 330.” Is this a requirement across the district?

ANSWER: Yes. This language must be included in your proposed orders on applications to employ filed in any division of the Court.

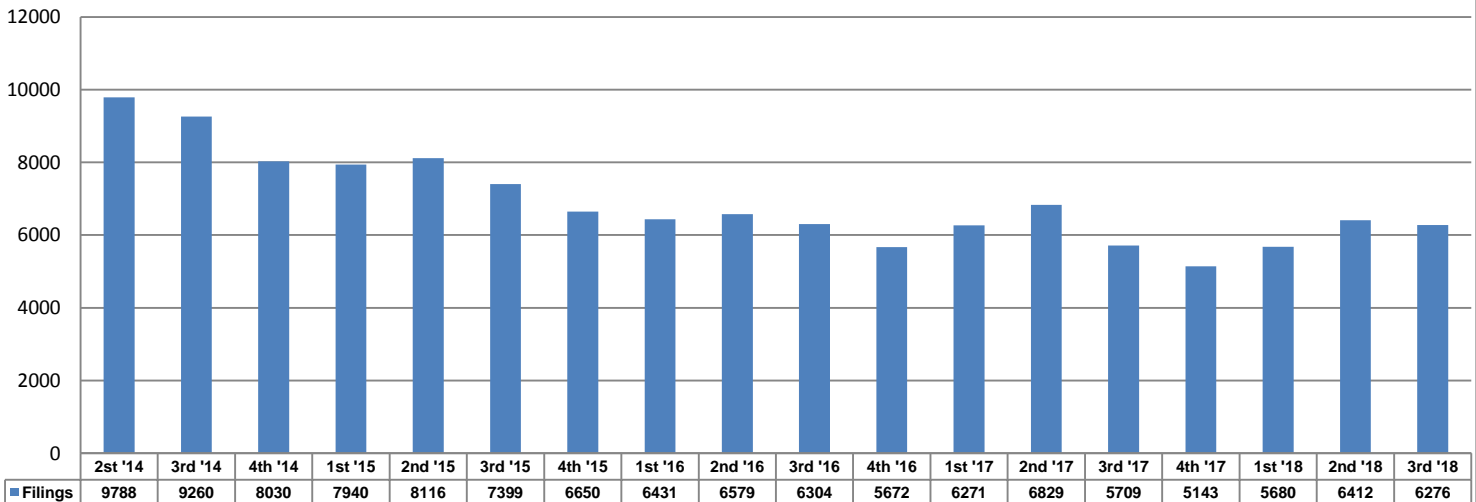
United States Bankruptcy Court - Middle District of Florida
Updated October 16, 2018 Meeting Data and Information
Statistics as of September 30, 2018

Annual Filings

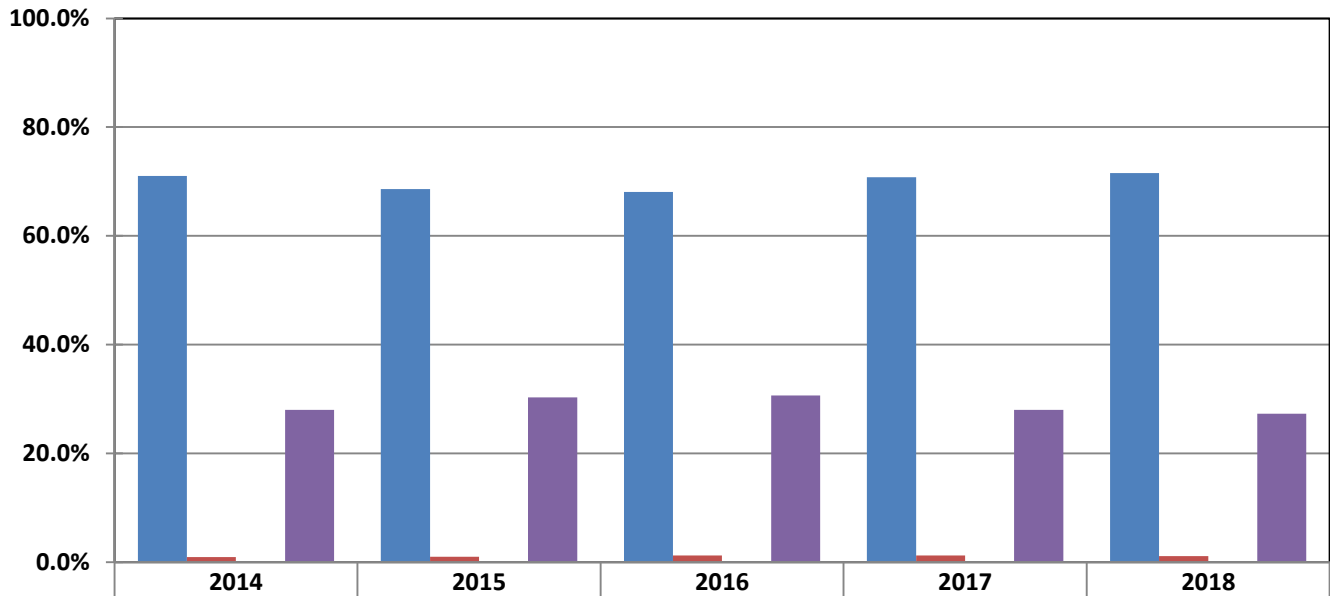


Year	Annual Filings	vs. 2013	vs. Prior Yr.
2014	36305		
2015	30112	-17%	-17%
2016	24990	-31%	-17%
2017	23957	-34%	-4%
*2018	24506	-32%	2%

Filings by Quarter

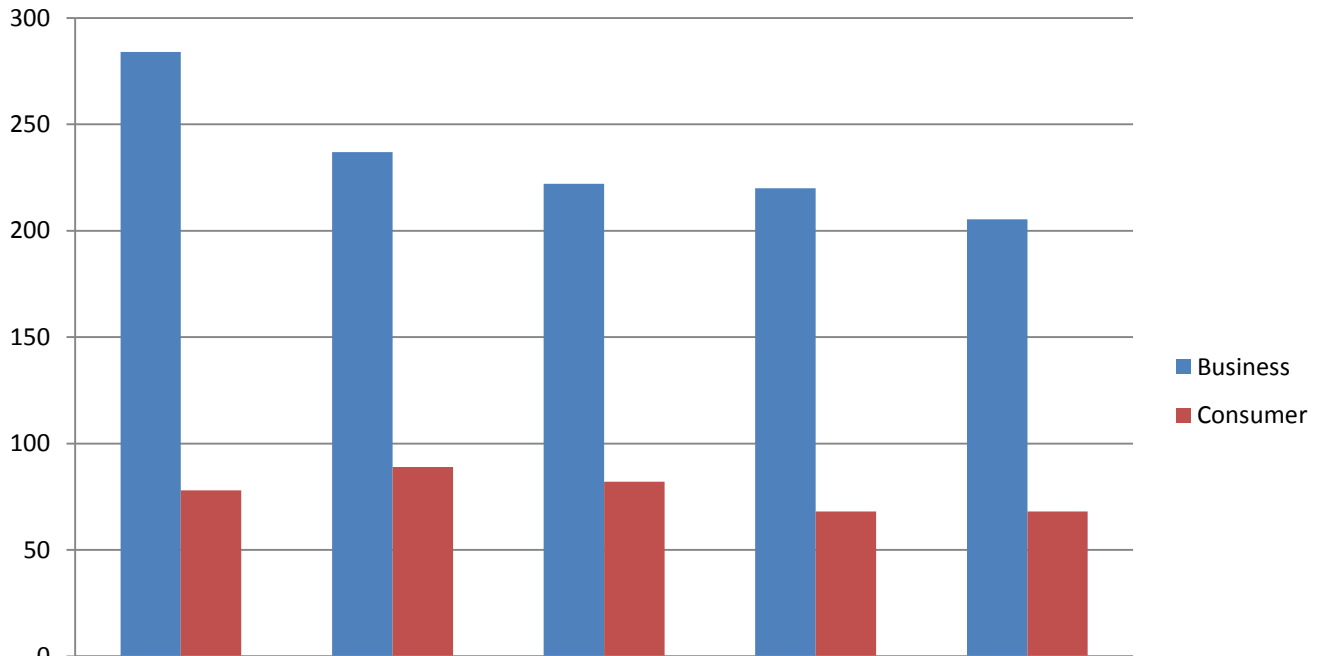


Filings by % of Chapter Type



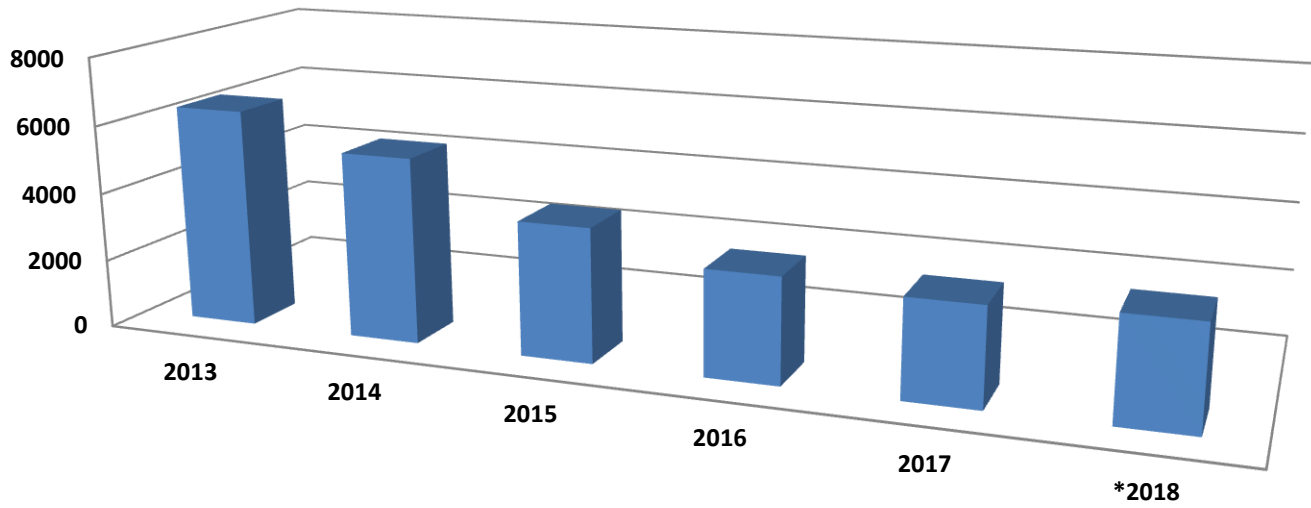
	2014	2015	2016	2017	2018
Chapter 7	71.0%	68.6%	68.1%	70.8%	71.6%
Chapter 11	0.9%	1.0%	1.2%	1.2%	1.1%
Chapter 12	0.0%	0.1%	0.0%	0.0%	0.0%
Chapter 13	28.0%	30.3%	30.7%	28.0%	27.3%

Chapter 11 Filings



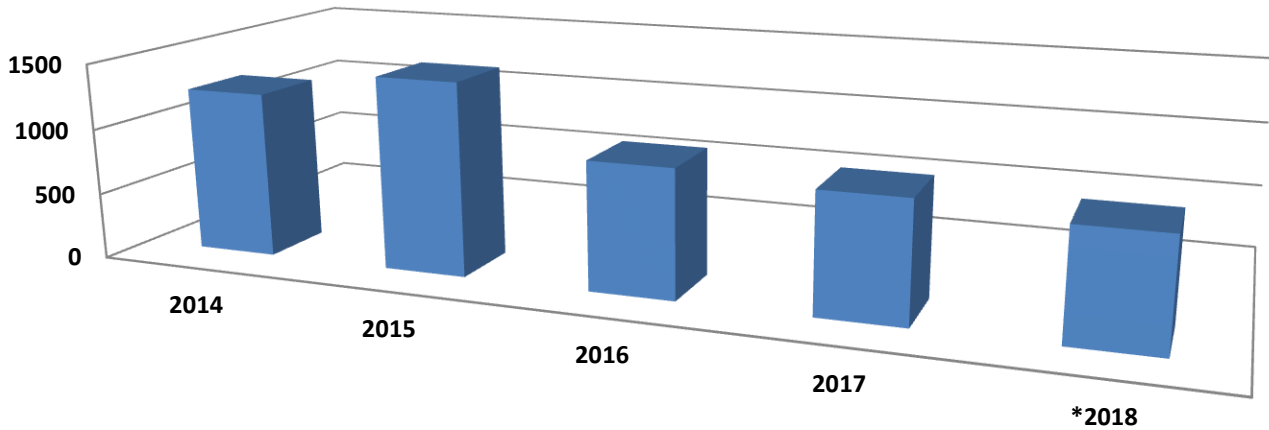
	2014	2015	2016	2017	2018
Business	284	237	222	220	205
Consumer	78	89	82	68	68

Pro Se Filings



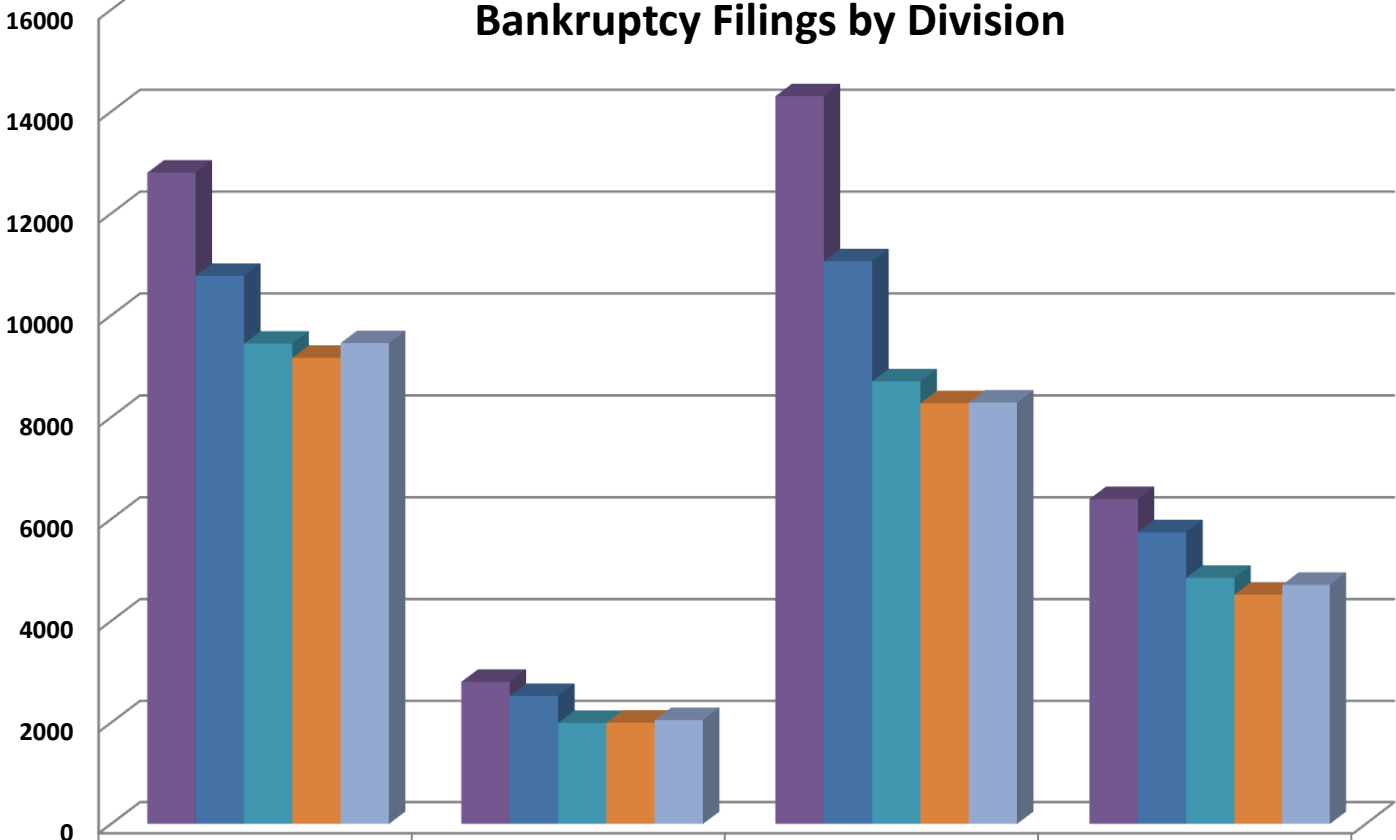
	2013	2014	2015	2016	2017	*2018
■ Pro Se	6387	5416	3902	3079	2868	3023
% of All Filings	18%	18%	16%	13%	12%	12%

In Forma Pauperis Filings



	2014	2015	2016	2017	*2018
■ IFP Granted	1256	1456	965	903	825
% of All Filings	3%	5%	4%	4%	3%

Bankruptcy Filings by Division



	Tampa	Ft. Myers	Orlando	Jacksonville
2013	12801	2806	14303	6395
2014	10775	2527	11061	5742
2015	9445	1993	8703	4849
2016	9166	1997	8276	4518
2017	9456	2052	8288	4711

Note: *2018 Counts include reopen cases.
 Order Granting IFP counts have been corrected to include approving language.