The Court Connection

Summer 2026
Volume 15, Issue 2

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Chief/Chef's Message
By: Chief Judge Jacob A. Brown

As case filings pick up and that trend seems poised to continue, the Court continues to look for ways to handle case filings efficiently. If you have an idea for a proposed change or a local rule that will help meet this goal, please let me or Judge Vaughan, Chair of our Local Rules Committee, know.

As for other events, thanks to Judge Delano, I recently entered an Administrative Order for **Student Loan Discharge Adversary Proceedings** with a portal to upload documents for settlement review somewhat akin to our existing mortgage modification procedures. Thank you, Judge Delano. More details on that portal process will be forthcoming. In the meantime, *Administrative Order Prescribing Available Procedures in Adversary Proceedings Filed Under 11 U.S.C. § 523(a)(8) to Determine the Dischargeability of Student Loans Held by the Department of Education*, Admin. Order FLMB-2026-4, is available on the Court's Administrative Orders page at https://pacer.flmb.uscourts.gov/administrativeorders/search.asp.

Another item worth noting is a new **Judicial Settlement Conference Protocol**. Lawyers seeking to have one of us appointed as a judicial settlement officer should approach the presiding judge in their case to make the request. The Court will employ the following criteria for deciding whether or not to ask one of our colleagues to serve as a judicial settlement officer: (1) parties' ability to pay for a private practice mediator, (2) whether the matter was already mediated by a private practice mediator and it failed, and (3) whether there are truly unusual circumstances in the matter that warrant a judicial settlement officer instead of a private practice mediator. We are developing an administrative order to encompass this protocol along with a Districtwide form order of appointment. That should be entered in the months ahead.

I also want to remind the consumer debtor bar we have a new **Mandatory Form Motion to Extend the Automatic Stay** on our website at: https://www.flmb.uscourts.gov/proguide/documents.asp?ID=106. Thanks to those consumer debtor lawyers using the new form. For people who are not familiar with or not using it, please begin using it.

Service of Process - I know I am preaching to the choir with those reading this article, but we have had several recent incidents where hearing notices or orders scheduling hearings are not properly served by the responsible lawyer. This is not good, and we are looking at ways to make sure these notices and orders are properly served. To ensure this is happening we need your help. For those serving notices and orders, please make sure there is prompt and complete service of any hearing notice or order you are responsible to serve. This is very important as there are due process concerns, and failure to correctly serve creates issues that take a lot of time to fix or require hearings to be cancelled or rescheduled. If you are in a case and you see that a notice or order has not been properly served, please let either the serving lawyer know or contact the Clerk's office.

Other items of note:

- We are really looking forward to **Judge Williamson's Portrait Ceremony** on Wednesday, November 4, 2026, at the Sam M. Gibbons U.S. Courthouse in Tampa, with a reception to follow at the Tampa River Center. **The Judge Michael G. Williamson View from the Florida Bankruptcy Bench** program will be held the following day, Thursday, November 5, 2026, at USF Health CAMLS.

- Judge Caryl E. Delano has announced she will retire in 2027 and will seek a recall position. The Eleventh Circuit has posted to fill the position is in the process of selecting a new judge.

- The Federal Judiciary has embarked on challenges to the Government Services Administration's ongoing poor management of courthouse facilities. The Middle District of Florida has more than its fair share of problems at its courthouse sites that have resulted in unexpected and forced courthouse closures and many other ongoing issues with our facilities. There are serious ongoing issues at all four Middle District courthouses used by the Bankruptcy Court. If you see an issue at any of our four courthouse locations, please let our Clerk of Court, José Rodriguez, know so he can ensure it is reported.

So, I jokingly included Chef in the title and wanted to share that I enjoy cooking. I am holding back on the last season of *The Bear* at the moment and enjoy watching cooking shows and learning new ways to cook. I hardly ever use a recipe and work from various principles instead. One of my favorite things to do is to cook fish I catch, including a sea trout ceviche.

While I am not one for a recipe, here is my process:

1. Fresh sea trout sliced very thin.
2. Top with fresh squeezed lime juice, a thinly sliced sweet onion, some sea salt, and a little fresh ground pepper.
3. Mix together.
4. Top with freshly sliced bell pepper or fruit.
5. Garnish perhaps with something with a little kick.
6. Refrigerate for an hour and serve with chips or crackers.

Never had a complaint! Next time, I will touch on grilling whole fish. Bon Appetit!

I close by saying it remains a true honor to serve the Court and the Bar as Chief Judge of this great Court. Thank you.

Clerk's Message
By: José A. Rodriguez, Clerk of Court

The Clerk's Office continues to experience significant growth and operational momentum as we move through 2026. Case filings remain elevated across all divisions, with a 28% increase as of May 2026 compared to the same period last year. The District has recorded 12,774 filings through the end of May, representing 2,700 more cases than this time last year. Division-level increases include Jacksonville up 35%, Orlando up 21%, Tampa up 28%, and Fort Myers up 27%. Nationally, the Middle District of Florida continues to rank among the busiest bankruptcy courts, placing 2nd in total filings, 1st in Subchapter V, 5th in Chapter 11, and 3rd in adversary proceedings for the 12-month period ending April 30, 2026.

The Court absorbed a 10% budget reduction for FY2026, and while FY2027 projections are still developing, current House proposals point to a possible 4–6% cut. Even so, we expect to receive additional staffing credit next fiscal year based on rising case filings. Recruitment remains active, with an IT Technician position underway in the Orlando Division, an HR Specialist in the Tampa Division, a Data Quality Analyst position, and we anticipate additional Case Manager hires in FY2027. We are also pleased to recognize the following individuals who have joined the Court family this year:

Jacksonville:
05/18/26 – Jonathon Destefano-Case Manager
05/18/26 – Naomi Wilson-IT Technician II
06/01/26 – Marc Sendra-Term Law Clerk (Judge Burgess)
06/29/26 – Nicko Wardana-IT Security Officer

Orlando:
01/12/26 – Melissa Haniff-Case Manager
06/01/26 – Jajahira Benitez-Case Manager
06/01/26 – Patrick McGee-Case Manager

Tampa:
01/12/26 – Patricia Levy, Career Law Clerk (Judge Rivera)
02/23/26 – Pietro Walker-IT Support Supervisor
03/09/26 – Emma Billings-Case Manager
03/23/26 – Ohanna Fernandes-Case Manager

The Court recently completed an IT/Operations restructuring, establishing two specialized support teams within the IT Department. The CM/ECF Operations Team, led by Seth Bowe, will manage procedures, the Help Desk, forms, and the dictionary, as well as oversee programs that support change management and quality control. The Network/Support Team, led by Pietro Walker, will oversee technical support, cybersecurity, network infrastructure, courtroom audio/visual systems, and ongoing technology upgrades.

Technology initiatives remain a central focus for the Court. The Automated Docketing Interface (ADI) has successfully implemented automated Chapter 7 discharges and will expand to Chapter 13 later this year. The CM/ECF Version 1.9 upgrade is scheduled for January 2027, and the CHAP project is set to go live in early 2027. The Help Desk is refining its voice prompts to better direct callers to appropriate support resources, and staff contact information remains available on the Court's website.

Several major facilities projects are underway across the District. In Jacksonville, flooding required temporarily relocating Chief Judge Brown to Courtroom 4B while repairs and renovations proceed in his courtroom. In Fort Myers, the courtroom audio/visual system was installed in July. Renovations to Judge Rivera's Tampa chambers are also progressing following the recent award of a contract. In addition, we have completed the audio/visual design for the Orlando courtrooms and are now working on acquiring the necessary infrastructure to support installation later in the year.

With hurricane season underway, the Clerk's Office reminds all Court users that any closures will be announced on the Court's website and through e-blasts to ensure timely communication.

As we look toward the remainder of the year, I want to extend my sincere gratitude to our entire staff for your hard work, dedication, and unwavering commitment. Your innovation, teamwork, and daily professionalism have driven our success and created an environment where excellence and collaboration truly thrive. I am incredibly proud of what we have accomplished together and energized by the opportunities ahead. As we move forward, let's carry with us the perseverance and spirit of cooperation that define this team. No challenge is too great and no goal beyond reach when we work together. Thank you for your resilience, creativity, and steadfast dedication to our mission. It is a privilege to work alongside such talented individuals.

BREAKING NEWS:
Available Procedure in Student Loan Discharge Cases
By: Judge Caryl E. Delano

The Court recently entered Administrative Order FLMB-2026-4 Prescribing Available Procedures in Adversary Proceedings Filed Under 11 U.S.C. § 523(a)(8) to Determine the Dischargeability of Student Loans Held by the United States Department of Education to facilitate the use of an available resource for preparing document preparation software and a portal for the exchange of information between the debtor and the U.S. Department of Justice (DOJ). The procedures provided for in the Administrative Order were developed in consultation with Middle District attorneys who represent debtors in student loan adversary proceedings and the United States Attorney's Office on behalf of the Department of Education.

Most debtors' attorneys are familiar with the Court's successful mortgage modification mediation program (MMM) and the use of a portal for the exchange of documents between debtors, mortgage lenders/servicers, and the MMM mediator. Although the dynamics of student discharge litigation differ from those of MMMs, the process provided for in the DOJ's 2022 Guidance for Department Attorneys Regarding Student Loan Bankruptcy Litigation (available at www.justice.gov/ust/student-loan-guidance) may be simplified by the use of document preparation software, a case management system, and a portal for the secure transmission of debtors' confidential financial information.

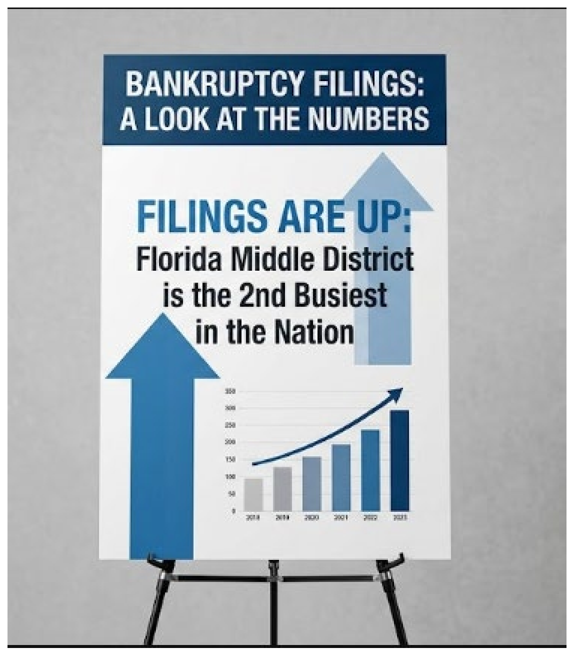
For more information on this available program, please see the Student Loan Discharge Program in the Court's Procedure Manual/Adversary Proceedings.

Case Filings Are Indeed Up!

Bankruptcy filings in the Middle District of Florida are up again – an increase of 26.1% during the 12-month period ending June 30, 2026. The Middle District's national rankings for the period are:

Total Cases – 2nd (29,567)
Chapter 7 Cases – 2nd (22,851)
Chapter 11 Cases – 5th (536)
Sub V Chapter 11 Cases – 1st (324)
Chapter 13 Cases – 6th (6,165)
Adversary Proceedings – 3rd (964)

And our Middle District of Florida bankruptcy judges are again amongst the busiest in the Nation, ranking 5th busiest with 2,234 weighted cases per judgeship.



National bankruptcy filings rose 12.2% in the 12-month period ending June 30, 2026, compared with the previous year.

According to statistics released by the Administrative Office of the U.S. Courts, national bankruptcy filings totaled 608,511 in the year ending June 30, 2026, compared with 542,529 cases reported during the year ending June 30, 2025.

Nationally, business filings rose 16.9% from 23,043 to 26,941 in the year ending June 30, 2026. Non-business bankruptcy filings rose 12% to 581,570, compared with 519,486 in the previous year.

Bankruptcy totals for the previous 12 months are reported four times annually.

Published on July 28, 2026, at www.uscourts.gov, the website maintained by the Administrative Office of the U.S. Courts on behalf of the Federal Judiciary.

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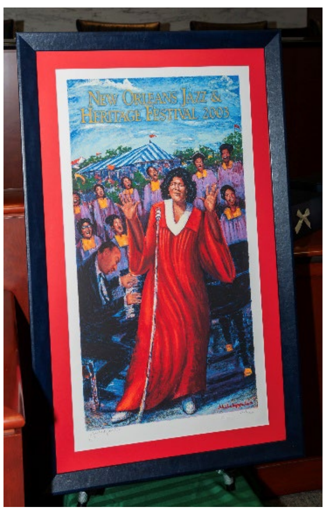
The Investiture of Luis E Rivera II: A New Chapter

By: Michael A. Mora,

J.D. Candidate, Stetson University College of Law

On June 12th, 2026, the Honorable Luis Ernesto Rivera II was formally inducted into the United States Bankruptcy Court for the Middle District of Florida. Judge Rivera was joined by his wife, Kathleen, his children, his parents and siblings, and hundreds of colleagues and friends from across the Sunshine State who gathered to celebrate the occasion. Throughout the ceremony, several speakers offered heartfelt remarks recognizing Judge Rivera's professional accomplishments, integrity, and commitment to public service.



Among the ceremony's most memorable moments was the presentation of a framed New Orleans Jazz & Heritage Festival poster featuring Mahalia Jackson, commemorating a story from Judge Rivera's years in New Orleans. When attending the iconic Jazz Fest, Judge Rivera and his friends agreed that if they became separated, they would reunite at the Mahalia Jackson ancestor monument at The Fairgrounds. Over the years, the poster came to symbolize something more enduring: that no matter where life leads, family and friends provide a steadfast source of support. The gift reflected the deep relationships that have shaped Judge Rivera's personal and professional journey.

Before his appointment to the bench, Judge Rivera was a shareholder at GrayRobinson, where he served as Deputy Chair of the firm's Bankruptcy practice group and Managing Shareholder of the Fort Myers and Naples offices. He also served as a Chapter 7 Trustee in Fort Myers, earning widespread respect as a skilled bankruptcy practitioner and trusted member of the Middle District of Florida's bankruptcy community. In addition to his professional commitments, Judge Rivera also served his community as a trustee at Florida Gulf Coast University, Chair of the Finance Counsel at Saint Francis Xavier Catholic Church, and as a Vice President and Executive Committee member of the Southwest Florida Council of Scouting America.

United States Circuit Judge Charles R. Wilson administered Judge Rivera's oath of office, and Chief United States Bankruptcy Judge Jacob A. Brown presided over the ceremony, joined by Judges Jason A. Burgess and Jerry A. Funk of Jacksonville; Judges Lori V. Vaughan, Grace E. Robson, and Tiffany P. Geyer of Orlando; and Judges Catherine Peek McEwen, Caryl E. Delano, and Roberta A. Colton of Tampa.

Following the administration of the oath, Judge Rivera expressed his "overwhelming gratitude" to the speakers who participated in the ceremony and the members of the bar organizations who made presentations. Judge Rivera thanked the United States Court of Appeals for the Eleventh Circuit, his new colleagues on the federal bench, and the many family members, friends, and mentors who had supported him throughout his career. Reflecting on his appointment, Judge Rivera observed that no one reaches the bench alone and acknowledged that the honor was made possible by the encouragement, guidance, and generosity of those who stood beside him along the way.

"To those who have participated in today's program, whether by presenting a gift, sharing a story, or offering prayers: your words have touched me deeply, and I am honored by your participation," Judge Rivera said. "You have made this formal transition not just a milestone, but a memory my family and I will cherish forever."

Left to right:
Judge Geyer, Judge Robson, Judge Colton, Judge McEwen, Judge Brown, Judge Rivera, Judge Delano, Judge Vaughan, Judge Burgess, Judge Funk

Judge McEwen Receives 2026 HCBA Margaret D. Mathews Mentoring Award

On May 19, 2026, the Hillsborough County Bar Association presented Judge Catherine Peek McEwen with the *Margaret D. Mathews Mentoring Award*. The Mentoring Award recognizes an HCBA member who has achieved excellence in his or her own career, demonstrates a consistent commitment to the advancement of young lawyers, serves as a mentor to lawyers, and encourages meaningful involvement in the Tampa Bay Community. Judge Caryl E. Delano provided the introduction.

Pro Bono 2026:
Pro Bono Update and Goals
By: Judge Grace E. Robson*

*With the much appreciated assistance of intern Baker Wilcox

The judges and attorneys in the Middle District of Florida are busy! During the 12-month period ending March 31, 2026, our district was second in the nation with 27,925 bankruptcy cases filed, reflecting a 27.4% increase over the number of filings in the same period in 2025.[1] It is probably no surprise that our district has many individuals who file cases on their own.

As you can see from the statistics below,[2] pro se filings for 2026 are on track to exceed the numbers from 2025.

2025 Pro Se Case Filings

Division	Chapter 7	Chapter 11	Chapter 12	Chapter 13	Chapter 15	Total Cases
Ft. Myers	78	6	0	32	3	119
Jacksonville	301	13	1	135	1	451
Orlando	630	17	0	298	1	946
Tampa	715	18	3	304	0	1040
District	1724	54	4	769	5	2556

2026 YTD Pro Se Case Filings
(though June 21, 2026)

Division	Chapter 7	Chapter 11	Chapter 12	Chapter 13	Chapter 15	Total Cases
Ft. Myers	54	0	0	19	0	73
Jacksonville	172	5	1	106	0	284
Orlando	396	8	0	159	0	563
Tampa	428	6	2	232	1	669
District	1050	19	3	516	1	1589

[1] United States Courts, *Bankruptcy Cases Filed, Terminated, and Pending*, (June 8, 2026), https://www.uscourts.gov/sites/default/files/document/bf_f_0331.2026.pdf.
[2] Thanks to Sara Mason for compiling this data.

While individuals have the right to represent themselves, I will paraphrase the late great Chief Judge Emeritus A. Jay Cristol, who I often heard in court say to self-represented individuals something to the effect of, "Yes, you can represent yourself, but if you needed surgery, would you perform surgery on yourself?" Judge Cristol's point was that bankruptcy is complex, and it is advisable to have an attorney assist navigating a case to reduce any negative consequences that could be avoided if one has proper advice. Which leads me to the importance of pro bono work in our bankruptcy system.

Giving your precious time to assist others in our bankruptcy system provides tremendous benefits. First, there is personal satisfaction of assisting others. In addition, the time you spend on assisting people who would otherwise be unrepresented results in more consensual resolutions, narrowing of issues, and the general more expedient administration of cases and proceedings that allows judicial resources to be used for the more complex and time-consuming matters.

I know it is a lot to ask people who bill by the hour to give their time. The American Bar Association has cited a lack of time as the biggest challenge to attorneys providing pro bono work.[3] Despite the challenge of a demanding schedule, pro bono work plays a vital role in our society. Pro bono work helps bridge the justice gap in our society, defined as "the disparity between the legal needs of low-income individuals and available resources."[4] Bridging this justice gap helps protect vulnerable individuals who face a complex legal system. In addition, pro bono work can promote faith in the judiciary. A 2024 Gallup poll measures Americans' faith in the judicial system at 35%.[5] Pro bono work can help increase faith in the judiciary, as it promotes judicial resolution on the merits, diminishing the influence of financial capacity.

In addition to this important role in society, since 1993, the Florida Supreme Court has called on lawyers to aspire to at least 20 hours of pro bono work a year or contribute $350 to a legal aid organization[6] (with inflation, that would be comparable to $830 in 2026). The ABA sets a loftier goal of 50 pro bono hours a year.[7] Under Rule 4-6.1(a) of the Rules Regulating The Florida Bar, members of the bar should (1) render pro bono legal services to the poor and (2) participate, to the extent possible, in other pro bono service activities that directly relate to the legal needs of the poor.

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[3] American Bar Association, *Supporting Justice V* 2 (2024).
[4] LegalClarity Team, *Why Is Pro Bono Work Important for Justice?*, LegalClarity, (June 5, 2026), https://legalclarity.org/why-is-pro-bono-work-important-for-justice/.
[5] Benedict Vigers and Lydia Saad, *Americans Pass Judgment on Their Courts*, Gallup, (June 3, 2026), https://news.gallup.com/poll/653897/americans-pass-judgment-courts.aspx.
[6] *Amends. to Rules Regulating The Fla. Bar 1-3.1(a) & Rules of Jud. Admin. 2.065 (Legal Aid)*, 630 So. 2d 501, 508 (Fla. 1993).
[7] American Bar Association, *supra*, at 3.

While these goals are aspirational, and not mandatory, it is still important to reflect on how we can better serve our community. There are lots of ways attorneys can provide pro bono services.

First, there is the bankruptcy pro se clinic. As I hope you are all aware, the Middle District of Florida has a Bankruptcy Pro Se Assistance Clinic (www.bankruptcyproseclinic.com) which helps many individuals through free consultations provided by our generous attorney volunteers. We have seen the number of consultations increase exponentially year over year from 87 in 2022 to 1,117 in 2025. In 2026, volunteer attorneys have provided 647 consultations as of May 31, 2026 – which means we are on track to continue this positive trend. As of May 15, 2026, we had 245 registered volunteers, which is amazing (thank you)! While we have a large number of registered volunteers, only 23 volunteers have recurring slots (i.e., weekly availability). So I would encourage those of you who have not done so, to please sign up to provide consultations on a recurring basis. Thirty minutes a week is an achievable commitment to pro bono that would significantly contribute to those in need.

Second, maybe you would consider serving as a mediator in connection with a contested matter or adversary proceeding. If so, please contact one of the liaisons (listed below) and let them know you are willing to serve in a mediator capacity.

Third, the Court has a legal assistance program (the "LAP") which allows low-income individuals to receive pro bono services at the presiding judge's discretion. If you are interested in serving in this capacity, you can fill out a simple form that you can find at https://www.flmb.uscourts.gov/legal_assistance/, and for your convenience, I am attaching the form to this article 😊.

For the LAP, each Court division has pro bono liaisons, who will liaise with the judges to assign attorney volunteers to a matter in which a judge has granted the application for pro bono services. The pro bono attorney liaisons for each of the divisions are listed below:

Jacksonville	Orlando	Tampa	Ft. Myers
Katheryn Hancock	Jennifer Morando Lauren Stricker Melissa Sydow Jonathan Sykes	Kathleen DiSanto	Christian Haman Shannon Puopolo

Don't forget to let us know when you take on a pro bono representation. We want to recognize volunteers in the *Court Connection* newsletter. And some of our judges will even allow Zoom appearances by pro bono counsel or allow cases where pro bono counsel is involved to go to the top of the calendar at hearings. So, a reminder that there are paperless events in CM/ECF to help the judges identify and recognize pro bono attorneys—

> **Bankruptcy Events → Miscellaneous**
>
> Notice of Pro Bono Representation of Debtor(s) (Paperless)
> Notice of Limited Pro Bono Representation of Debtor(s) (Paperless)
>
> **Bankruptcy Events → Motions/Applications/Objections**
>
> Application for Pro Bono Counsel

Finally, I would encourage you to take part in Pro Bono Week, which takes place every year in October. Last year, our Court hosted its own Pro Bono Week celebrations, which was a smashing success. We highlighted pro bono events taking place around the district, including volunteer appreciation and education on how to overcome barriers to take cases on a pro bono basis.

Despite the volume of work we all have, it is encouraging to see many taking an active part in providing pro bono services. Please keep an eye out for information regarding Pro Bono Week 2026, coming this October 25 – 31, 2026!

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

I wish to volunteer for the Court's Legal Assistance Program.

Name: ____
[Please print or type]

Address: ____

____

Telephone: ____
[Please include area code]

Division(s) in which I am willing to accept assignments (check all that apply): __FM __JAX __ORL __TPA

Please return this form by email to: flmb_probono@flmb.uscourts.gov

Revised 3/13/2024

When a Pro Bono Liaison Contacts You, It's Because The Court Needs Your Help!

By: Judge Caryl E. Delano

In this issue's *Pro Bono 2026: Pro Bono Update and Goals*, Judge Robson explains the importance of pro bono attorneys and the role of "pro bono liaisons," who coordinate the assignment of volunteer attorneys to assist pro se parties who qualify for the Court's Legal Assistance Program or for whom the presiding judge has requested a volunteer attorney.

Thank you to the following attorneys who have volunteered to serve as pro bono liaisons!

Jacksonville	Orlando	Tampa	Ft. Myers
Katheryn Hancock	Jennifer Morando Lauren Stricker Melissa Sydow Jonathan Sykes	Kathleen DiSanto	Christian Haman Shannon Puopolo

You may ask, why do we need pro bono liaisons?

Answer: The Operations Supervisor in each of the Court's Divisions maintains a list of attorneys who have signed up to volunteer to provide pro bono services. Prior to the Court's transitioning to the liaison process, when a judge approved a pro se party's application for a pro bono attorney through the Court's Legal Assistance Program, or a judge *sua sponte* requested a pro bono attorney for a pro se party, the Operations Supervisor emailed the attorneys on that list to request a volunteer. But many times, there was no response to the email, meaning that no attorney stepped up to handle the case or to speak with the pro party.

Now, the pro bono liaisons, all experienced bankruptcy practitioners who know their local bankruptcy communities, reach out directly to a specific attorney to ask the attorney to assist the pro se party. The pro bono liaisons are able to match pro se parties with attorneys who are likely to be able to help the party and are also able to avoid burdening a small group of attorneys with a large number of requests.

What can you do? If you receive a telephone call or an email from one of the pro bono liaisons, **PLEASE** answer the call. By that, I mean: *first*, please answer the call or reply to the email as the liaison is reaching out to you to because the Court has requested pro bono assistance for an unrepresented party; and *second*, please consider assisting the pro se party, whether that assistance means taking on the party's representation or giving the party much needed legal advice.

Practice Pointer: If you represent a party pro bono at a hearing (whether in person or by Zoom), please tell the judge's courtroom deputy, as the judge may advance your case on the calendar.

Make Me Smile Moments

by: Judge Catherine Peek McEwen

The pro se debtors in these cases truly "got it" both figuratively and literally when educated by the Court or their credit counseling agency on their several alternatives to a burdensome reaffirmation agreement:

Debtor 1 had a 2021 Volkswagen Jetta worth about $16,000. She owed about $23,000 on the car loan secured by it, payable with interest at 22 percent. She chose to investigate the new car buying services offered by brokers specializing in customers going through bankruptcy. She rescinded the reaffirmation agreement and bought a 2024 Equinox for less than what she owed on her 2021 car and with a four-point lower interest rate on the new car loan. So a win-win-win: newer car, lower loan balance, lower interest rate. She credited FreshStart HeadStart for pointing her to "Teddy" at Wesley Chapel Kia.

Debtor 2, like Debtor 1, chose to explore the new car alternative. She had a 2025 Nissan Versa worth about $20,000 according to the lender who held a lien against it to secure a loan balance of $33,000. So, the debtor was upside down by $13,000. After hearing about the new car buying services and working with FreshStart HeadStart, she found the *exact same* car—only grey instead of light purple—with lower mileage for a purchase price $16,000. Her interest rate was only moderately higher by 4.5 percent, but the buying service representative said she would help the debtor refinance after six months. The debtor went from facing a $33,000 commitment to $16,000, meaning a $17,000 swing in her favor (and arguably got a better colored car in the process).

Debtor 3 exercised the redemption option, settling a $13,500 loan balance for $6,500 on a 2016 Ford Expedition. She learned about redemption from her credit counseling session and "googling" for more information about the process. (I take back everything I've said since 2005 about how credit counseling is a waste of time. If it saved this lady $7,000, that's good enough for me.)

Meet the Leaders Shaping the Future of Court Operations

By: Kathryn M. Sullivan, Director of Human Resources

As our Court continues to see steady growth in case filings and operational demands, we remain committed to a leadership structure that supports innovation, consistency, and exceptional public service. To further strengthen collaboration across all divisions, the Court has established a new District Operations Team while expanding divisional operational leadership. Together, these experienced leaders will help advance operational excellence by promoting consistent practices, strengthening quality assurance, enhancing training and professional development, supporting change management, and ensuring efficient processing of bankruptcy cases. Their collective experience and dedication to continuous improvement will position our Court for continued success and ensure exceptional service to the Bar, the bankruptcy community, and the public.

District Operations

Seth Bowe, District Operations Manager

With more than a decade of bankruptcy experience, over eight years with the federal judiciary, and more than ten years in leadership, Seth brings an exceptional combination of operational expertise, strategic leadership, and technical knowledge to the Court's newly established District Operations Team. Throughout his career, Seth has earned a reputation for developing high-performing teams, leading complex operational initiatives, and driving continuous process improvement through data analysis, quality assurance, and innovative problem solving. His passion for employee development, engaging leadership style, and commitment to operational excellence make him uniquely qualified to lead districtwide initiatives that strengthen consistency, collaboration, and service across all divisions.

Jacksonville Division

Tonya Craft, Operations Supervisor

Tonya brings more than two decades of bankruptcy court experience, advancing through progressively responsible operational roles to become a true expert in case management. Her extensive knowledge of bankruptcy case administration, combined with strong leadership, sound judgment, and exceptional organizational skills, has made her a trusted guide within the Court. Tonya is widely recognized for mentoring staff, fostering accountability, and ensuring cases move efficiently through the bankruptcy process. Her commitment to collaboration and outstanding public service reflects the highest standards of the judiciary.

Kim McFarland, Case Administration Team Leader

Since joining the Middle District of Florida in 2018, Kim has consistently demonstrated professionalism, initiative, and a collaborative leadership style that supports both staff development and operational success. Her broad knowledge of court operations, coupled with a master's degree in Human Resources, provides a unique perspective on employee development, organizational effectiveness, and leadership. Kim is recognized for her adaptability, thoughtful problem-solving approach, and commitment to building strong teams while advancing the Court's mission of delivering exceptional service to the public and the bankruptcy community.

Orlando Division

Danielle Howie, Operations Supervisor

Danielle brings more than six years of federal judiciary experience, with a proven record of versatility and leadership as both a Case Manager and Courtroom Deputy. Her work supporting the Clerk's Office and Chambers has given her a unique and comprehensive understanding of court operations, allowing her to strengthen communication and foster collaboration across all functional areas. Danielle is known for her commitment to excellence, continuous professional growth, and dedication to upholding the highest standards of public service. Her focus on innovation, teamwork, and operational integrity continues to impact the Court and the broader bankruptcy community positively.

Karla Lee Hue, Case Administration Team Leader

With more than 22 years of bankruptcy court experience, Karla Lee Hue has built an outstanding reputation for excellence in case administration, employee development, and customer service. She is widely recognized for her ability to train and mentor new case managers, improve workflows, and foster a collaborative, supportive work environment focused on accuracy and accountability. Karla consistently exemplifies the Court's core values of dignity, integrity, and respect while helping ensure exceptional service to judges, attorneys, trustees, and the public.

Tampa Division

Anel Merritt, Operations Supervisor

Anel Merritt brings more than 25 years of bankruptcy court experience and extensive expertise in managing complex bankruptcy cases, as well as in leading high-performing operational teams. Throughout her career, she has demonstrated exceptional knowledge of case administration and operational efficiency within a fast-paced court environment while maintaining compliance with policies and procedures. Anel is known for developing staff through mentorship, encouraging collaboration, and maintaining the highest standards of quality and accountability. Her depth of experience and unwavering commitment to excellence have made her a respected leader dedicated to supporting both employees and the Court's mission.

Deborah Kerkes, Case Administration Team Leader

With an extraordinary 35 years of dedicated service to the Court, Deborah possesses unparalleled institutional knowledge and expertise in bankruptcy court operations. Throughout her distinguished career, she has played an integral role in numerous districtwide committees, training initiatives, and special projects that have strengthened operational consistency and improved court processes. Deborah is highly respected for her collaborative leadership, commitment to mentoring others, and steadfast dedication to preserving the Court's tradition of excellence.

Celebrating the Retirement of Kathy Deetz

By: José A. Rodriguez, Clerk of Court

After an extraordinary 38-year career in the federal judiciary, we celebrate the retirement of Kathy Deetz, whose dedication, leadership, and unwavering commitment have left a lasting mark on every division she served.

Kathy's journey began in December 1987, when she earned her Bachelor of Science in Finance from California State University, Northridge. A few months later, in March 1988, she entered the Bankruptcy Court family as an Adversary Clerk/Case Administrator in the Santa Rosa Division of the Northern District of California. Her talent and professionalism quickly became clear, leading to her transition to the Sacramento Division in 1991, where she continued to excel as a Case Administrator.

In October 1992, Kathy brought her expertise to the Middle District of Florida, joining the Tampa Division as a Chapter 7 Case Manager. Her impact was immediate. Within a year, she transferred to the Orlando Division, where her versatility and skill earned her a promotion to Generalist – All Chapters, performing case management work across the full spectrum of bankruptcy cases.

Her upward trajectory continued at remarkable speed. In December 1993, she was promoted to Courtroom Deputy, a role in which she became known for her poise, precision, and calm command of courtroom operations. Years later, in February 2010, she advanced to Case Management Supervisor, and by July 2012, she was promoted again. This time to Deputy-in-Charge of the Orlando Division.

From 2015 to 2019, Kathy's leadership extended across both the Orlando and Tampa Divisions, where she performed Deputy-in-Charge duties with the same reliability and professionalism that defined her entire career.

Along the way, Kathy also witnessed, and helped shape, major changes in court operations. One of her favorites "fun facts" is that she was part of the court's early telework efforts beginning in April 2009, long before remote work became commonplace.

Throughout her career, Kathy received many awards recognizing her outstanding performance, dedication, and service to the Court. Her colleagues consistently describe her as steady, knowledgeable, supportive, and deeply committed to the mission of the judiciary.

Kathy's retirement marks the close of a remarkable chapter. One defined by excellence, integrity, and decades of meaningful contributions. Her legacy will continue to influence the Court for years to come, and her presence will be missed by all who had the privilege of working alongside her.

We extend our heartfelt gratitude to Kathy for her exceptional service and wish her a joyful, fulfilling, and well-deserved retirement.

WELCOME
To The Team

FLMB Welcomes New Employees Throughout the District

Pietro Walker
IT Support Supervisor, Tampa

Hello, everyone! My name is Pietro Walker, and I joined the U.S. Bankruptcy Court for the Middle District of Florida as the IT Supervisor in March 2026.

I grew up in a military family, which meant moving frequently before my parents eventually settled in Maryland. I attended the University of Maryland, where I majored in Information Systems Management with a focus on networking and computer science.

I have nearly 30 years of experience with the federal judiciary and have had the opportunity to work with several federal courts in the Washington, D.C. area, including the U.S. District Court, U.S. Court of Appeals, Foreign Intelligence Surveillance Court, U.S. Bankruptcy Court, and, most recently, the U.S. Court of Federal Claims. Throughout my career, I have held a variety of positions, including Help Desk Manager, Computer Specialist, Network and Systems Engineer, IT Security Officer, and IT Director. In my current role, I lead our IT team and oversee technology operations and support across the Court's four divisional offices.

My wife and I recently completed our relocation from Maryland to the Tampa area. Our daughter graduated from the University of South Florida, and our son will begin attending the University of Tampa in the spring.

Outside of work, I coached several men's and women's lacrosse clubs in Maryland. I am also a lacrosse official and have officiated high school and collegiate games. In my spare time, I enjoy spending time with my family and dogs, mountain biking, snowboarding, boating, fishing, working out, exploring new technology, and just about anything outdoors.

I am excited and grateful for the opportunity to be part of the U.S. Bankruptcy Court for the Middle District of Florida. I look forward to continuing to work with and getting to know everyone throughout the Court.

Nicko Wardana
IT Security Officer, Jacksonville

I am the new IT Security Officer for FLMB at the Jacksonville site. I previously served with the Federal Court in Washington, D.C., where I spent a little over eight years building my experience in cybersecurity and court operations. I'm excited to join FLMB, continue growing in the cybersecurity field, and take on new challenges.

Having lived most of my life in Maryland—and graduating from the University of Maryland—I'm looking forward to beginning a new chapter here in Florida. Outside of work, I enjoy exploring new places and traveling with my wife and kids.

I look forward to contributing my experience and commitment to public service to the U.S. Bankruptcy Court.

Naomi Wilson
IT Technician II, Jacksonville

Hi, I am Naomi Wilson, the District's new IT Technician.

Before moving to Jacksonville, I lived in Maryland. Red, White, Black, and Gold—that's right, I attended the University of Maryland, College Park. The question remains: did I choose the University of Maryland, or was it fate, seeing as my favorite animal is a turtle? Go Terrapins!

Professionally, I began my career in a high school work-study program, studying languages before transitioning to Information Science. Information Science is my passion, as I can help users solve complex technical issues, build strong processes, and continuously improve the user experience of FLMB IT.

In my free time, I enjoy power walking, eating the perfectly cooked steak, and curating my loose-leaf tea collection. I am most proud of the positive impact I have made on my community and the people in it. I hope to build many lifelong connections here, and I look forward to working with everyone and contributing to future endeavors.

Marc Sendra
Law Clerk to Judge Burgess, Jacksonville

I am the new term law clerk for the Honorable Jason A. Burgess.

Before clerking for Judge Burgess, I was an associate in private practice in the Creditor's Rights & Bankruptcy practice group. During my time in private practice, I was involved in complex commercial bank litigation in state and federal court. Prior to joining a law firm, I graduated from the Washington & Lee School of Law where I served on the Journal of Civil Rights and Social Justice, interned for the Honorable Rebecca B. Connelly in the Bankruptcy Court for the Western District of Virginia, and interned for Judge Burgess.

Originally from Kissimmee, Florida, my calling and legal career drove me to Jacksonville. In my spare time, I enjoy mixed martial arts, trying new places to eat, and going to concerts with my wife, Veronica

Jonathon DeSefano
Case Manager, Jacksonville

I'm excited to be joining the Middle District of Florida Bankruptcy Court as a Case Manager.

Before coming to the court, I had the privilege of serving in the United States Coast Guard. My time in the Coast Guard taught me the value of discipline, teamwork, adaptability, and putting service first lessons that continue to guide me both personally and professionally. I'm someone who enjoys working with others, staying organized, and being someone people can count on. I'm grateful for the opportunity to be part of this team, and I look forward to learning from my new colleagues, building strong relationships, and doing my part to support the important work of the Middle District of Florida.

Jajahira Benitez
Case Manager, Orlando

Throughout my career, I have worked in the human services field across a variety of settings, gaining valuable experience supporting individuals and families through challenging circumstances. My professional experience includes advocacy, counseling, and case management, allowing me to provide guidance, emotional support, and access to resources for those facing difficult situations. I have served as an advocate in the courthouse, assisting children and victims while working closely within the legal system.

Helping others has always driven my career and I am passionate about making a positive impact in the lives of those I serve. I am excited to apply the knowledge, skills, and experience I have gained throughout my career, along with my counseling background and experience working within the legal system, to assist individuals navigating the bankruptcy court process with professionalism, empathy, and integrity.

Patrick McGee
Case Manager, Orlando

My name is Patrick McGee and I recently joined the United States Bankruptcy Court as a Case Manager. I am excited to be a part of the Court team, and I look forward to learning and growing in my role, as well as contributing to the important work of serving the public. Outside of work, I enjoy gardening, camping, reading, and spending time with my family. I am excited to get to know my colleagues and Court community, and I appreciate the warm welcome.

Emma Billings
Case Manager, Tampa

Hi y'all! My name is Emma Billings, and I recently moved to the Tampa Bay area October of 2025. I started working with the BK Courts in the Northern District of Texas in 2024 and started with the Middle District of Florida in March of 2026!

In my spare time, you can either find me walking at Vinoy Park, at the beach, or crafting at home. I have two cats that I adore, I call them my little ladies.

I am loving my time in the Tampa Bay area and working with the Tampa court! It has been nothing but encouragement for growth, and I greatly appreciate that.

Ohanna Fernandes
Case Manager, Tampa

Ohanna Fernandes is a Case Manager with the U.S. Bankruptcy Court for the Middle District of Florida, Tampa Division.

She previously served with the U.S. Bankruptcy Court for the District of New Jersey and has a background in financial and economic analysis. Outside of work, she enjoys reading, spending time with her family, and exploring the Tampa Bay area.

San Diego, Here We Come!!!

By: Chief Judge Jacob A. Brown

The National Conference of Bankruptcy Judges' 100th Annual Meeting will be held October 7-10, 2026, at the Marriott Marquis San Diego Marina. At the time of writing this article, there are over 800 individuals registered, including more than 200 bankruptcy judges, and we expect to exceed 1,200 attendees. As a nod to the 250th anniversary of the signing of the Declaration of Independence, NCBJ hopes to have 250 bankruptcy judges attend this year. United States Court statistics as of September 2026 reflect 345 authorized bankruptcy judgeships, with 63 vacancies, leaving 282 active bankruptcy judges. There were also 30 recall judges in 2025, including our own Judge Jerry A. Funk. So, the 250-judge goal would reflect 80 percent of active and recall bankruptcy judges in attendance. I am proud to report that all ten Middle District of Florida Bankruptcy Judges are registered and plan to attend, and roughly 70 percent of all bankruptcy judges in the Eleventh Circuit are scheduled to attend.

This year's NCBJ Annual Meeting offers unparalleled educational and networking opportunities. Judges Jason Burgess and Tiffany Geyer are working on educational programs, including a "Back to the Future" themed plenary session (Great Scott!). The hotel is in a fantastic location right next to the San Diego Marina. There will be numerous Dine-Arounds and special events, including the opening reception at Eve on the San Diego Bayfront.

NCBJ is proud of its great tradition of conferences featuring top notch educational programs, networking, and social events. NCBJ is also proud to have the ABI, IWIRC, the American College of Bankruptcy, and other professional organizations take part in its annual conference.

I am excited to celebrate NCBJ's 100th anniversary in such a wonderful city and look forward to connecting with everyone there.

Inside Judge McEwen's Chambers: Graduations, Oaths, and Community Outreach

Between celebrating the latest wave of graduations and bar admissions and taking time to volunteer at a local soup kitchen, Judge Catherine Peek McEwen's chambers has enjoyed a remarkable season of professional milestones and community service.

Aliyah Joslin, a junior judicial assistant with Judge McEwen's chambers, was graduated from Cristo Rey Tampa Salesian High School in May. She will pursue her undergraduate degree at Georgetown University in Washington, D.C. Aliyah worked for the Court for two years. Cristo Rey operates on a work-study model, placing students in a work environment one day a week. During her time with us, Aliyah completed many research projects, prepared PowerPoint presentations (including one being used by The Florida Bar to solicit Emeritus attorneys), and did paralegal work. We will miss Aliyah's consistently reliable work product, but we wish her all the best in D.C.

Judge McEwen swore in **Lily Shelton** to The Florida Bar recently. Lily was a judicial intern with Judge McEwen while attending Stetson University College of Law. Lily is now law clerk to United States Tax Court Judge Cathy Fung.

Judge McEwen, her law clerk, Arya Omshehe, and some of the summer interns serve the homeless at **Trinity Café** and then enjoy some leftovers at the end of their shift.

On July 27, 2026, Judge McEwen swore in **John Murrell, Jr**. as a member of The Florida Bar. Judge McEwen taught John bankruptcy at Cooley Law School, and he interned in Judge McEwen's Chambers.

A first-generation lawyer, the joyous occasion was witnessed by over 40 friends and family members. Judge McEwen told the crowd that "The courtroom hasn't been this packed since March 2020."

CASE LAW UPDATE

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Eleventh Circuit Cases

AE OpCo III, LLC v. AAR Corp. (In re AE OpCo III, LLC),
172 F.4th 1291 (11th Cir. 2026).

AAR Corp. won a partial victory in a bankruptcy fight over a failed aircraft-parts deal, with the Eleventh Circuit reviving its claim for bankruptcy-related legal fees while upholding the rejection of a larger indemnification claim. Before bankruptcy, AE OpCo assumed performance obligations under a contract with Short Brothers, while AAR guaranteed AE OpCo's performance and received an indemnity from AE OpCo for resulting losses. After AE OpCo entered chapter 11 and rejected the procurement contract, AAR filed three claims: (1) indemnification for potential liability to Short Brothers, (2) reimbursement of defense costs incurred in related Northern Ireland litigation, and (3) attorney fees incurred in the bankruptcy case.

The bankruptcy court disallowed the indemnification claim under 11 U.S.C. § 502(e)(1)(B), allowed the defense-costs claim as noncontingent, and disallowed the bankruptcy-fees claim as an unsecured postpetition claim. In response, AAR appealed the disallowed claims, and the debtor appealed the allowed claims. The Eleventh Circuit affirmed in part and reversed in part, holding that AAR remained co-liable with the debtor because Short Brothers' covenant not to sue did not operate as a release under Delaware law. The court also held that defense costs already incurred were not contingent. But the court revived AAR's bankruptcy attorney fee claim, concluding that neither § 502(b) nor § 506(b) expressly disallowed such fees.

In re No Rust Rebar, Inc.,
177 F.4th 1161 (11th Cir. 2026).

A bankruptcy court properly brought four related companies into a debtor's estate after finding they functioned as the debtor's alter egos, the Eleventh Circuit ruled, rejecting arguments that the entities were entitled to more process before being consolidated. At the center of the case is Donald Smith, who owns and operates No Rust Rebar and owns and controls four non-debtor entities: Raw Materials, Raw Energy Materials, Global Energy Sciences, and Raw. The companies, which Donald described as "a family," shared business locations, and had overlapping operations and assets.

No Rust filed a voluntary Chapter 11 bankruptcy petition, which a creditor moved to convert to a Chapter 7 liquidation. After an evidentiary hearing, the U.S. Bankruptcy Court for the Southern District of Florida converted the case to a Chapter 7 liquidation, finding that No Rust and the non-debtor entities are "a group of commingled entities whose responsibilities, assets, and liabilities were constantly shuffled to fit Smith's needs or whims." The bankruptcy court later granted a motion by the trustee to substantively consolidate the companies, based on factors the Eleventh Circuit identified in *Eastgroup Properties v. Southern Motel Ass'n*, 935 F.2d 245, 249–50 (11th Cir. 1991), and the debtor's four affiliates appealed.

On appeal, the Eleventh Circuit affirmed the ruling, finding that the bankruptcy court conducted a "thorough analysis" of the substantive consolidation factors outlined in *Eastgroup* and had the authority to order substantive consolidation based on its findings that the entities were alter egos with a substantial identity. Among the procedural arguments dismissed by the federal courts were that the non-debtor entities had the right to a new evidentiary hearing. However, when "pressed by the bankruptcy court, they failed to explain how errors [in the court's findings] would change the analysis," the Eleventh Circuit wrote. "And they could not tell us either."

Lil' Joe Recs., Inc. v. Ross,
177 F.4th 1170 (11th Cir. 2026).

A decades-old bankruptcy case derailed 2 Live Crew's bid to reclaim the copyrights to five of its albums, with the Eleventh Circuit ruling in a question of first impression that one member's termination interest still belonged to his bankruptcy estate when he tried to exercise it. The case revolves around five albums the rap group 2 Live Crew recorded between 1986 and 1989. Lil' Joe Records Inc. later obtained those copyrights. The Copyright Act provides artists a "termination interest," which is the right, after a certain period, to reclaim the copyright in their work despite having granted it to a third party. Mark Ross and two other members (or their successors in interest) of 2 Live Crew purported to terminate grants of copyrights in those albums. Since 2 Live Crew had four members, three members could decide as a majority to reclaim the copyrights for the group.

However, about two decades before Ross signed the notice to terminate, he filed a Chapter 7 bankruptcy. Section 541(c)(1) of the Bankruptcy Code states that all that person's interests in property enter the bankruptcy estate, despite any provision in applicable nonbankruptcy law that "restricts or conditions transfer of such interest[s] by the debtor." Ross failed to mention or address his termination interest in the bankruptcy proceedings, which is a problem because the code says that any property in a Chapter 7 estate that is not addressed by the bankruptcy court remains property of the estate until it is. Lil' Joe Records argued that 2 Live Crew did not terminate their copyright grants, saying that Ross's termination interest were held by his bankruptcy estate when he exercised them. The Eleventh Circuit reversed the U.S. Bankruptcy Court for the Southern District of Florida's ruling, siding with Lil' Joe Records' argument. The decision, however, is limited. "We do not address how termination interests should be treated in bankruptcy," the Eleventh Circuit wrote. "And we do not decide today what Ross's heirs need to do to exercise those interests in the light of his bankruptcy."

Bankruptcy Court Cases

In re IHN Podiatry Servs., PLLC
678 B.R. 445 (Bankr. M.D. Fla. 2026) (Rivera, J).

On the debtor's emergency motion to enforce the automatic stay, Judge Rivera ruled the Centers for Medicare and Medicaid Services may keep withholding Medicare payments from a bankrupt podiatry practice to recover an alleged $3.7 million in overpayments, but the CMS, the Department of Treasury's Bureau of Fiscal Service and a private debt collector cannot collect from tax refunds or other non-Medicare property. IHN Podiatry Services PLLC, a mobile podiatry and wound-care practice whose revenue depended heavily on Medicare Part B reimbursements, asked the court to direct several entities including CMS to stop offsetting their disputed overpayment claims against the debtor's post-petition revenues from services rendered after the petition date to Medicare beneficiaries, as well as any other amount owed to the debtor by the federal government.

On the merits, the Court framed the dispositive issue as whether CMS's withholding was setoff, which is stayed under 11 U.S.C. § 362(a), or recoupment, which generally falls outside the stay because it merely determines the proper amount owed under a single transaction. The Court held that the Medicare payment regime constitutes a single integrated transaction in which payments are continually reconciled for overpayments and underpayments. Thus, the Court concluded that the automatic stay does not apply to CMS's past or future exercise of its right to recoupment. However, the Court ruled that the automatic stay barred CMS, the Treasury and CBE Group Inc. from any act to collect the alleged Medicare overpayments from property of the estate, including any non-Medicare debt owed to the debtor. The decision preserved CMS's recoupment remedy while limiting broader collection efforts against estate assets.

In re Shelling, No. 6:26-bk-02705-GER,
2026 WL 1482363 (Bankr. M.D. Fla. May 21, 2026) (Robson, J.).

Judge Robson ruled that a creditor who seized a Chapter 7 debtor's Ford Escape before her bankruptcy filing must give it back, finding the prepetition levy did not cut off the debtor's ownership interest in the vehicle. After the vehicle was seized by the judgment creditor, the debtor filed a voluntary chapter 7 petition, scheduled the vehicle as subject to a purchase-money security interest held by Partners Federal Credit Union, and claimed the vehicle as exempt. The debtor sought immediate turnover of the vehicle under 11 U.S.C. § 542.

The Court concluded that the vehicle remained the property of the estate. Although the creditor had obtained possession prepetition, the case did not involve a secured creditor's repossession under *Bell-Tel Federal Credit Union v. Kalter* 292 F.3d 1350 (11th Cir. 2002). Instead, citing reasoning from *In re Zajni* 403 B.R. 891 (Bankr. M.D. Fla. 2008), the Court held that a prepetition writ of execution did not transfer ownership of the vehicle by operation of law. And since the debtor retained a legal or equitable interest as of the petition date, the vehicle cruised into the bankruptcy estate under § 541.

The Court then addressed the debtor's ability to seek turnover. § 542 generally empowers the trustee, and not the chapter 7 debtor, to compel turnover. However, the Court treated the motion as an effort to preserve the debtor's claimed exemption through § 522. Since the creditor did not appear or object—and considering the risk that the trustee's inaction could impair the debtor's exemption interest—the Court ordered the creditor to immediately release the vehicle, without prejudice to later objections to the exemption.

Reyes v. Milbrath (In re Milbrath), Adv. No. 6:25-ap-00045-GER, 2026 WL 1266362 (Bankr. M.D. Fla. Apr. 23, 2026) (Robson, J.).

Judge Robson ruled that a woman cannot use Chapter 7 to wipe out about $17,400 she owes her former husband from a yearslong family-court fight over their child's medical expenses, finding the debt arose from obligations connected to their divorce case. The former husband brought an adversary proceeding under 11 U.S.C. § 523(a)(5) and § 523(a)(15), arguing that the remaining debt was nondischargeable.

First, the Court held that the state contempt order was entitled to issue-preclusive effect. Although the state court had not adjudicated dischargeability, it had actually and necessarily determined the validity of the debt, Milbrath's obligation under the dissolution judgment, and the reasonableness of the fee award. Milbrath thus could not relitigate those findings in bankruptcy court.

Then, turning to dischargeability, the Court concluded that the former husband was entitled to judgment as a matter of law. The debt was either a domestic support obligation under § 523(a)(5) or, at minimum, a divorce-related obligation incurred in connection with a court order under § 523(a)(15). Under either provision, the debt survived Chapter 7 discharge. However, the court denied the former's husband's request for postpetition attorney fees and costs incurred in the adversary proceeding, finding no independent statutory or contractual basis to support an award.

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Articles are welcome! Please submit yours to newsletter@flmb.uscourts.gov for the next issue.

Judges Roberta A. Colton and Luis E. Rivera II get bullish *on San Antonio after the annual Federal Judicial Center education program in April 2026.*

Our Court serves the public by processing and deciding bankruptcy cases with fairness, impartiality, and excellence, while treating everyone with dignity, integrity, and respect.