

## **The State of the District 2022**

**By: Hon. Caryl E. Delano, Chief Judge**

The title of my column in the April 2021 issue of the *Court Connection* was “Light at the End of the Tunnel?” As I wrote the column, we were a year out from the beginning of the pandemic, vaccines were becoming widely available, and we were looking forward to a busy year. Then came the Delta and Omicron variants, and with them the cancellations of investitures, conferences, and other disappointments. Through it all, the Court, our employees, and, critically, the members of the bar carried on. Fast forward to 2022. With the variant surges hopefully behind us, perhaps we are really seeing the “light at the end of the tunnel,” the theme of my 2022 State of the District presentation.

I presented the 2022 State of the District live for the Tampa and Fort Myers bankruptcy bars and by Zoom for Orlando and Jacksonville. Although the presentation is available—for CLE Credit—on the Court’s CLE webpage (<https://pacer.flmb.uscourts.gov/cle/index.asp>), here’s a recap of the highlights:

### **Judges in the News and on the Move**

“The Way We Were” – July 1999



Left to right: Judge Jerry Funk, Judge Karen Jennemann, Judge George Proctor, Judge Paul Glenn, Judge Alexander Paskay, Judge C. Timothy Corcoran, III, Judge Thomas Baynes, and Judge Arthur Briskman.

“We’ve Come a Long Way, Baby” – February 2022



Bottom row left to right: Chief Judge Caryl Delano, Judge Lori Vaughan, Judge Michael Williamson, Judge Catherine McEwen; Top row: Judge Jay Brown, Judge Roberta Colton, Judge Jerry Funk, Judge Grace Robson

Judge Jerry A. Funk:

- Appointed November 3, 1993.
- Retirement Luncheon held November 3, 2021, in Jacksonville.
- Recalled for three years through November 2024.

Judge Karen S. Jennemann:

- Appointed November 3, 1993.
- Retired February 2, 2022.
- Portrait ceremony held February 4, 2022, in Orlando.

Judge Cynthia C. Jackson:

- Appointed March 2013.
- Orlando Division 2013-2020; Jacksonville Division 2020-2021.
- Retired August 2021.

Judge Michael G. Williamson:

- Appointed by Chief Justice Roberts to the Space and Facilities Committee of the Judicial Conference of the United States.

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Judge Catherine Peek McEwen:

- National Conference of Bankruptcy Judges' 2021 Public Outreach Award Recipient.
- Appointed by Chief Justice John Roberts to a three-year term on the Judicial Conference's Advisory Committee on Bankruptcy Rules.
- Chair of Subcommittee on Business Rules and Liaison on the Advisory Committee on Civil Rules.
- National Conference of Bankruptcy Judges' Eleventh Circuit Governor.
- Member of NCBJ's Legislative Committee.

Judge Roberta A. Colton:

- Served on the four-judge Mediation Team in the Puerto Rico PROMESA bankruptcy case, 2017-2022.
- In a January 19, 2022 order, presiding Chief United States District Judge Laura Taylor Swain of the Southern District of New York:
  - ordered that the Mediation Team had "completed its work and accomplished fully the assigned tasks;"
  - thanked the Team members for "undertaking the unprecedented responsibility of facilitating and guiding the negotiations of the parties to these extraordinary cases to substantially consensual conclusions;" and
  - stated, "The Court is sincerely and deeply grateful to Judge Houser and the Mediation Team for answering the call and their tireless, skillful work throughout the progress of these uniquely complex cases."

Judge Lori V. Vaughan:

- Appointed February 25, 2020.
- Investiture (finally!) held February 25, 2022, in Tampa.
- Judicial Chair, Local Rules Lawyers' Advisory Committee.

Judge Jacob A. Brown:

- Sworn in on November 3, 2021.
- Former law clerk to Judge Funk.
- Former partner at Akerman LLP, Jacksonville.
- Formal investiture will be held in Jacksonville.

Judge Grace E. Robson:

- Sworn in on November 3, 2021.
- Board-Certified Bankruptcy Attorney.
- Former partner at Markowitz Ringel Trusty & Hartog, P.A., Miami.
- Formal investiture will be held in Orlando (scheduled for June 21, 2022).

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Judge Jason A. Burgess:

- Sworn in on March 18, 2022.
- Board-Certified Business and Consumer Bankruptcy Attorney.
- Former Subchapter V Trustee.
- Formal investiture will be held in Jacksonville.

Judge Tiffany Payne Geyer:

- Sworn in on March 25, 2022.
- Former law clerk to Judge Jennemann.
- Former partner at BakerHostetler, Orlando.
- Formal investiture will be held in Orlando.

Chief Judge Caryl E. Delano:

- Reappointed for second term beginning June 24, 2022.

United States Bankruptcy Judge Denise E. Barnett:

- Trial attorney with the Office of the United States Trustee, Tampa, 2002-2021.
- Appointed November 8, 2021, as United States Bankruptcy Judge, Western District of Tennessee, Memphis Division.

**Clerk's Office**

Sheryl Loesch, Clerk of Court:

- Serves as President of the International Association for Court Administration.

José Rodriguez, Chief Deputy:

- Joined our Court in December 2021 after serving as Chief Deputy for the U.S. Bankruptcy Court, Southern District of Florida.
- SDFL Chief Deputy for seven years and Director of Administrative Services for 11.5 years.

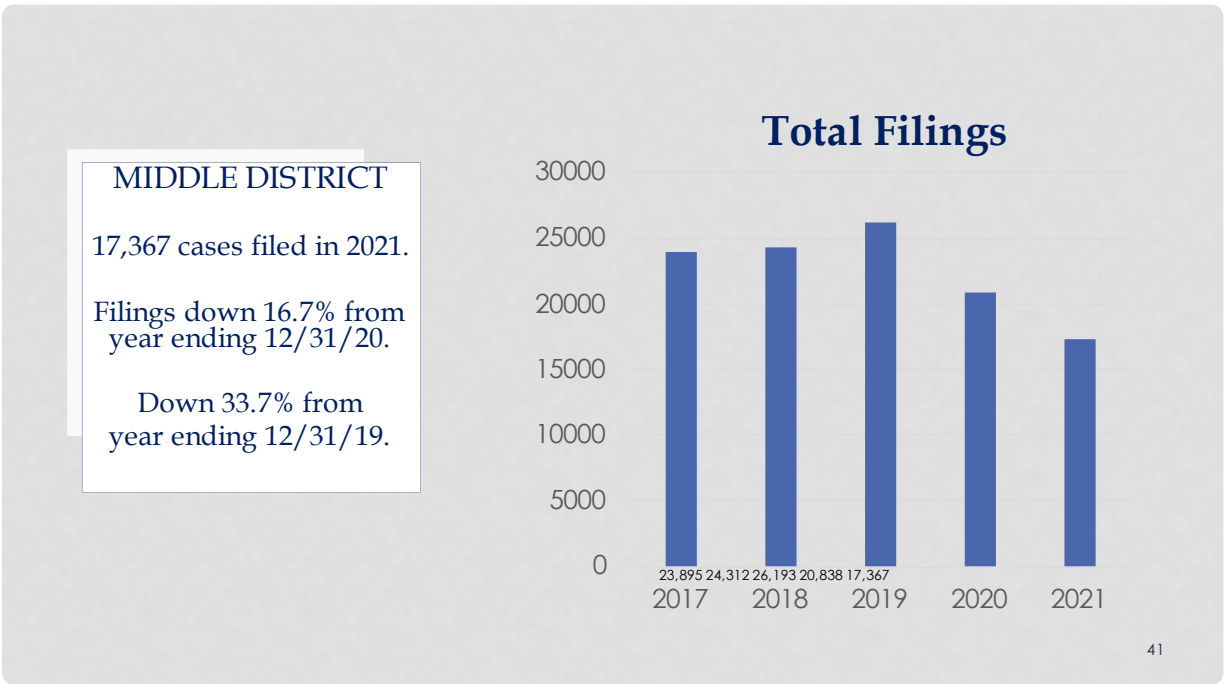
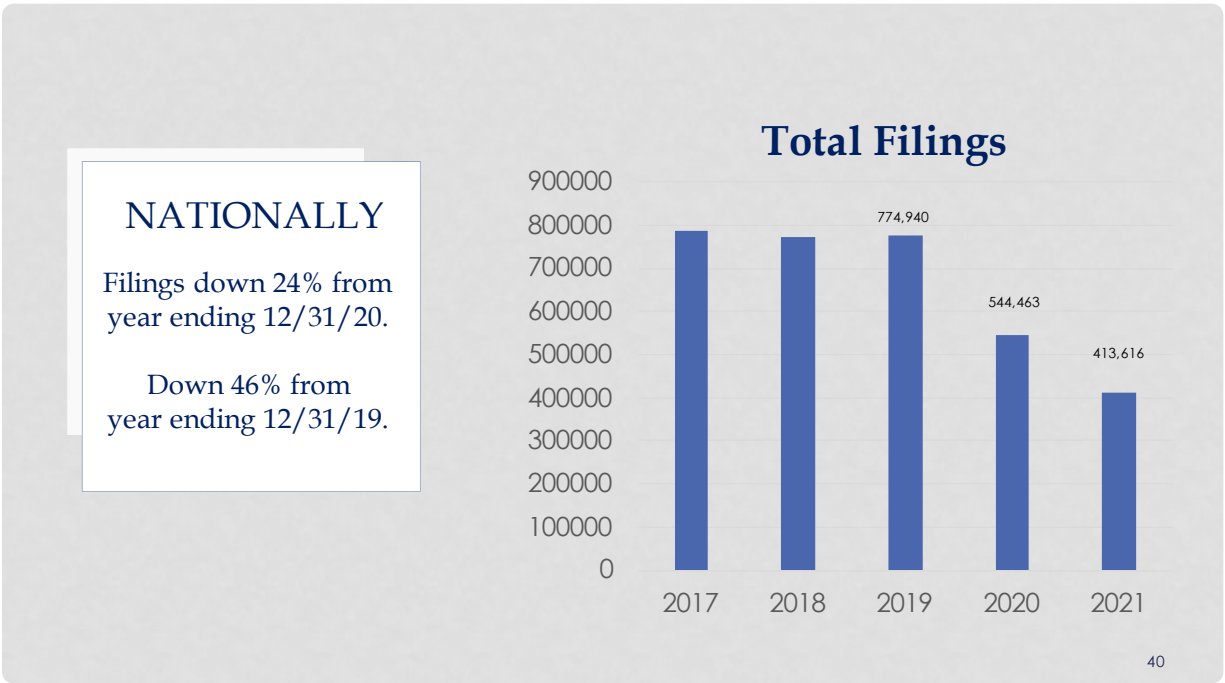
Division Managers:

- Gull Weaver – Jacksonville
- Kathy Deetz – Orlando
- Tina Mason – Tampa and Fort Myers

Court Employees:

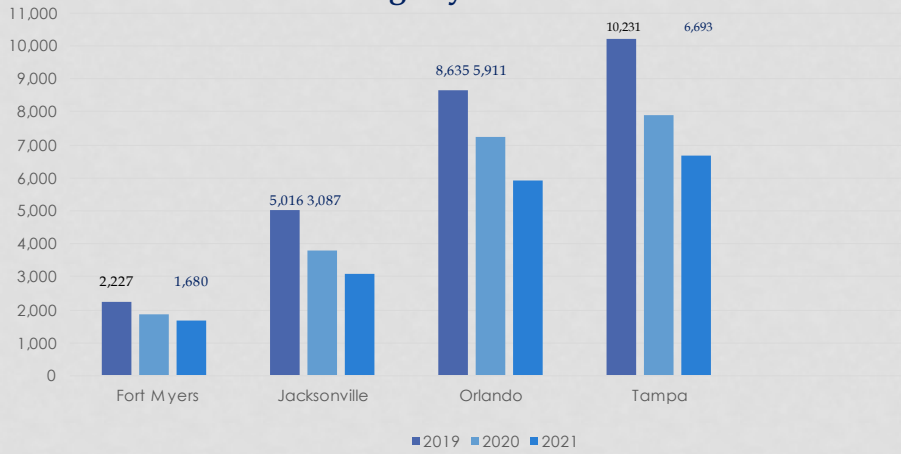
- 66 Employees
- 3 Division Managers
- 27 Case Managers
- 10 IT Staff

**Statistics**



## FILING STATISTICS - MDFL

**Filings By Division**



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## COMPARISON: 2019, 2020, & 2021 FILINGS

	2019	2020	2021
• Chapter 7	18,873	16,653	13,753
• Chapter 11	349	282	226
• Chapter 13	6,951	3,891	3,382
• Other-12,15	20	12	6
• <b>Total Filings</b>	<b>26,193</b>	<b>20,838</b>	<b>17,367</b>
• APs	1,234	977	773



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## MIDDLE DISTRICT RANKINGS

Nationally, for the year ending December 31, 2021,  
The Middle District of Florida ranked:

- 2nd in total number of bankruptcy case filings;
- 2nd in total number of Chapter 7 case filings;
- 5th in total number of Chapter 11 case filings;
- 7th in total number of Chapter 13 case filings;
- 3rd in total number of adversary proceedings; and
- 1st in *pro se* filings per authorized judgeship.



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## MIDDLE DISTRICT WEIGHTED CASE AVERAGE

Nationally, for the Year Ending December 31, 2021

- National average of weighted cases per judge is 535.
- MDFL ranked 7th in the nation for a total of 754 cases per judge (8 judges, plus 1 temporary judgeship).
- For 8 judges, 848 weighted cases per judge, tied for 4th place with the Southern District of Florida.

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## **Small Business Reorganization Act (“SBRA”)**

### **Florida is #1.**

500 Subchapter V Cases filed in Florida through February 28, 2022.

- Middle District – 277 Sub V Cases Filed.
- Southern District – 193 Sub V Cases Filed.
- Northern District – 30 Sub V Cases Filed.

### **Middle District is #1.**

- Middle District – 1st in the U.S.
- Southern District – 3rd in the U.S.
- Northern District – 33rd in the U.S.

### **Middle District Filings by Division:**

- Tampa – 119 Cases
- Orlando – 100 Cases
- Jacksonville – 41 Cases
- Fort Myers – 17 Cases

## **New Developments**

### **No More Masks!!**

On March 7, 2022, Chief District Judge Corrigan entered an Order Vacating COVID-19 Mask Order.

- Masks are no longer required to be worn by visitors or employees in Middle District of Florida courthouses.
- However, the presiding judge retains discretion to require masks in a court proceeding, and anyone who wishes to wear a mask in the courthouse may continue to do so.

## **Thank you to our Bar!**

### **Local Rules Lawyers’ Advisory Committee:**

- Committee works with Judge Vaughan, Judicial Chair, to suggest and review proposed new and amended Local Rules.
- Hon. Lori V. Vaughan – Judicial Chair
- Members from each Division:
  - Jason A. Burgess, Esq. – Jacksonville Division
  - David W. Fineman, Esq. – Fort Myers Division



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- Elena Paras Ketchum, Esq. – Tampa Division
- Kim Osment – Court Project Manager
- Daniel A. Velasquez, Esq. – Orlando Division

District-Wide Steering Committee:

- Established in 2012.
- Suggests and evaluates procedures and policies.
- Hosts Bench-Bar Conference.
- 2020 and 2021 Bench-Bar Conferences held via Zoom.
- Outgoing Members:
  - Barbara A. Hart, Esq., Chair – Tampa
  - Ana V. De Villiers, Esq. – Orlando
  - Eileen Dolaghan, Esq. – Jacksonville
  - Melissa H. Jeda, Esq. – Fort Myers
  - Gary J. Lublin, Esq. – Orlando
  - Douglas N. Menchise, Esq. – Tampa
  - Jonathan A. Semach, Esq. – Tampa
  - Miriam Suarez, Esq. – Orlando
- Current Members:
  - Christopher R. Thompson, Esq., Chair – Orlando
  - Gregory L. Atwater, Esq. – Jacksonville
  - Todd Budgen, Esq. – Orlando
  - Jason A. Burgess, Esq. – Jacksonville
  - Gregory A. Champeau, Esq. – Fort Myers
  - Kelly Remick, Esq. – Tampa
  - Scott A. Underwood, Esq. – Tampa
  - Guy A. Van Baalen, Esq. – Tampa
  - Daniel A. Velasquez, Esq. – Orlando