

Judge Jennemann's Legacy

By: Chief Judge Michael G. Williamson

As the new Chief Judge of the Middle District of Florida, I am in the enviable position of inheriting a path to our Court's continued success that was designed and paved by Judge Jennemann's incredible vision.

In 2011, Judge Jennemann began her term as Chief Judge with a "Listening Tour." She met one-on-one with each member of the Court staff and had numerous meetings with members of the bar associations and key leaders among the bankruptcy practitioners in each division. During her Listening Tour, Judge Jennemann sought to learn about the Middle District's strengths and weaknesses. Judge Jennemann wisely anticipated the challenges that our Court would face in the coming years, including reductions in funding and staffing. She knew that to meet these challenges and to make it easier for attorneys to practice throughout the District, our Court needed to streamline its procedures and improve communications, both inside and outside the Court.

At the end of the tour, Judge Jennemann realized three principles must guide our approach:

Think District Wide,
Think Bottom-Up, Not Top-Down, and
Slow Down to Speed Up.

The most difficult challenge that Judge Jennemann faced in thinking "District Wide" was establishing uniform procedures throughout the District. Our court had a longstanding tradition of allowing each judge to dictate the procedures that applied to his or her cases—policies that were followed by chambers staff and the case managers assigned to the individual judge. Simply put, the judge-by-judge approach could no longer be supported in today's budget environment.

Following Judge Jennemann's mantra to "Think Bottom-Up, Not Top Down," this ambitious project did not start with the judges! Instead, numerous committees, comprised of the accomplished and experienced members of our Clerk's staff who together have over 1000 years of combined experience working in our court, were established. Examples are the Procedures and Drafting Committees and the Steering Committee—made up of court employees, representatives from the office of the United States Trustee, a chapter 7 trustee, a chapter 13 trustee, and attorneys from each division—all of whom assisted in suggesting and evaluating new procedures.

The Steering Committee made recommendations on procedures as diverse as reaffirmation agreements, 2004 examinations, and procedures governing adversary proceedings. Ad hoc committees were also set up as needed. An *ad hoc* committee of our Chapter 13 Trustees helped establish uniform Chapter 13 procedures across the four divisions of our Court. And to make it easier for staff in each division to follow the same District-Wide procedures, the Source was developed as an internal procedures manual that is now the repository of nearly fifty separate procedures for processing cases. In addition, the list of motions that may be filed using

negative notice has been greatly expanded. And, for the first time, we have a comprehensive list of the types of motions and applications that the Court will consider without a hearing and for which a proposed order may be submitted when the motion or application is filed.

Our court's technology has also been improved. The new eOrders system has substantially improved transmission of orders to the Court and facilitates the tracking of orders. Another example is the creation of an exhibit portal in our CM/ECF system, which permits attorneys to exchange trial exhibits via CM/ECF and to use electronically stored exhibits at trial.

Judge Jennemann coordinated a state-wide Residential Mortgage Modification Mediation Summit, which garnered nationwide attention and involved representatives from across the country in the credit industry, chapter 13 trustees, and attorneys representing both debtors and creditors. The Summit culminated in state-wide Mortgage Modification Mediation procedures that have been successfully used to help debtors modify their mortgages and save their homes. Judge Jennemann also instituted a Bench-Bar Conference held each year in conjunction with the annual View from the Bench seminar to discuss issues of interest. Members of the Bar, court staff, judges—including the Chief Judges from the Southern and Northern Districts of Florida—attend the Bench-Bar Conferences.

Communications have been improved both inside and outside the Court. Judge Jennemann started the tradition of presenting annual State of the District addresses to the Bar Associations of all divisions. Recognizing the value of face-to-face communication, she instituted an “open door” policy and made herself available to all members of our staff and the Bar to discuss any matter involving our court during her frequent visits to each of our divisions. Judge Jennemann also oversaw the creation of a quarterly court newsletter—the *Court Connection*. Articles are solicited from the staff, the judges, and members of the bar associations. And the *Court Connection* is distributed not only to court personnel but also to CM/ECF users.

As the new Chief Judge, I intend to continue the work started by Judge Jennemann. In baseball, the “closer” is a relief pitcher who specializes in getting the final outs when his team is leading in a close game. I intend to be the “closer” to complete Judge Jennemann's vision of thinking “District Wide,” to continue the initiatives that have been commenced but remain unfinished, to fine-tune those that are up and running, and to complete the tasks in progress.

One of those tasks I intend to complete is the procedures manual for external users for use by attorneys and their legal assistants. The work on the external procedures manual is nearly done and will be concluded in 2016 under the leadership of our Clerk, Lee Ann Bennett. I will also be active in monitoring compliance with our new uniform procedures, with the goal of having case managers in one division be able to work on cases presided over by a judge in another division. This will facilitate an equitable division of work across the divisions and provide for more efficient (if that is possible!) processing of cases and orders.

I will also monitor the continued active involvement with *pro bono* projects by the Bench and Bar, including facilitating the continued success of the BLES Foundation. The Bankruptcy Law Educational Series Foundation is a not-for-profit corporation established under Judge

Jennemann's leadership to provide funding for *pro bono* clinics throughout the District. It is off to a very successful start.

Our Court is also participating in a novel Pilot Bankruptcy Judge Project. We are statistically in the top five of all bankruptcy courts in the United States in terms of number of cases and have long been in need of an additional judge to help us with our caseload. Through an agreement memorialized in a memorandum of understanding between the Eleventh Circuit and the Eighth Circuit, we are now in the process of "borrowing" one of the unfilled positions in South Dakota. Our new judge, who we expect to be appointed shortly and to take the bench in early 2016, will sit in Orlando and be assigned duties based upon the District's needs.

We all owe a debt of gratitude for the accomplishments that Judge Jennemann has made in bringing our Court so far in just four years! We have made great strides in achieving uniformity, improving our Court family's spirit of enthusiasm and teamwork, maintaining a collegial environment among our judges, and providing a more user friendly environment for the attorneys and parties who appear before us.

Judge Jennemann, it is an honor to follow in your footsteps and the legacy you leave behind. Thank you!