



## **Clerk's Message**

### **January 2019**

It's hard to believe another year has come and gone. As we get ready to close out 2018 and welcome 2019, I want to thank all our Court family for another year of living our goal of "One Court, One Team" and for everyone's dedicated service, excellent work ethic, and caring for one other. This is always the time of year when we reflect upon accomplishments from the past year while looking forward to our goals and dreams for the upcoming one.

Last year was a great one. We saw our procedures manuals (both internal and external) continue to expand, and we saw the impressive number of "hits" they each received from users. Both manuals have been shared "across the pond" as they say and are being used as templates for the courts in Bahrain. It speaks volumes about the outstanding service we provide and the excellent wealth of knowledge our Court possesses when you think in terms of international courts seeking guidance from us. In addition to sharing our procedures manuals with the courts in Bahrain, we have also shared information on case management, training programs, and the organization of our clerk's offices, including job descriptions and even recruitment announcements.

In 2018, we continued to provide assistance to our pro se debtors. I want to thank each of the bar associations and their members for their support of the ongoing efforts to provide pro se debtors with the best assistance possible.

This past summer, our staff had the opportunity to attend the National Conference of Bankruptcy Clerks annual conference as well as the opportunity to participate in our District off-site. Both events provided excellent educational experiences for our staff.

The outlook for 2019 is encouraging. This summer, our staff will again have the opportunity to participate in the National Conference of Bankruptcy Clerks annual conference scheduled to be held in Chicago. We also look forward to new IT initiatives. The initiative everyone is the most excited about is the transition to our new email platform – Outlook. This will be a long awaited, much anticipated, welcome change.

**Court Connection**  
**Volume No. 8 – Issue No. 1**  
**January 2019**

I recently heard a speaker talk about the act of giving. The speaker's words resonated with me as they made me think of our Court and of all the acts of kindness and the spirit of giving back that is a part of our culture. The speaker talked about the various reasons people give – it makes them feel happy, it improves their health, it increases satisfaction with life, and it boosts confidence. As we've heard many times, it is more blessed to give than to receive. We've likely all experienced the feeling of gaining more from the act of giving than what we actually give.

According to the Council for Advancement and Support of Education, giving is like eating chocolate! It lights up the same part of your brain that responds to food. The Charities Aid Foundation's research found that when people give, it strengthens personal values. Regardless of the type of charity work a person supports, according to the research, those donating indicated they felt they had a moral duty to use what they had to help others, a sentiment very much rooted in their personal values and principles. People view having the power to improve the lives of others as a privilege, and it enables them to feel like they are living in a way that is true to their own ethical beliefs.

As we embark upon a new year, I look forward to the challenges ahead and know that because of the strong collegiality and bond between our Court, the trustees, and the bar, we will be able to face those challenges together.

"Year's end is neither an end nor a beginning but a going on, with all the wisdom that experience can instill in us. Cheers to a new year and another chance for us to get it right." – Oprah Winfrey

I wish everyone a very safe and Happy New Year!



## **Upcoming Bar Events** **February-April 2019**

### **Fort Myers**

February 28, March 28 & April 18 @ noon	SWFBPA meetings <i>Federal Courthouse Building Jury Assembly Room</i>
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### **Jacksonville**

March 7 @ noon	JBBA Luncheon featuring Judge Williamson's "State of the District" <i>River Club</i>
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### **Orlando**

February 22 @ noon	OCBA Bankruptcy Committee Meeting featuring Matt O'Brien, Esq.: Growing Your Bankruptcy Practice Through Automation <i>OCBA Center</i>
March 29 & April 26 @ noon	OCBA Bankruptcy Committee Meetings <i>OCBA Center</i>
April	CFBLA Seminar

### **Tampa**

February 6-8	43rd Annual Alexander L. Paskay Memorial Bankruptcy Seminar <i>Embassy Suites Tampa Downtown Convention Center Hotel</i>
February 12 @ noon	TBBBA CLE Luncheon featuring Judge Williamson's "State of the District" <i>University Club</i>

**Tampa – cont.**

- |                    |  |
|--------------------|--|
| March 1            | TBBBA 1st Annual Broken Bench & Busted Clay Sporting Clays<br>Event benefitting the Ryan Nece Foundation                                       |
| March 5<br>@ noon  | TBBBA Consumer Lunch featuring Judge Delano's<br>Local Rules Update<br><i>Sam M. Gibbons United States Courthouse, 5th Floor Training Room</i> |
| March 12<br>@ noon | TBBBA CLE Luncheon featuring Procedure Manual Trivia with<br>Judge Jennemann and Kim Osment<br><i>University Club</i>                          |
| April 2<br>@ noon  | TBBBA Consumer Lunch – Speaker TBA<br><i>Sam M. Gibbons United States Courthouse, 5th Floor Training Room</i>                                  |
| April 9<br>@ noon  | TBBBA CLE Luncheon featuring Crisis Communication<br>with Bill Carlson and Darren Richards<br><i>University Club</i>                           |



## *Judge's Corner*

Chief Judge Isicoff (FLSB) and Judge McEwen enjoying the presidential decorations at the White House in December.



While in Washington DC, Judge McEwen runs into former FLMB Shared Law Clerk, Amir Shachmurove.





**Jacksonville Bankruptcy Bar Association**  
**By: John J. Freeman, Esquire, President**

On Thursday, December 13, 2018, the Jacksonville Bankruptcy Bar Association held a cocktail party at the law firm of Nelson Mullins celebrating Kathy Para's recent retirement. Prior to her retirement, Kathy was an attorney with Jacksonville Area Legal Aid, serving as their Pro Bono Development Coordinator. As pro bono coordinator, she was dedicated to assisting the growth of the JBBA's Pro Se Clinic, which has doubled the monthly clinic hours since its inception. At the reception, the JBBA raised over \$2,500, which was donated to Jacksonville Area Legal Aid's North Florida Medical Legal Partnership in Kathy's honor.

On March 7, 2019, the Jacksonville Bankruptcy Bar Association will host the Honorable Chief Judge Michael G. Williamson for his annual "State of the District" address at the River Club. For more information, please contact Allison Abbott at [allison.abbott@nelsonmullins.com](mailto:allison.abbott@nelsonmullins.com).

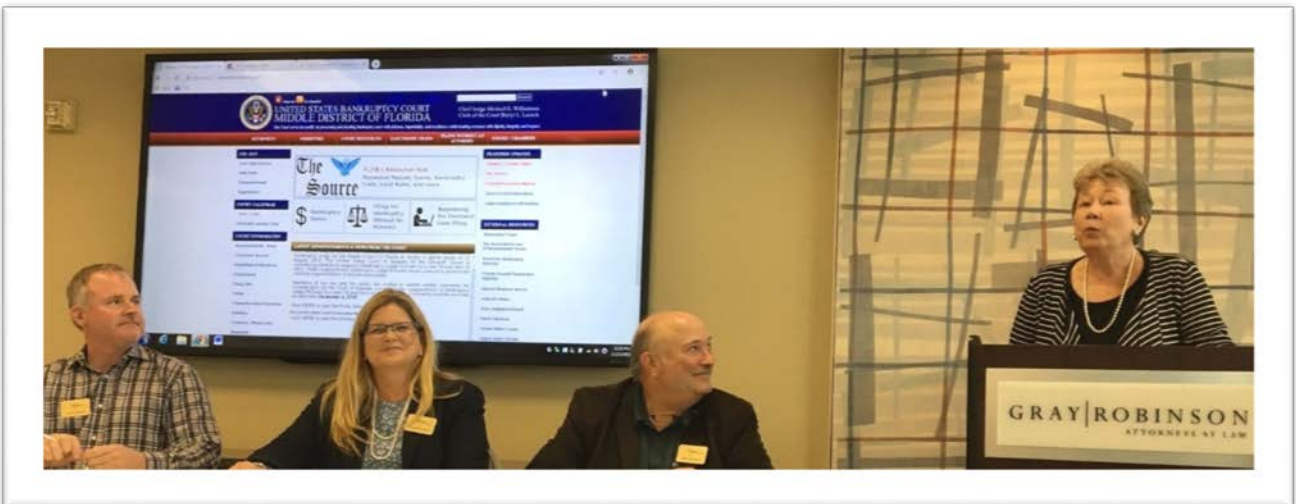
Future events yet to be scheduled are the annual Clerk's Appreciation Luncheon and a Brown Bag CLE. Stay tuned for updates as the dates are finalized at [www.jaxbkybar.com](http://www.jaxbkybar.com).



## Central Florida Bankruptcy Law Association By: Michael A. Nardella, Esquire, 2018 President

On October 3rd, CFBLA hosted our Division's amazing clerks and support staff at the Citrus Club for a luncheon in their honor. Thanks again to all of you who make our jobs possible.

On November 15th, CFBLA hosted Judge Jennemann who presented an interactive luncheon called Procedure Manual Jeopardy! regarding The Source. At the same meeting, Judge Briskman was kind enough to say some words in honor of the 25th anniversary of Judge Jennemann's taking the bench.



*Judge Jennemann hosts Procedure Manual Jeopardy!  
Contestants included Jason Johnson, Cynthia Lewis, and Bob Branson (l to r)*



*Judge Briskman*



*Judge Jennemann with outgoing President,  
Michael Nardella*

On December 12th, members of CFBLA spread some cheer at its holiday party. Thanks to Burr Forman for hosting and to our indefatigable administrator Noreen Shaughnessy-Benford for planning a great event.

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](http://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:

January 24: Monthly Luncheon

April TBD: Annual Seminar



**Orange County Bar Association**  
**Bankruptcy Committee**  
**By: Joshua J. Tejes, Esquire, Chair**

The OCBA is excited to hear from Consumer Debt Counselors at its January 25, 2019 luncheon regarding student loan repayment options. They will be able to give an overview of 2018 statistics regarding student loan repayment and current issues with borrowers' defenses to repayment on student loans related to the for-profit college industry.

Matt O'Brien, Esq., will speak at the OCBA's February 22, 2019 luncheon regarding increasing the growth of our bankruptcy practices through automation. Specifically, Mr. O'Brien will discuss using automation to convert leads to client, decrease inefficiency, and increase revenue.

## **SOUTHWEST FLORIDA BANKRUPTCY PROFESSIONALS ASSOCIATION**

**By: Jonathan Tolentino, Esq., President**

The Seventh Annual Alexander L. Paskay Memorial Dinner was held this past October 25th at The Edison by the Southwest Florida Bankruptcy Professionals Association. As the host of the dinner, I was able to see the event develop and was very pleased with how the event turned out.

The event honors Judge Alexander Paskay and brings together the members of the SWFLBPA. In attendance were the Honorable Judge Caryl E. Delano and Chief Judge Michael G. Williamson. Since the dinner is traditionally held towards the end of October, it also serves as the last opportunity for area bankruptcy professionals to meet and enjoy each other's company in an informal setting before the holidays. I have always enjoyed this event for this reason.

As you may know, Judge Paskay was particularly fond of the Fort Myers Division of the Middle District of Florida Bankruptcy Court which is known for its tight knit group of professionals. Each year the Alexander L. Paskay Professionalism Award is given at the dinner to a member of the SWFLBPA who exemplifies traits such as: effectiveness in presentation of matters, a reputation for thorough preparation, civility and courtesy to opposing counsel, appropriate courtroom demeanor, ethical conduct and long-term service to the Bankruptcy Bar. This year's recipient was Robert E Tardif, Jr. – who was deserving and gracious in his acceptance.

The dinner also serves to inaugurate the new officers of the SWFLBPA. For 2019, the Treasurer is Gerard A. McHale, the Secretary is Michael E. Cecil, Esq., and the Vice President is Joseph C. Trunkett, Esq. Mr. Trunkett will be hosting the 2019 dinner and I am sure it will be a great one.

A special thank you is in order to all those that volunteered their time and to those who sponsored the event! I look forward to serving and making this year a great one for the SWFLBPA.



### **Calling all Lawyers to Reignite our Court's Legal Assistance Program**

By the Honorable Judge Catherine Peek McEwen

Perhaps you do not know about a pro bono program administrated by our Court. No, it's not the (very successful) courthouse clinics operated by the local bankruptcy bar associations in our divisions, which clinics provide on-the-spot limited legal advice. Our Court's program is called the Legal Assistance Program (LAP), which provides a longer-term commitment to an indigent client.

The LAP is described on our website here (scroll down past the clinic information): [http://www.flmb.uscourts.gov/filing\\_without\\_attorney\\_1/legalAssistance.htm](http://www.flmb.uscourts.gov/filing_without_attorney_1/legalAssistance.htm).

Referrals to the legal assistance program are made at the request of the Bankruptcy Judges to whom the bankruptcy case has been assigned or at the written request of the debtor or the spouse/former-spouse of the debtor. Attorneys who have volunteered their services under this program are then contacted for assignment to the adversary proceeding or contested matter.

Basically, we have invited lawyers to sign up to be on rotation to take on representation of indigent debtors in adversary proceedings involving objections and exceptions to discharge and contested matters involving objections to homestead exemptions. The program is also open for a debtor's indigent spouse/ex-spouse to obtain representation for an adversary proceeding involving a domestic support obligation. The indigent party applies for free representation using a form that elicits information about that party's financial condition. If the Clerk assesses the party as eligible for assistance, meaning that the party's income is 200 percent or less of the U.S. Department of Health and Human Services Poverty Guidelines, then the Clerk will call one of the lawyers who has signed up to accept pro bono assignments through the program.

Interested lawyers may indicate their willingness to be on rotation by filling in the form available here:

[http://www.flmb.uscourts.gov/legal\\_assistance/volunteer\\_form.pdf](http://www.flmb.uscourts.gov/legal_assistance/volunteer_form.pdf). Once the form is completed, please email it to [probono@flmb.uscourts.gov](mailto:probono@flmb.uscourts.gov).

The Court thanks the lawyers who are currently on the rotation list:

Arkovich, Christie  
Bachman, B. Michael, Jr.  
Bair, Jacob  
Barnett, Michael  
Berman, Steve  
Blain, Russell  
Blanchard, Jake  
Blanton, Laurie  
Champeau, Gregory  
Chazal, Amanda  
Cole, R. John, II  
Cole, Richard John, III  
Fernandez, Lara  
Ferrell-Anton, Becky  
Fishman, Steven  
Fogarty, Daniel  
Freeman, Thaddeus  
Glover-Pearcey, Deborah  
Gomez, Alberto, Jr.  
Hart, Barbara A.  
Heptner, Dane  
Hooi, Michael  
Jenkins, Joryn  
Johnston, Richard, Jr.  
Keni Oguntebi  
Ketchum, Elena  
Knize, Peter  
Lamoureux, John  
Leslie, Stephen R.  
Lesser, Carrie Beth  
Lewis, Lauren  
Lim, Angelina  
Maglich, Jordan  
Moore, Charles

**Court Connection**  
**Volume No. 8 – Issue No. 1**  
**January 2019**

Nayee, Karen  
Parwani, Rinky  
Peterson, Edward J.  
Petry, Kelley  
Porto, Curran  
Postler, Charles  
Riedel, Harley  
Semach, Jonathan  
Sharp, Susan  
Sherman, Lynn Welter  
Sibley, Russell, Jr.  
Sierra, Timothy  
Sobotta, Jane  
Stichter, Scott  
Sumpter-Richard, Miriam  
Tolentino, Jonathan  
Vaughn, Robert  
Villoch, Alfred  
Waldman, Damian  
Walk, Rochelle Friedman  
Wendy DePaul  
Wirth, Steven



**CASE LAW UPDATE FOR Q1 2019**  
**ISSUE OF THE COURT CONNECTION**

**Editors:**

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

**Eleventh Circuit Cases**

***Dukes v. Suncoast Credit Union (In re Dukes)*,**  
909 F.3d 1306 (11th Cir. 2018).

Eleventh Circuit affirmed both the bankruptcy court and the district court holding that residential mortgage debt was not discharged under a confirmed Chapter 13 plan where the debt was not “provided for” in the plan. The debt was not “provided for” in the plan where the plan merely stated the debtor would continue making direct mortgage payments outside the plan. The court concluded that for payments to be “provided for” by the plan under § 1328(a), the plan “must, in some way, affect or govern the debt’s repayment.” Additionally, the court held that even if the debt was “provided for” by the plan, discharging the debt would violate § 1322(b)(2)’s anti-modification provision which prohibits a Chapter 13 plan from modifying a claim secured only by the debtor’s principal residence.

***Bertram v. HSBC Mortgage Services, Inc. (In re Bertram),***  
2018 WL 5797725 (11th Cir. Nov. 5, 2018) (unpublished).

Eleventh Circuit held that the *Rooker-Feldman* doctrine barred the pro se debtor's claims seeking to invalidate the state court's final judgment of foreclosure. However, the doctrine did not bar claims challenging the foreclosure sale and the mortgage lender's conduct regarding the sale because these claims focused on conduct that occurred after the foreclosure judgment was entered and the time for appeal expired. These claims were not actually raised or inextricably intertwined with the issues resolved by the state court's final judgment.

### **Bankruptcy Court Cases**

***Luria v. ADP, Inc. (In re Taylor, Bean & Whitaker Mortgage Corp.),***  
593 B.R. 862 (Bankr. M.D. Fla. 2018) (Colton, J.).

In an opinion arising from the massive fraud by Taylor, Bean & Whitaker, the country's largest independent mortgage lender, Judge Colton found that the "mere conduit" defense applied to the defendant ADP, which was being sued to recover \$34 million it received from the debtor for payroll processing services prior to the bankruptcy filing. The court found the mere conduit exception, to the liability imposed on initial transferees under § 550(a)(1), applies where the transferee shows that: (1) it did not have control over the asset it received; and (2) it acted in good faith and as an innocent participant in the fraudulent transfer.

***In re Carr,***  
591 B.R. 474 (Bankr. M.D. Fla. 2018) (McEwen, J.).

The court suspended debtor's attorney and law firm for an indefinite period from practicing before the United States Bankruptcy Court for the Middle District of Florida. The attorney had been suspended from practice by the Florida Supreme Court but failed to notify the bankruptcy court of the disciplinary action. He also failed to notify his bankruptcy clients, opposing counsel, and trustees that he was ineligible to practice law, which he was required to do upon his suspension from the Florida Bar.

***In re Harris,***

2018 WL 4944990 (Bankr. M.D. Fla. Oct. 11, 2018) (Jackson, J.).

The court found bankruptcy petition preparer in civil contempt for failure to comply with the court's prior injunction issued under § 110 of the Bankruptcy Code and for additional violations of § 110. In this case, the court issued a permanent nationwide injunction barring the contemnor from acting as a bankruptcy petition preparer. The court further ordered sanctions in the total amount of \$48,991 to be tendered to the U.S. Trustee.



## Pro Se Debtor Negotiates Improved Reaffirmation Agreement on Her Own

By the Honorable Judge Catherine Peek McEwen

Debtor Christina P. did for herself something that we do not see many lawyers even attempting, which is obtaining concessions in the context of negotiating a reaffirmation agreement. In the spirit of "if you don't ask, you'll never know," hopefully this example provides motivation to ask! Ms. P. at first tried a redemption loan but was unable to get one. She asked her lender, a credit union, to reduce the principal amount of her loan, which was about \$10,000 more than the value of her car. She told the credit union representative that she felt like the credit union was family (or something to that effect) and that she didn't really want to have to turn in the car and attempt to get something more affordable. Apparently, the credit union felt the same way, because the credit union reduced the loan balance!



### Honor Roll of Tampa Clinic Volunteers

Rounding out our 2018 year of thanks, the district's bankruptcy judges honor the fourth quarter's Tampa courthouse clinic volunteers. A special shout out goes to Mike Barnett for his Christmas Eve tour of duty, staying late to help a pro se debtor. And another special shout out goes to Patti Halloran for taking the unfilled hour of duty on New Year's Eve!

We also thank the Tampa Bay Bankruptcy Bar Association for keeping the clinic staffed and supplied with electronics and paper.

The Tampa Division judges will host a thank-you pizza luncheon in February for all 2018 volunteers. If you volunteered in 2018, you should have already received your invitation by email. If not, please call Dedra Gann at 301-5082.

### **QUARTERLY PRO SE CLINIC HONOR ROLL 4th Quarter 2018**

<b>Attorney</b>	<b>Total</b>
Barnett, Michael	12
Boudreaux, Maria	3
Case, Kenneth	6
Clark, Bryce	3
Dammer, Samantha	1
DeLeon, Robert	4
DePaul, Windy	2
Elliott, James	2
Fogarty, Dan [SRBP]	2
Geller, Robert	7
Gomez, Al	2

**Court Connection**  
**Volume No. 8 – Issue No. 1**  
**January 2019**

Hooi, Michael [SRBP]	1
Joyner, Mary	5
LeVine, Dennis	1
Lim, Angelina	1
Markham, Michael	1
Papa, Frank	2
Petry, Kelley	7
Robens, Mark [SRBP]	2
Sierra, Tim	5
Stichter, Scott [SRBP]	2
Standley, Harrison	1



## **The United States Trustee Program: Celebrating 30 Years**

**By Charles R. Sterbach, Asst. U. S. Trustee**

Between 1987 and 1988, the United States Trustee Program opened more than seventy offices, enhancing fourteen existing offices that had been opened earlier during a pilot phase, and commenced its nationwide efforts to serve as the “watchdog” of the national bankruptcy system with the singular goal of promoting the integrity and efficiency of the bankruptcy system. This year marks the 30<sup>th</sup> anniversary of the Program. For three decades, the Program has endeavored to provide an impartial and independent process for oversight of bankruptcy cases—a mission made possible only with the invaluable contributions by panel and standing trustees, as well as Program employees. This article will recap the bankruptcy system before the advent of the Program, highlight the Program’s growth and development, and recognize the Program employees who have been here for the entire 30 years.

The Bankruptcy Act of 1898 lacked the means for effectively monitoring the actions of debtors, creditors, and fiduciaries. This was particularly evident during the 1920s, when multiple and widespread bankruptcy fraud, scandals, and abuses resulted in an exhaustive investigation by the Southern District of New York. The grand jury investigation covered six cities, nineteen federal judges, and more than 200 then current and former bankruptcy receivers or trustees across several federal districts. It encompassed 1,000 cases and approximately 4,000 witnesses. While the investigation triggered numerous resignations, disbarments, and criminal convictions, the comprehensive report submitted in the wake of the investigation traced many abuses to the lack of supervision over bankruptcy cases. The report also recommended bankruptcy reforms, including setting trustee qualifications, conducting initial examinations of debtors, and overseeing case administration. Unfortunately, without reform, the bankruptcy abuses continued until the 1970s.

In 1970, Congress created a Commission on the Bankruptcy Laws to investigate the bankruptcy process and propose structural changes. Three years later, the Commission concluded that the bankruptcy system lacked adequate oversight. So it recommended that Congress create an oversight agency with a network of local offices. But rather than create a national program under the Bankruptcy Act of 1978, Congress instead authorized a pilot program in a handful of judicial districts with directives to: prevent fraud, dishonesty, and overreaching; establish trustee qualifications; and develop a structure for trustee supervision.

After the pilot program received positive evaluations in 1983 and 1985, as well as support from the bankruptcy community, including the National Bankruptcy Conference and the Commercial Law League, Congress took the Program to the national stage under the Bankruptcy Judges, United States Trustees, and Family Farmer Act of 1986. The Program then accepted the challenge of building a federal

agency from the ground up. The key to developing and maintaining a crucial infrastructure would be the employees who came on board during the formative years and are still serving today. (More on that later.)

The Program's mission (promoting and protecting the integrity and efficiency of the bankruptcy system for the benefit of all stakeholders, especially the American public), is premised on the nationwide expansion of the impartial and independent role of the United States Trustee and the removal of the bankruptcy courts from case administration. The United States Trustee has a unique role in the bankruptcy system: administrator; regulator; and enforcer. *See* 28 U. S. C. § 586 (duties of the United States Trustee).

As an administrator, the United States Trustee designates chapter 7 trustees and chapter 13 standing trustees, approves credit-counseling education providers, and appoints committees in chapter 11 cases. As a regulator, the United States Trustee promulgates formal guidelines for trustee financial reporting, selects cases for audit, and conducts trustee performance reviews. As an enforcer, the United States Trustee acts to ensure that all parties comply with the Bankruptcy Code and Rules and, when necessary, takes action against abusers of the bankruptcy system.

Since 1988, the Program has evolved in many ways. From removing ineffective trustees to addressing changes in the nation's economy to enhancing flexibility in the wake of wide fluctuations in bankruptcy case filings and compressed federal budgets, the Program has accepted all challenges. In 2005, Congress passed sweeping reform called BAPCPA and initiated changes or additions to more than 130 Code sections. Many of the changes affected the Program's administrative, regulatory, and enforcement roles. BAPCPA required the Program to:

- Prevent abuse (mostly through the means test)
- Protect consumer-debtors from petition preparers and debt relief agencies who preyed on them
- Appoint trustees in chapter 11 cases when management was suspected of financial irregularities
- Report criminal activity to law enforcement agencies

After 30 years, the Program continues to face new challenges, including mortgage and foreclosure rescue abuses, internet law firms and document preparation services, and individual chapter 11 debtors. As new abuses come to the fore, the Program will continue to undertake concentrated and coordinated efforts to deal with these problems.

Thirty-Year Employee: Cynthia Burnett

As referenced above, the key to building an effective federal agency is its employees. The Program has been blessed with having ten percent of its current employees along for the entire thirty years of its existence. The Middle District can boast having one of these employees: Assistant United States Trustee Cynthia (Cindy) Burnett in the Tampa Division.

Cindy started working for the Program as a brand new Honors Attorney Advisor in 1987. In 2001, she became Acting Assistant U.S. Trustee, and she later became Assistant U.S. Trustee in 2005. She has remained with the Program over the years primarily because the bankruptcy field is constantly changing and is thus always interesting. In the early days, Cindy's travel to other field offices throughout the country for temporary assignments offered her an attractive variety of legal work. She also commented that while it has changed over the years, the bankruptcy bar is generally comprised of a small, intimate group of professionals practicing with a high level of respect, civility, and professionalism.

Cindy can recall the early days when the Tampa Bankruptcy Court and the U.S. Trustee Program shared a private space in a building near the Tampa International Airport. The additions of new Bankruptcy Judges Glenn and Baynes forced a move to an adjacent building, and in 1999, both the Court and the Program relocated to downtown Tampa. Cindy can still name all the U.S. Trustees during her thirty-year tenure: Robert Coley; David Butler; Felicia Turner; Don Walton; Guy Gebhardt; and Dan McDermott.

Cindy has enjoyed working with and supervising many panel trustees over the years and would like to specifically recognize Panel Chapter 7 Trustees Stephen Meininger and Larry Hyman, both of whom have been on the Panel since the Program's inception.

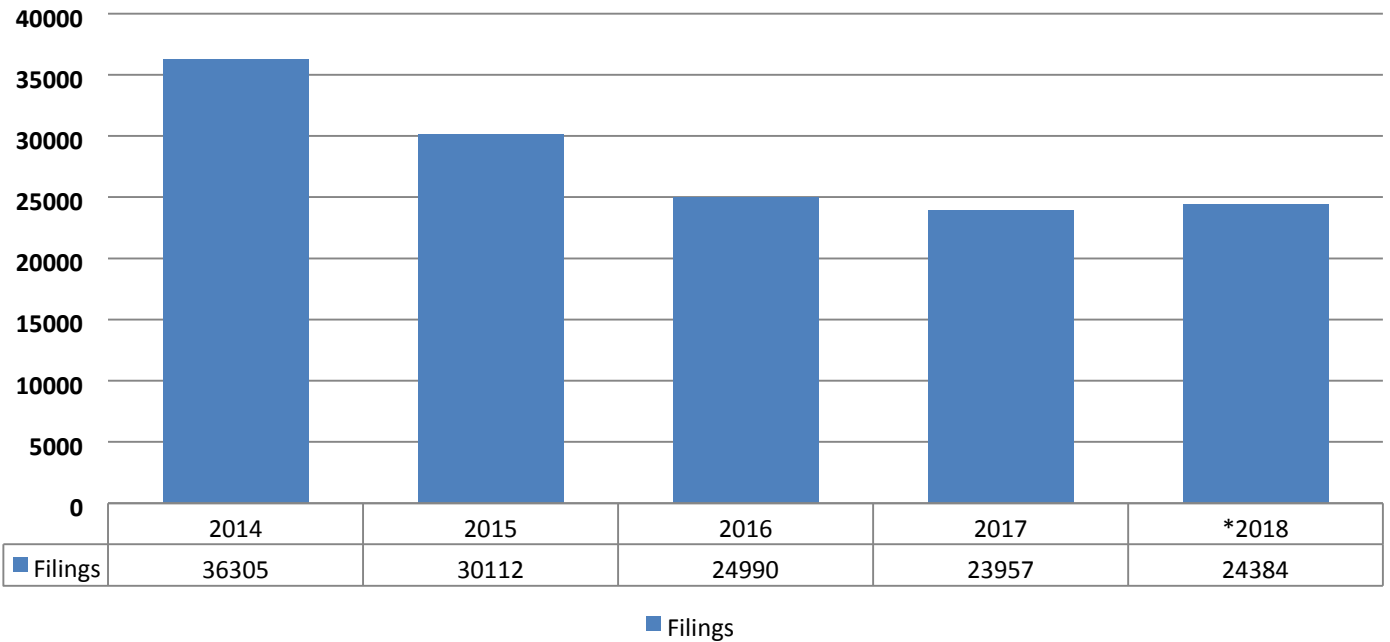
As many of you can appreciate, when she started, Cindy wielded the hottest technology available in 1980: the IBM Selectric Typewriter. It was a world of typed pleadings, carbon paper, manual records, and lots of white out. While technology has changed a lot over the years, Cindy's dedication to public service has remained constant. We are thankful for her guidance and leadership!



Cindy is pictured here with Chapter 7 Panel Trustees Stephen Meininger (left) and Larry Hyman (right).

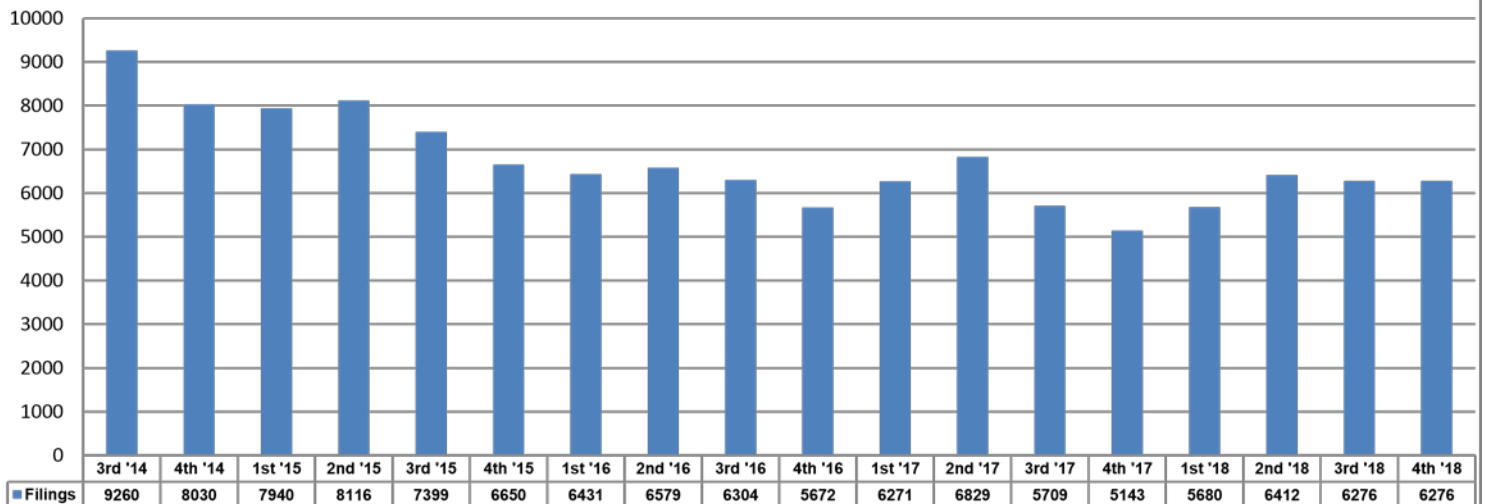
**United States Bankruptcy Court - Middle District of Florida**  
**Statistics as of December 31, 2018**

## Annual Filings

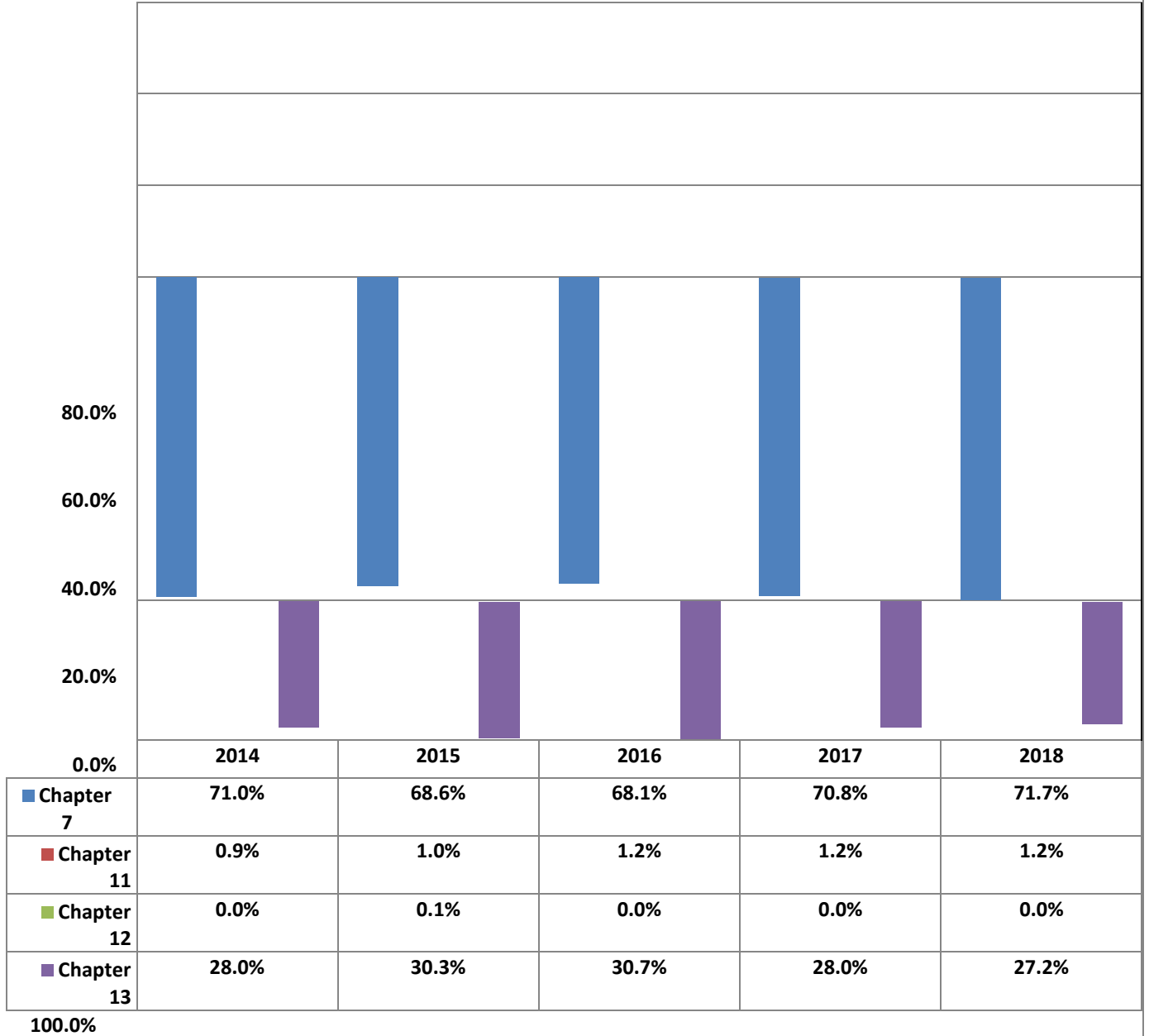


Year	Annual Filings	vs. 2013	vs. Prior Yr.
2014	36305		
2015	30112	-17%	-17%
2016	24990	-31%	-17%
2017	23957	-34%	-4%
*2018	24384	-33%	2%

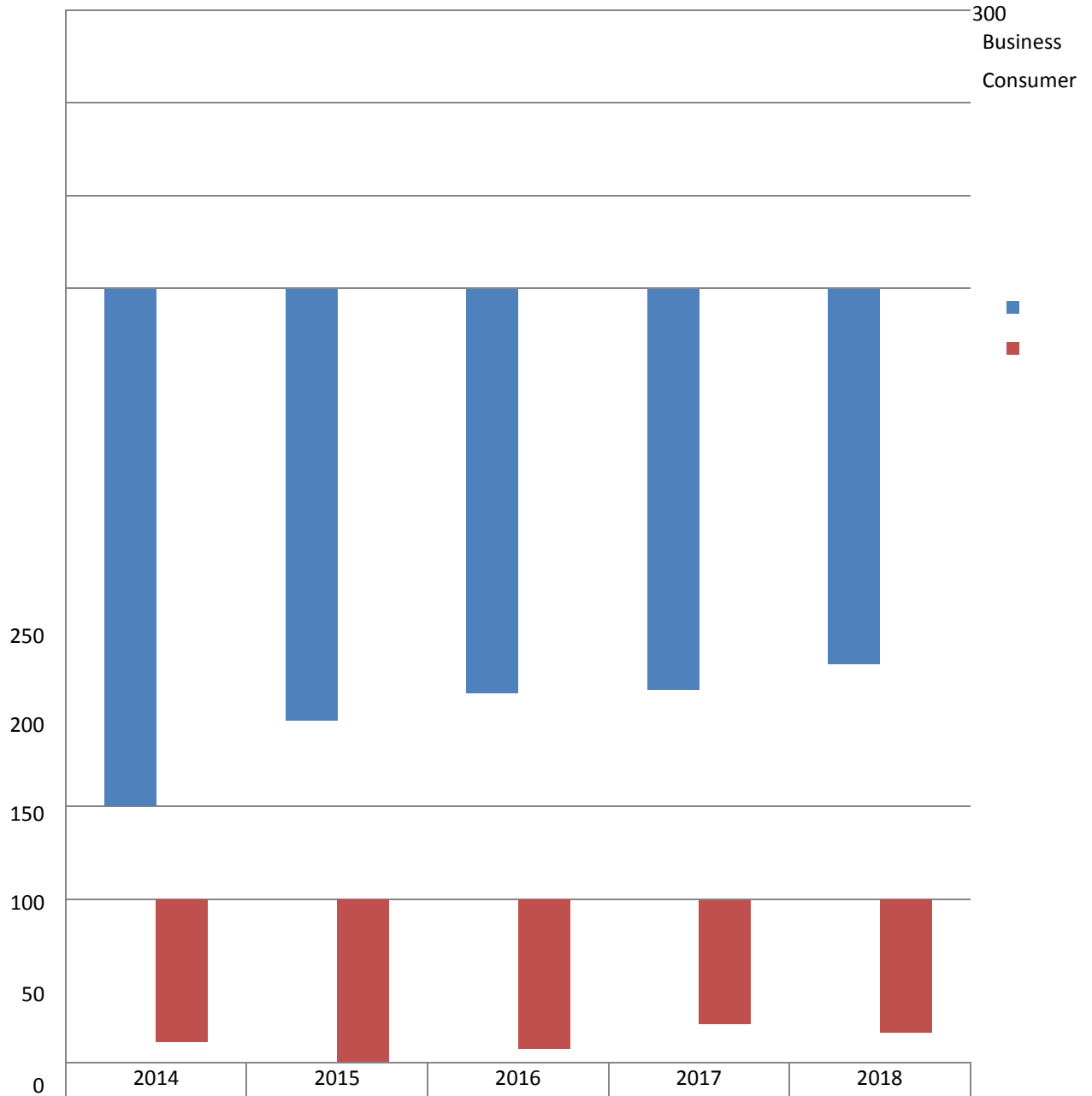
## Filings by Quarter



## Filings by % of Chapter Type

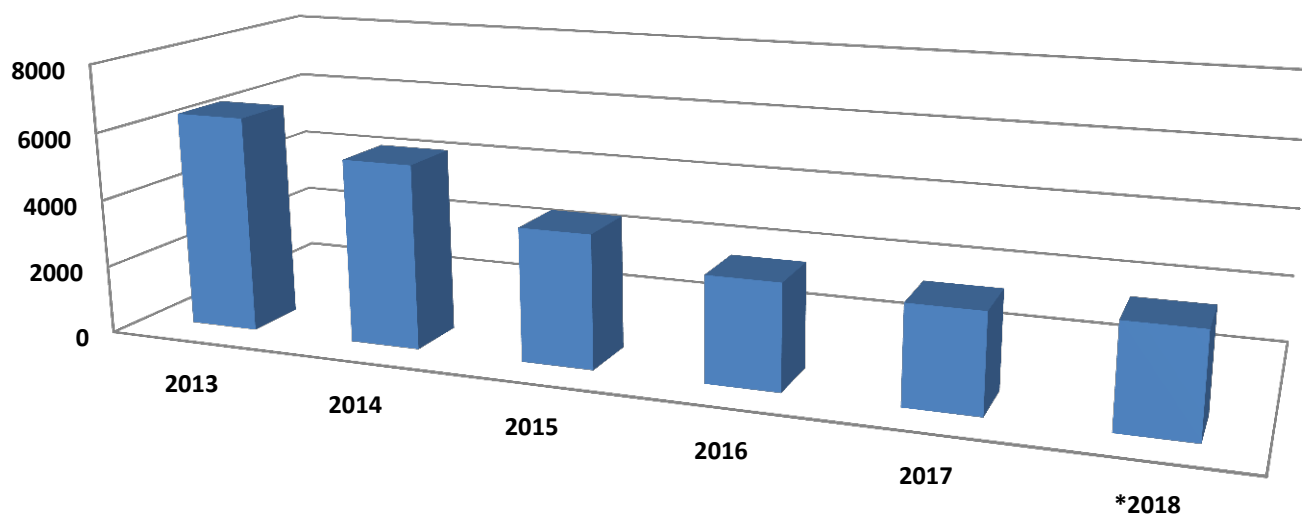


## Chapter 11 Filings



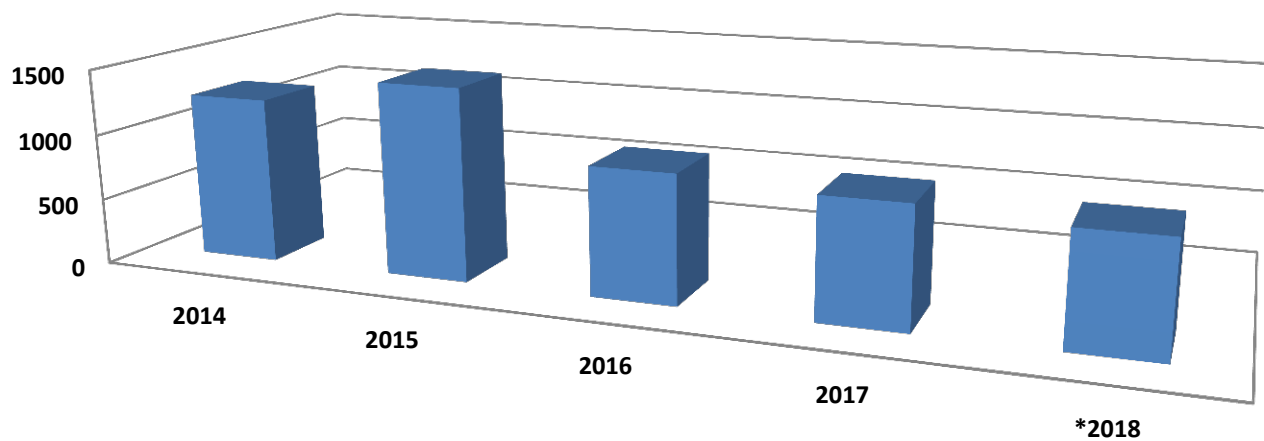
	2014	2015	2016	2017	2018
Business	284	237	222	220	206
Consumer	78	89	82	68	73

## Pro Se Filings

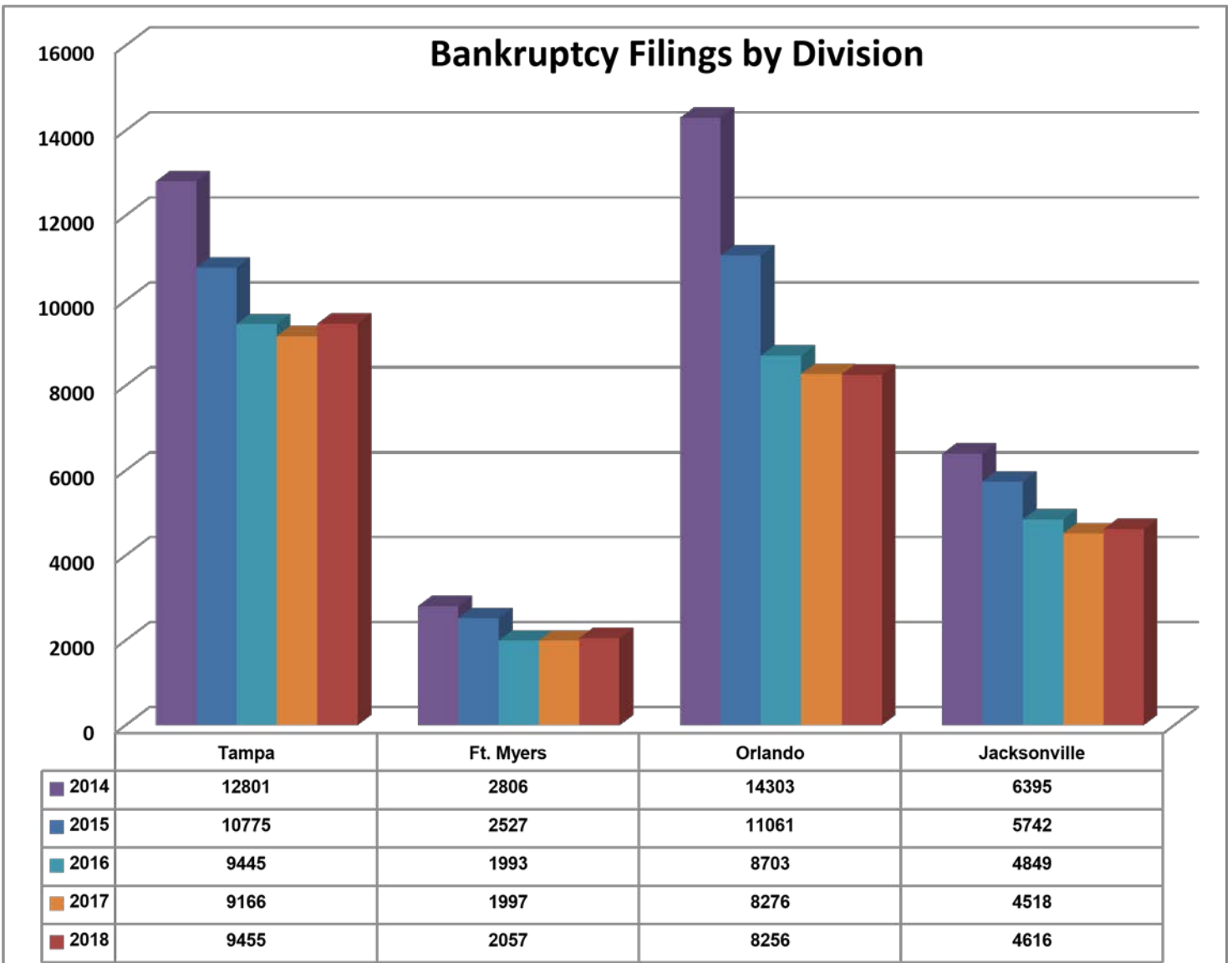


	2013	2014	2015	2016	2017	*2018
Pro Se	6387	5416	3902	3079	2868	2984
% of All Filings	18%	18%	16%	13%	12%	12%

## In Forma Pauperis Filings



	2014	2015	2016	2017	*2018
IFP Granted	1256	1456	965	903	839
% of All Filings	3%	5%	4%	4%	3%



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



## **DISTRICT-WIDE STEERING COMMITTEE UPDATE**

By Douglas W. Neway

On November 7, 2018, the Steering Committee hosted its 7<sup>th</sup> Annual Bench Bar Conference at the Sam Gibbons Federal Courthouse. The Conference was well attended and included judges, courtroom personnel, trustees, and attorneys from each division in the Middle District. Additionally, faculty members and law students from the University of Florida, Stetson, FAMU, Barry, and Thomas M. Cooley law schools were invited to participate.

This year's topics of discussion were Fostering Diversity and Inclusion of Women and Minorities in the practice of Bankruptcy and Suggested Improvements to the Administration of Pro Se Debtor and Pro Bono cases.

The conference consisted of eight groups containing each constituency in the bankruptcy process that spent about an hour discussing each topic. The goal was to come up with valuable ideas and suggestions for improvement to the practice of bankruptcy district-wide. After each discussion, the individual groups shared their thoughts with the entire conference, and a report of these ideas will be submitted to the Middle District judges by the Steering Committee for consideration and potential adoption or creation of new district-wide procedures.

The prevailing recommendations at this year's conference included establishing connections, like social events or mentoring programs, among the bankruptcy bar, minority bar associations, and law schools to offer education and to promote the practice of bankruptcy law. Additional recommendations included standardizing the successful practices of each divisions' pro se clinics and establishing a liaison with local law schools to allow for student participation and representation of pro se debtors through the various pro se clinics district-wide.

The Steering Committee appreciates the willing participation of all those who came from each division to participate and provide valuable feedback, and we commend the judges of the Middle District for their willingness to consider ideas of district-wide improvement through the "bottom up" approach they have embraced.

If you have any immediate questions regarding the Steering Committee, or for its members, please contact Kelley M. Petry at [kmpetrypa@aol.com](mailto:kmpetrypa@aol.com).



## Dear Point & Click: Answers to Technical Questions

**Question:** I have forgotten the password associated with my Bankruptcy Court CM/ECF filing account; how do I obtain a new one?

**Answer:** Once a login (user name) and password are issued to this Court's CM/ECF System, the password cannot be retrieved by Clerk's Office personnel.

You can obtain a new password through the Court's on-line Password Recovery Program. A link to the program is available on the Court's website, [www.flmb.uscourts.gov](http://www.flmb.uscourts.gov), or through the following link: <https://pacer.flmb.uscourts.gov/fwxflmb/ecfpwd/ecfpw.fwx>. You will be required to provide your login name and the primary e-mail address associated with your filing account when completing the form.

**Before** completing the form, it is important to remember the following:

- Generally, each court unit requires a separate login for access to the CM/ECF System. Additionally, PACER logins are required for viewing case related reports and documents, in every Federal Court. Some Courts have moved to the "Next Generation" of CM/ECF, which includes *Central Sign On*, a feature that, once all Courts have migrated, will allow electronic filers to use the same login and password to file electronically in any federal court. **The United States Bankruptcy Court for the Middle District of Florida has not yet moved to the "Next Generation" of CM/ECF.** Entering the correct login in the form will ensure a new password is created. This Court's logins do not include your bar identification number.
- Logins are case sensitive and, generally, do not include capital letters. Make sure your "Caps Lock" setting on your keyboard is off when entering your login information.
- The e-mail address entered in the recovery form must be the primary email address associated with the filing account. If you have changed law firms, or otherwise changed your email address, the recovery process will not work. Please contact the HelpDesk.

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If the information entered in the password recovery form corresponds with the information the Court has, an e-mail containing a new password will be sent to the e-mail address contained in the form. The new password is contained in a link within the e-mail. **The e-mail cannot be forwarded to another e-mail address or the password will be void.**

If you do not receive an e-mail, within 15 minutes, there was an issue with the recovery process. Please contact the HelpDesk.