

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA**

Request to Attorneys to Volunteer for the Court's Legal Assistance Program

The Court has established a legal assistance program to enable low-income individual debtors (and in some instances their spouses and former spouses) and low-income individual creditors to receive free legal services in the following types of contested matters and proceedings:

- Adversary proceedings or motions relating to the debtor's entitlement to a discharge and/or the dischargeability of a debt, including motions for a hardship discharge under 11 U.S.C. § 1328(b) .
- Contested matters concerning the debtor's claimed exemptions.
- Representation of spouses and former spouses of debtors in connection with the dischargeability of obligations under marital settlement agreements and/or judgments for the dissolution of marriage.
- Representation of an individual defendant in an action to recover money or property under 11 U.S.C. §§ 542, 544, or 547 - 550.
- Bankruptcy Judges may also suggest appointment of pro bono counsel for pro se parties in other matters and proceedings if circumstances warrant.

The Court requests that members of the bar volunteer for assignment under this program. The Court's goal is for a sufficient number of attorneys to volunteer so that each attorney is assigned to a case every three or four years.

The following procedures apply:

1. Applicants for legal assistance submit an application, including financial information, on a form available on the Court's website and at the Clerk's Office.
2. The application, and the applicant's bankruptcy schedules and statement of financial affairs, will be reviewed by the judge assigned to the adversary proceeding or contested matter.
3. Generally, the Court will grant an application if: (a) the applicant's current income does not exceed 200% of the current year's U.S. Department of Health and Human Services Poverty Guidelines for the applicant's family size, and (b) the applicant does not have sufficient assets to pay for the needed representation.
4. If the application is approved, the Court will enter an order appointing an attorney from the list of attorneys who have volunteered to provide representation in this program. Assignments will be made based upon the division in which the case is pending and the location of the attorney. If requested, the Court will provide the assigned attorney with pertinent papers and pleadings and the debtor's bankruptcy petition, schedules, and statement of financial affairs.
5. If an attorney wishes to decline the appointment to a case, the attorney, within seven days from the date of the appointment, may file and serve on the proposed client a motion for relief from the appointment order. If the motion is granted, the Court will enter another order of appointment.
6. Separate lists of volunteer attorneys will be maintained for each Division of the Middle District. A volunteer attorney seeking to discontinue participation in the program should send a letter to the Clerk of Court.

The Court urges you to volunteer for this important program. To volunteer, please complete the Attorney Volunteer Form and return it to the Court. Thank you for your help.

**Caryl E. Delano
Chief United States Bankruptcy Judge**

Revised 3/13/2024