



## **What's New?**

### **Revised Procedures Governing Court Appearances and New Form Notices of Hearing Effective January 2, 2024**

The judges of the Middle District of Florida have posted their procedures governing court appearances (including remote access by video and telephone) on their individual webpages on the Court's website. In addition, the Court has revised its form Notices of Hearing to direct parties to the assigned judge's webpage for procedures governing court appearances. Judge Funk will continue to use CourtCall for telephonic appearances; all other judges will use Zoom for both video and telephonic appearances.

### **Updated Administrative Order Prescribing Procedures for Chapter 13 Cases, Revised Model Chapter 13 Plan, and Order Confirming Plan Effective December 4, 2023**

The Court has entered Administrative Order FLMB 2023-3 Prescribing Procedures for Chapter 13 Cases Filed on or after December 4, 2023. The Court also revised the Model Chapter 13 Plan and Order Confirming Plan effective December 4, 2023. The revisions conform the Administrative Order, the Model Plan, and the Order Confirming Plan to the Middle District's current Chapter 13 procedures; facilitate more uniform Chapter 13 procedures; and make the procedures more understandable for practitioners, debtors, and creditors.

### **Negative Notice and Accompanying Orders Lists Updates**

The Court has updated its Negative Notice and Accompanying Orders Lists. Following is a summary of the changes:

- Chapter 7 motions for relief from stay, excluding requests for prospective relief, may be filed on negative notice. But if the debtor and the trustee consent, or if the trustee has filed a report of no distribution or notice of abandonment of the subject property, the movant may submit an accompanying order.
- Chapter 11 motions for relief from stay filed with the consent of the debtor and the trustee (if any) may be filed on negative notice. If a creditor's committee has not been appointed, the motion may be filed with 14 day's negative notice to the 20 largest unsecured creditors. However, if a creditor's committee has been appointed and the committee, the debtor, and the trustee (if any) consent to the relief, the movant may submit an accompanying order.
- Motions for relief from stay in Chapter 12 and 13 cases as to the debtor, excluding requests for prospective relief, may be filed on negative notice. However, if the debtor and the trustee consent, the movant may submit an accompanying order.
- Motions related to discovery in adversary proceedings must be filed on negative notice. However, if the responding party has failed to respond to a discovery request and the motion does not include a request for sanctions, waiver of objections, or deemed admissions, the movant may submit an accompanying order that gives the respondent 14 days to produce documents or respond to the discovery request.
- For motions filed in adversary proceedings, the negative notice legend must provide for a 14-day response period, except for motions for summary judgment for which the response time must be 21 days unless otherwise ordered by the Court.

### **Revisions to Official Forms, Federal Rules of Bankruptcy Procedure, and Miscellaneous Fee Schedule, effective December 1, 2023**

On December 1, 2023, revisions to Official Forms, Federal Rules of Bankruptcy Procedure, and the Bankruptcy Court Miscellaneous Fee Schedule went into effect. Amendments to the Federal Rules of Appellate Procedure, Civil Procedure, and Evidence were also effective on that date.

**Practice Pointers Regarding § 341 Zoom Meetings**

Meet with your clients in advance of their § 341 Zoom meeting to check their technology capabilities and devices to make sure they will be able to sign into the meeting timely and effectively! To test Zoom, click the following link or type it into your browser: <https://zoom.us/test>.

And if your clients speak a different language, please contact the U.S. Trustee in advance of the 341 meeting to request translator services.

Tampa and Fort Myers Division Cases:  
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Also, there have been recent updates to the [Trustee Pages](#) on the Source. Please check there for current contact information and requirements for providing documents in advance of § 341 meetings.