



Clerk's Message
By: Sheryl L. Loesch

Life is never boring in the U.S. Bankruptcy Court in the Middle District of Florida. I think each member of our Court can attest that something unexpected happens nearly every day. As we face new challenges, our staff remain motivated and adapt however necessary to maintain the integrity and respect of our Court. This is a testament to the high caliber employees we have in the Middle District of Florida.

Last fiscal year we were told to expect massive budgetary cuts – most specifically cuts to our staffing. We saw the retirements of nine members of our court family due to the proposed cuts. When the budget was finally passed, surprisingly, the anticipated cuts were far less than we were told, so we found ourselves with a healthier budget than planned. While that may sound like a good situation to be in, it's actually counter-productive because we then are told to expect even larger budget cuts for the following year. It does no good to “staff up” since the following year we may not be able to afford the newly hired staff. To say this is a dysfunctional way to manage a court is an understatement, but it is the world in which we live. This situation is the same for every Bankruptcy Court, District Court, Probation, and Pretrial Services office throughout the country. Agency heads like myself have embraced the motto, “plan for the worst and hope for the best.” However, hope and prayer have not helped with budget planning. During the annual turmoil that federal courts and federal court agencies face with funding requests, I have embraced one of Dr. Suess' books, “*Oh, the Places You'll Go*,” especially when he wrote:

“I'm sorry to say so, but sadly, it's true that Bangs-ups and Hang-ups can happen to you. You can get all hung up in a prickly perch. And your gang will fly on. You'll be left in a Lurch.”

Each budget cycle, I need to dig my way out of that “Lurch,” and I do that by trying to find inspiration and motivation. I'm pleased to say that our Judges and staff are great sources of both.

This year, a number of our staff attended the National Conference of Bankruptcy Clerks' annual conference. Fortunately, we had the funding to send folks to this worthwhile educational conference that included special program tracks in the areas of human resources, information technology, financial management, and case management, as well as general topics covering the use of Teams and SharePoint, community service, and creativity in the workplace. In addition to the excellent educational programs offered, the networking opportunities were priceless.

Many of you are aware of my passion for international Rule of Law efforts. This is a topic Judge Williamson and I shared, and I cherish our many discussions on the off-the-beaten-path parts of the world where we each had the opportunity to visit and provide expertise. I'd like to share with you an outreach effort that is not well known, but I think it's one in which those of you in the legal community will have an interest. I was honored to be invited to participate in a small group of women judges and lawyers who are helping a group of at-risk Afghan women judges in Islamabad. During the 20-year presence of the United States in Afghanistan, the U.S. urged women to seek education and professional careers. As a result, in 2021 there were approximately 300 women judges in Afghanistan who were educated by the United States Agency for International Development (USAID) and the International Association of Women Judges (IAWJ) in both the United States and in Afghan universities.

When the U.S. exited Afghanistan in August 2021, there were no provisions in place to rescue the women judges. Women judges are particularly at-risk in Taliban dominated and governed Afghanistan – first, they are women. Second, they are educated women. Third, they are professional women, and fourth, they are judges who have sentenced Taliban and ISIS defendants during their careers. They are women judges who did what the U.S. urged them to do – establish the Rule of Law in Afghanistan.

Few of these women judges got out of Afghanistan before the takeover of power by the Taliban. The Taliban have gone house to house in search of women judges. At least two of them have been summarily shot and killed when found. The IAWJ has and is assisting these women judges in their quest to escape. Immediately following the U.S. exit from Afghanistan, some judges did escape to lily-pad countries (where many remain.)

The Taliban blocked all further rescue flights in May/June 2022. Since that time, most of the women judges have escaped over land to Islamabad, Pakistan, where they seek P1 visa status and visas to relocate to safe countries. At present, there are 19 women judges and their families still in Islamabad awaiting U.S. visa processing. In order to come to the U.S. with a P1 visa (regular immigrant status), there must be a

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resettlement agency in the lily-pad country that will process the visa and relocation request. There is no such agency in Islamabad because the government of Pakistan has not given permission to the U.S. to establish such an agency there.

These women judges and their families are at a dead-end with no hope of exit. The earliest judges arrived in Pakistan in May/June 2022. The Pakistan visas are only valid for one year. The only way to obtain an extension is to return to Afghanistan (not a viable option) or obtain one on the black market. Extensions can only extend the visa for six months and cannot be renewed or extended thereafter. Afghans in Pakistan cannot obtain a visa to any other country; therefore, they are stuck in Pakistan with no exit except to return to Afghanistan and most probably face death. These 19 judges and their families have little hope of escape. The IAWJ and various humanitarian organizations have been providing support and are in constant contact with them. I have personally read some of the email communications from these judges to the judges in my little group, and I can tell you their situation is heartbreaking.

As the Clerk-liaison to the International Judicial Relations Committee (a Committee of the United States Judicial Conference), I attended the Committee's meeting last month in Washington, D.C. I was able to provide an overview of this situation to the members and other liaisons to the Committee, and I am so pleased to say the report caught the attention of some high-ranking staff at the State Department who immediately leaped into action. The State Department is pressing hard to get the first family out. This is a family with no children, so it is a slightly less complicated effort. After that, the State Department plans to assist with extracting the remaining judges. Of all the international efforts I have been part of over my career, this particular one is most endearing to my heart. The small group that started all this is named the San Diego Afghan Rescue and Resettlement group, and I am honored and proud to be part of it. If anyone has any questions or would like additional information about this effort, please don't hesitate to contact me.