



THEsouthernSCOOP

Volume 2, Issue 1

Winter 2017

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Bankruptcy Court Bids Farewell to Judge Dalis

On January 31, 2017, the Honorable John Spyros Dalis is retiring from the bench after 30 years of service as a U.S. Bankruptcy Judge in the Southern District of Georgia. He will be greatly missed by the judges, clerk's office staff, and the bar. We thank him for his outstanding contributions to this district and the federal judiciary.



Regarding Judge Dalis's service to the judiciary, Chief Judge Susan D. Barrett made the following observations:

Judge Dalis has been a remarkable colleague and judge. Undoubtedly, after 30 years of service, it is abundantly clear to everyone that Judge Dalis possesses all the skills that make a great judge – intellect, integrity, temperament and humility. But two characteristics that set Judge Dalis apart are his impeccable judgment and analytical skills, which are what we all want in a judge. He is “wise,” and for 30 years he has applied this wisdom to his craft as a bankruptcy judge.

COURTHOUSE LOCATIONS

*AUGUSTA	*BRUNSWICK	DUBLIN	*SAVANNAH	STATESBORO	WAYCROSS
600 James Brown Blvd Augusta, GA 30901 (706) 823-6000	801 Gloucester St Brunswick, GA 31520 (912) 280-1376	100 N Franklin St Dublin, GA 31021 <i>unstaffed</i>	125 Bull St Savannah, GA 31401 (912) 650-4100	52 N Main St Statesboro, GA 30458 <i>unstaffed</i>	601 Tebeau St Waycross, GA 31501 <i>unstaffed</i>

* Clerk's Office Hours Monday through Friday 8:30 am to 5:00 pm

Bankruptcy Court Bids Farewell to Judge Dalis

About Judge Dalis, Judge Barrett further stated:

No matter how complex or convoluted the situation, he has always displayed an innate ability to get to the nub of the issue quickly and deliver a prompt, clear and concise opinion. He has generously shared his skills, good judgement, good humor and patience with us all. The Southern District of Georgia could not ask for a better judge, mentor, leader, colleague and friend than what we have experienced with Judge Dalis. And, while we gladly offer our best wishes to Judge Dalis and his family upon his retirement, it is a bittersweet moment for the Southern District and judiciary.

Judge Dalis was born and reared in Augusta, Georgia. During high school, he attended the Academy of Richmond County, the oldest public high school in America. That is where he met his wife, Ann Marie, who sat in front of him in an advanced government class. "I asked her out three times, and she turned me down every time." They finally went to dinner and a movie, and the rest is history!

When asked what led him to pursue a legal career, Judge Dalis said: "I didn't go into law because of growing up with a passion for it. It was more by process of elimination." From serving in his teens as a porter at the local Sears department store, he knew he did not want to work for anyone in business. Medicine did not sound appealing to him because that involved sick people. A career as an accountant seemed downright boring, and he did not want to inflict pain on people as a dentist. (This was before painless dentistry.) So, law it was!

After earning his undergraduate and law degrees from the University of Georgia and being sworn into the Georgia Bar, Judge Dalis returned to Augusta. "I hung out my shingle right after law school. It was a combination of arrogance ('If these guys can make a good living, I know I can') and ignorance (not knowing what it took to make a living in the law) that compelled me to do such a thing," said Dalis. Bill Sams, a residential real estate attorney, rented him furnished office space for \$400 a month, which included secretarial services. At the county courthouse, Mr. Sams took him to the records room and taught him how to check a real estate title. "He told me, as long as I could run a title, I would never go hungry," said Dalis.

Judge Dalis's first major client was in-house counsel for a national construction company. In addition to real estate and construction law, he began doing creditor work. That ultimately led him to practice in the bankruptcy court. Eventually, he formed a law firm: Paine, Dalis, Smith & McElreath.

After ten years of practicing law, Judge Dalis was tired of working late hours and missing his family. "I wanted to see my five daughters grow up." He craved a position that would be challenging but that would also give him a balanced life. This led him to apply for a bankruptcy judgeship in the district.

In 1987, 35-year-old Dalis was sworn in as a U.S. Bankruptcy Judge for the Southern District of Georgia, with his chambers located in Augusta. At that time, Judge Dalis and Judge Lamar W. Davis, Jr., covered bankruptcy cases throughout the district. When coming onto the bench, "it was baptism by fire," said Dalis, recalling in particular the *Diamond Manufacturing, Inc.* case (Case No. 85-40555-JSD), that he inherited from Judge Herman Coolidge.

Bankruptcy Court Bids Farewell to Judge Dalis

Retired U.S. Bankruptcy Judge Lamar W. Davis, Jr., made the following comments about working with his colleague and friend:

John Dalis has demonstrated in his life and career as a judge that he is a devoted family man, an authentic patriot and, as an attorney and judge, a professional of keen intellect and wisdom. Guided by his strong moral and ethical compass, he has fulfilled his duty to our nation and the rule of law in a manner that serves as a shining example to all who know him. His rulings on issues, from the ordinary to the most complex and sophisticated, are based on solid legal reasoning and are well-written and carefully considered.

Throughout his distinguished career he has been a steady, thoughtful and valued colleague and leader in our deliberations within the court. And since 1987 he has been more than a trusted colleague of mine; he has become a kind, gracious and dear friend. Sarah and I congratulate him upon his well-deserved retirement and wish him and Ann Marie many years of fulfilling adventure and happiness.

One of Judge Dalis's most memorable cases in the Augusta Division was *In re Healthmaster Home Health Care, Inc.* (Case No. 95-10548-JSD), which was a high-profile, Chapter 11 case involving a company that provided home health care services to patients in Georgia and various other states. The company had filed bankruptcy, following the indictment of some of its executives for Medicare fraud and the federal government's suspension of payments to the company under the Medicare program. Judge Dalis immediately appointed a trustee and removed the management. The case ultimately resulted in the successful sale of the

business paying off all creditors.

Dana Wilson served as a law clerk for Judge Dalis in Augusta, and then worked with him as a clerk's office supervisor. "As a young mother graduating law school, I was so grateful for the opportunity to clerk for him," said Dana. "He is an excellent mentor. His quick wit, vast wealth of wisdom, and uncanny ability to get right to the heart of the matter will be missed."

Judge Edward J. Coleman, III, formerly practiced law in Augusta, and recalls his experience with Judge Dalis, as both a fellow attorney and judge:

I began practicing law in Augusta, Georgia, in 1982, five years before Judge Dalis was first appointed to the bench. So, my first contacts with Judge Dalis were as a fellow lawyer. I had the opportunity to witness his professionalism as an attorney in bankruptcy court during that time, and was not surprised that he was selected to serve on the court. Over the next twenty six years I had the pleasure of practicing before Judge Dalis and spending time with him at various court functions.

As an attorney, and as a judge, John Dalis has conducted himself in a manner that epitomizes the professionalism to which we all aspire. His intellectual skills in the field of bankruptcy are well documented by his countless published opinions. However, it is Judge Dalis's courtroom demeanor and interaction with lawyers and parties alike where his true gifts are revealed. Judge Dalis is a thoughtful jurist, with a knack for quickly getting to the heart of any matter before him, no matter how complex.

Bankruptcy Court Bids Farewell to Judge Dalis

He is patient, but firm. His writing style is lean. His decisions are well reasoned, unambiguous, and faithful to binding precedents.

In recent years as I got to know him better, I have come to realize that among his other traits, Judge Dalis is both kind and gentle. He cares deeply about his family and friends and the people with whom he has worked. I am proud to call John S. Dalis my colleague and mentor. I am prouder still to call him my friend.

In conjunction with the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, a new judgeship was created in Brunswick, Georgia. After nineteen years on the bench in Augusta, Judge Dalis relocated to the Brunswick Division. "I always liked the lifestyle, community, and environment of that coastal region of the state. There is just something magnetic about the sea," said Dalis. In 2010, the Sea Island Company (Case No. 10-21034-JSD) and affiliated debtors filed bankruptcy in the Brunswick Division, which cases are assigned to Judge Dalis and remain ongoing. In addition to his caseload in Brunswick, Judge Dalis has handled all cases in the Waycross Division as well as a portion of Chapter 13 cases in the Savannah Division.

Susan Roberts, career law clerk to Judge Dalis in Brunswick, observed: "Over the 10+ years I have served in his chambers, Judge Dalis has been the consummate jurist, projecting authority and mastery, showing warmth where appropriate, treating every person with respect, and maintaining equanimity under even the most trying circumstances."

"I've always believed if you can work for someone you have the utmost respect for, you are blessed," said Sharon Rankin, deputy in charge of the



In December 2016, bankruptcy attorneys in the Waycross Division presented a plaque to Judge Dalis congratulating him on his upcoming retirement. From left to right: Clyde W. Royals, Edward F. Smith, Franklin D. Hayes, Judge Dalis, William R. Little, Michael R. Souther, Willis H. Blacknall, and Dennis J. Strickland.

clerk's office in Brunswick. "I've counted myself as very blessed being able to work for Judge Dalis. He's the perfect judge."

When asked what guidance he would give to attorneys practicing bankruptcy law, Judge Dalis said: "Be prepared, frank, and concise. Advocate for your clients."

Judge Dalis said the most momentous occasion of his legal career was his appointment to the bench in 1987, followed by his reappointments in 2001 and 2015. As for new bankruptcy judges coming on the bench, Judge Dalis gave this advice:

When you walk out to the bench and look at the people in the courtroom, remember that the only people who are not being paid to be there are the debtors. Everyone else—the attorneys, the trustees, the clerk's office staff, the court security officers, and the judge—are all being paid to be there.

In his retirement, Judge Dalis plans to entertain his grandchildren. He also plans to do some traveling, both internationally and within the United States. The court will miss him greatly, but wishes him well on his new adventures.

Best Wishes to Sue Martin on Her Retirement

Farewell and warm wishes to Sue Martin on her recent retirement from the Clerk's Office.

Sue, a case manager in the Augusta Clerk's Office, retired in December, after twenty-five years with the U.S. Bankruptcy Court for the Southern District of Georgia. She began her court career as a docket clerk when the Augusta Clerk's Office was located in the old Hollingsworth Candy building on Telfair Street. Her favorite aspect of her work with the court was serving as a reconciliation clerk in Augusta, and interacting with attorneys, the public, and her co-workers.

Sue plans to make exercising and eating healthy her daily routine, and she looks forward to spending more time with her six grandchildren and traveling.

Congratulations and good luck, Sue! We will miss you!



Debbie Reese Named President of Association of Bankruptcy Judicial Assistants

In October 2016, Debbie Reese, Judicial Assistant to Judge Edward J. Coleman, III, was sworn in as the new president of the Association of Bankruptcy Judicial Assistants (ABJA) at the group's annual conference in Albuquerque, New Mexico. The ABJA is a national organization founded in 1989, by Judicial Assistants and Secretaries of U.S. Bankruptcy Judges.

Prior to her appointment as president, Debbie served as the ABJA parliamentarian, membership chair, bylaws chair, and member of the long-range planning committee. Debbie will preside at the ABJA's next annual meeting in Memphis, scheduled for October 2017.

Debbie also serves as the ABJA representative to the Chambers Staff Advisory Group (CSAG), which includes bankruptcy, district, and appellate chambers staff who provide guidance and recommendations to the Administrative Office of the U.S. Courts (AO). In March 2017, Debbie will be attending the CSAG meeting at the AO in Washington, DC.



General Order 2016-2: Electronic Case Files

On December 1, 2016, the court entered [General Order 2016-2](#), incorporating and updating its [Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means](#) and [Local Bankruptcy Rules for Electronic Case Files](#). The primary reason for the revision was due to the amendment to [Fed. R. Bankr. P. 9006\(f\)](#), effective December 1, which eliminated the three-day extension to time periods when service is made electronically, pursuant to Fed. R. Civ. P. 5(b)(2)(E). Thus, “[t]he three added days, pursuant to Fed. R. Bankr. P. 9006(f), do not apply to deadlines to act or proceed after electronic service.” See Para. 12 of General Order 2016-2.

Electronic Filers

General Order 2016-2, in conjunction with the Administrative Procedures and Local Rules, specify who are electronic filers in this district.

- “Absent a judicial waiver, all attorneys in good standing admitted to practice before this Court, including attorneys appearing *pro hac vice*, trustees or examiners serving in any case pending in the Court, and the United States trustee shall file, sign, and verify documents only by electronic means to the extent and in the manner authorized by this General Order, the Administrative Procedures, and CM/ECF Local Rules of the Court.” See Para. 2 of General Order 2016-2. If not already registered, these filers must complete and submit the registration form for [full CM/ECF electronic filing privileges](#).
- “Creditors that file fifteen (15) or more proofs of claim during any 12-month period must file claims electronically. Attorneys who file claims for themselves, their firms, or on behalf of any other entity shall file all claims electronically, regardless of number.” See Para. 3 of General Order 2016-2.
- “Attorneys not admitted to practice in the Southern District of Georgia, and other non-attorney filers such as creditors, may request limited user access to file documents by electronic means to the extent and in the manner authorized by this General Order and the Administrative Procedures.” See Para. 4 of General Order 2016-2. These filers can complete and submit the registration form for [limited CM/ECF filing privileges](#) to perform specified transactions only (*e.g.*, filing a proof of claim, amended proof of claim, withdrawal of claim, transfer of claim, reaffirmation agreement, notice of appearance and request for notice, or notice of change of address).
- As an alternative to CM/ECF, attorneys and creditors can use the Electronic Proof of Claim (ePOC) Program to [file](#), [amend](#), and [withdraw](#) proofs of claim. Access to ePOC is available from the court’s website and does not require CM/ECF registration.
- An approved financial management course provider can file a certificate concerning a debtor’s completion of a financial management course through the court’s [Electronic Financial Management Certificate \(eFinCert\) Program](#). Access to eFinCert is available from the court’s website and does not require CM/ECF registration.

General Order 2016-2: Electronic Case Files

eOrders

eOrders is a module integrated into the court's CM/ECF system that allows an electronic filer to submit orders for the judges' consideration and electronic signature. The amendments to the court's [Administrative Procedures](#) made eOrders mandatory for electronic filers with full filing privileges (*i.e.*, attorneys admitted to practice before the court, trustees). For more information on eOrders, please review the [eOrders Guidelines and Procedures](#) available on the court's website.

“The proposed order shall be submitted 1) as an exhibit to the motion titled ‘proposed order’ and 2) separately uploaded for consideration by the Court using the CM/ECF eOrder module,” following the guidelines contained in the Administrative Procedures. See pages 13-14 of the Administrative Procedures. “Proposed orders must be served on applicable parties, as evidenced by a certificate of service.” *Id.* If the filer includes a certificate of service for its motion and proposed order, that satisfies this requirement. Should an electronic filer fail to include a proposed order with his/her motion or need to file a revised proposed order, he/she can use these new CM/ECF dictionary events:

Bankruptcy > Miscellaneous > Proposed Order with Certificate of Service

Adversary > Miscellaneous > Proposed Order with Certificate of Service

General Order 2016-1: Deposit and Investment of Registry Funds

On November 17, 2016, the court entered [General Order 2016-1](#), to ensure uniformity in the deposit, investment, and tax administration of funds in the court's registry. Interpleader funds are now deposited in the Disputed Ownership Fund (DOF) established within the Court Registry Investment System (CRIS). CRIS is an interest-bearing cash management tool administered by the Administrative Office of the U.S. Courts.

Mock Trial in Savannah Division — A Huge Success!

On April 28, 2016, the Savannah division hosted its first mock trial. Three Savannah area chapters of the Classical Conversations homeschool cooperative participated.

Judge Coleman had notified the Clerk's Office that he was in search of an opportunity to offer a civics outreach event to area students. Unbeknownst to the judge, the Classical Conversations homeschool members had already petitioned the Clerk's Office to utilize a courtroom and legal mentoring for their upcoming mock trial. Such circumstances seemed meant to be. Now that the event has come and gone, the fortunate participants have given nothing but rave reviews.

Seventeen 8th grade students from Classical Conversations communities in Savannah, Rincon, and Berwick had prepared for several weeks prior to the event as part of their curriculum. The second floor courtroom was filled to capacity as families, friends, and volunteers listened intently to the deliberations. The exercise was modeled after the criminal case of *State of South Carolina v. Dale Peake*, involving a lethal dog attack.

Students were divided into two groups and each side experienced playing both the prosecution and defense roles as the trial was run through



Jahid Wilson shakes Judge Coleman's hand while receiving a certificate for his participation in the mock trial.

twice. Judge Coleman and volunteer jurors from the Savannah office scored the event, and James Stuchell from the U.S. Attorney's Office helped prepare the students throughout the process. Judge Coleman offered valuable feedback and advice to the students about their performances and the importance of the American legal system.

Thank you to all who made the event possible. Due to the great success, plans for assisting other student groups are already in the works.



Student participants included Hamilton Baker, Tristan Bunker, Noah Butler, Aiden Canfield, Sam Donnelly, Gabriel Drabek, Arianna Hall, Alyssia Hall, Joseph Hudson, Matthew Hudson, Michael Jones, Helen McIntyre, Gracie Mowers, Libby Powell, Isaac Simpson, Canaan Thompson, and Jahid Wilson.

Creditor Mailing Matrix

On October 23, 2015, the court entered [General Order 2015-1](#), which established revisions to local procedures for filing creditor mailing matrices. General Order 2015-1 vacated General Order 2005-4, which had previously required a debtor to file a local Certification of Creditor Mailing Matrix form. This is just a reminder that the local certification form is no longer a requirement. The Court will rely upon the creditor mailing matrix as submitted by the debtor and debtor's attorney. The creditor mailing matrix must be consistent with the schedules provided with the petition.

Debtor Electronic Bankruptcy Noticing (DeBN)

Debtors may register to receive court notices and orders via email by completing and submitting a [DeBN registration form](#), which is available at the clerk's office intake counters and on the court's website under **Court Information > Court Forms**. The Bankruptcy Noticing Center transmits DeBN notices on the same date of retrieval from the court, resulting in faster notice delivery to debtors. If you are a debtor's attorney, consider offering the DeBN registration form to your client at the time he/she is completing the case opening forms. [More information about DeBN](#) is available on the court's website.

DEBTOR'S ELECTRONIC NOTICING REQUEST (DeBN)

CHECK ONLY ONE BOX FOR THE APPLICABLE SECTION BELOW:

INITIAL REQUEST: (Check this box to begin receiving notices and orders from the U.S. Bankruptcy Court via email)

Pursuant to Bankruptcy Rule 9036, I hereby request receipt of court notices and orders via email, instead of U.S. mail, from the Bankruptcy Noticing Center (BNC) through the U.S. Bankruptcy Court's Debtor Electronic Bankruptcy Noticing (DeBN) program.

I understand that this request is limited to receipt of only notices and orders filed by the U.S. Bankruptcy Court. I will continue to receive documents filed by all other parties, such as the trustee and creditors, via U.S. mail or in person pursuant to court rules.

I understand that I will receive electronic notice of any documents filed by the court in any current or future bankruptcy or adversary case from any bankruptcy court district in which I am listed with the same name and address, including cases where I am listed as a creditor.

I understand that the first time the BNC receives an email bounce-back (undeliverable email), my DeBN account will be automatically disabled. I will then receive notices and orders via U.S. mail, and I must file an updated request form if I wish to reactivate my account.

I understand that enrollment in DeBN is completely voluntarily, and I may file a request to deactivate my account at any time.

UPDATE TO ACCOUNT INFORMATION: (Check this box to make changes to your existing DeBN account)

I request the following update(s) to my DeBN account:

- I have a new email address as indicated below.
- I filed a new bankruptcy case, and I have an existing DeBN account. Please review my account to ensure my name and address in my account match this new case.
- I request reactivation of my DeBN account so that I may receive court notices and orders via email, instead of U.S. mail.

REQUEST TO DEACTIVATE ELECTRONIC NOTICING: (Check this box to request deactivation of your DeBN account)

I request deactivation of my DeBN account. I understand that by deactivating my account, I will begin receiving notices and orders filed by the U.S. Bankruptcy Court via U.S. mail, instead of email.

I understand that I will continue to receive electronic notices until such time as the Court has deactivated my account.

Inflationary Adjustments to Fees

As announced on the court's website in November, the Judicial Conference of the U.S. Courts approved inflationary adjustments to the [Bankruptcy Court Miscellaneous Fee Schedule](#), effective December 1, 2016. The court has updated applicable events in CM/ECF to reflect these changes.

Item No.	Description	Old Fee	New Fee
2	For exemplification of any document	\$21	\$22
3	For reproduction of an audio recording of a court proceeding	\$30	\$31
4	For filing an amendment to the debtor's schedule of creditors, list of creditors, or mailing list . . .	\$30	\$31
5	For conducting a search of the bankruptcy court records . . .	\$30	\$31
7	For filing any document that is not related to a pending case or proceeding . . .	\$46	\$47
19	For filing the following motions: <ul style="list-style-type: none"> • To terminate, annul, modify or condition the automatic stay • To compel the abandonment of property of the estate . . . • To withdraw the reference of a case or proceeding . . . • To sell property of the estate free and clear of liens under 11 U.S.C. § 363(f) 	\$176	\$181

CM/ECF Frequently Asked Questions (FAQs)

How do I change my email address in CM/ECF?

Log into CM/ECF, click on “Utilities” and “Maintain Your Account.” Modify your email address as needed and click “Submit.” All CM/ECF participants are responsible for keeping their contact information updated in CM/ECF, including email address, physical mailing address, telephone number, and facsimile number. In all cases where an attorney is counsel of record and his/her contact information has changed, the attorney must timely file a notice of change of address and serve a copy of the notice on all other parties in the case. If an attorney practices simultaneously in more than one law firm, he/she must have distinct CM/ECF accounts, logins, and passwords to accommodate the multiple law firm affiliations. See page 5-6 of the [CM/ECF Administrative Procedures](#).

How do I add additional email addresses to my CM/ECF account?

Log into CM/ECF, click on "Utilities" and "Maintain Your Account." Select "Email Information" and input your secondary email address. Be sure to reenter your secondary email address in the appropriate box, and click "Return to Account Screen."

What if I forget my CM/ECF password?

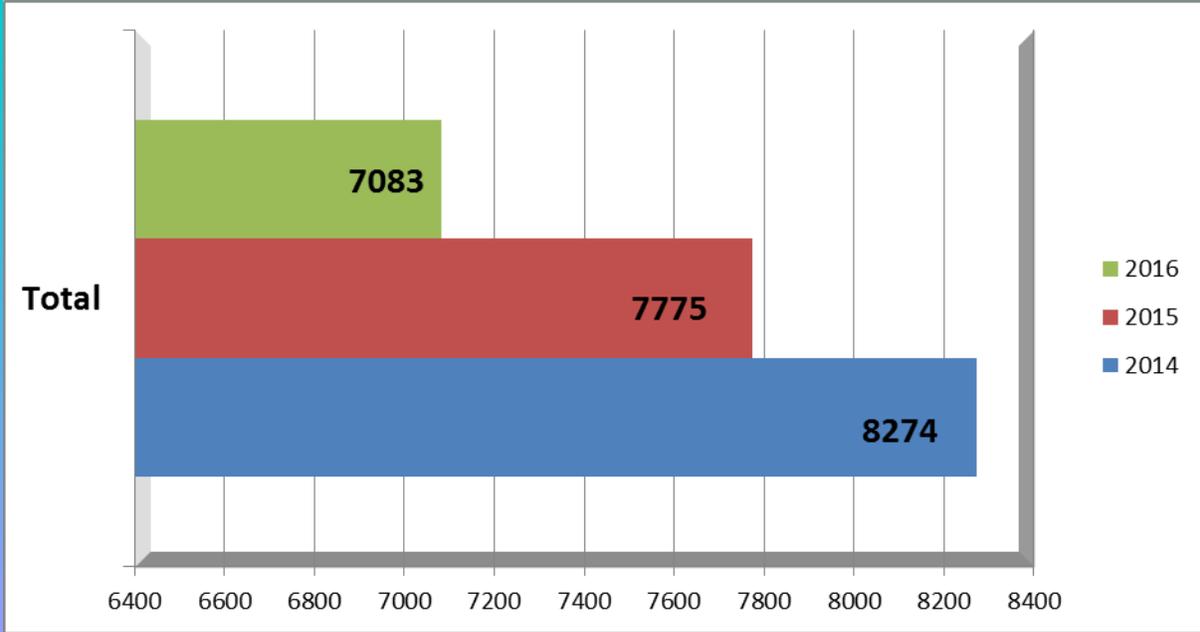
If you are unable to remember or locate your password for the LIVE or TRAIN systems in CM/ECF, you can reset your password online. To reset your password, go to the CM/ECF Login page. Click the hyperlink in the sentence that states: “If you forgot your CM/ECF password, you can request a password reset [here](#).” Enter your CM/ECF login ID in the field provided, and click “Submit.”

You will receive an email from USBC_registration@gas.uscourts.gov to the email address of record for your CM/ECF account, with a URL to change your password. Check your spam message folder if you do not receive your reset message within 10-15 minutes. *NOTE: This is for CM/ECF logins only. This will not work for PACER accounts. For a lost password on a PACER account, contact the PACER Service Center.*

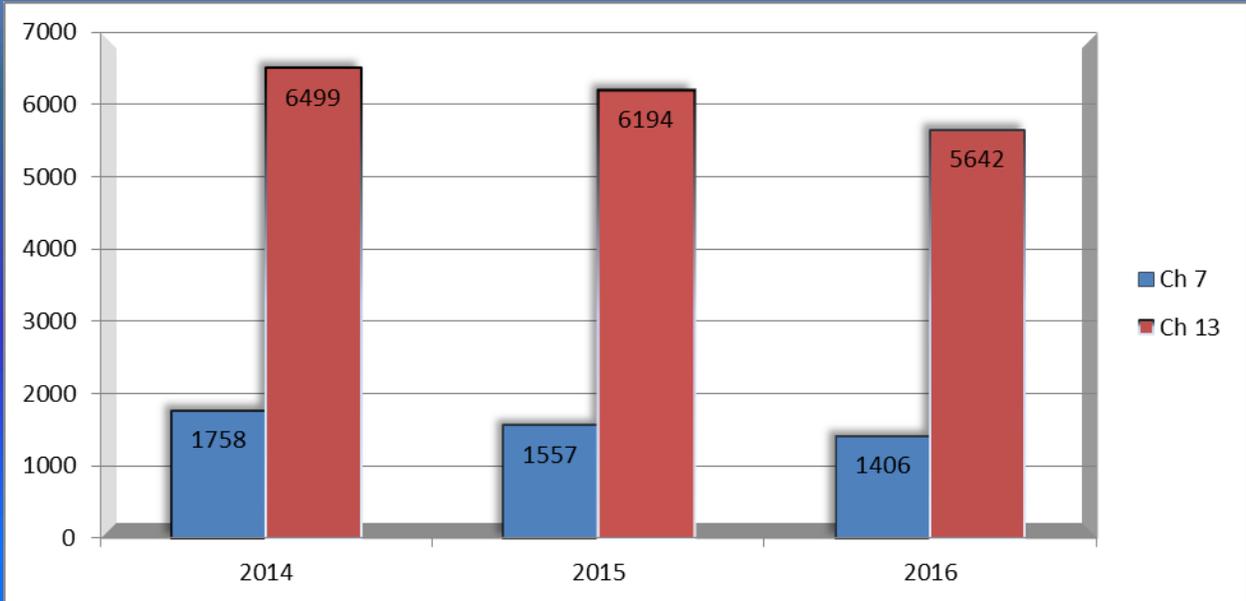
CM/ECF Creditor User Manual

To assist creditors in navigating CM/ECF, check out the newly revised [CM/ECF Creditor User Manual](#). The manual is designed to help creditors file, view, and retrieve documents in the CM/ECF system.

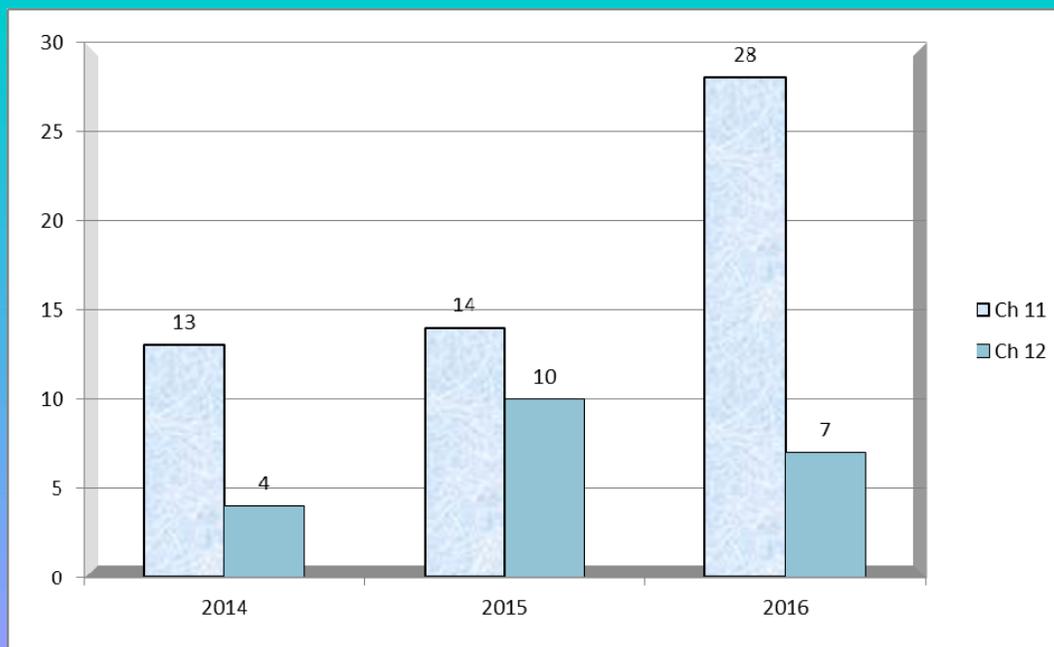
Total Case Filings for 12-Month Period Ending December 31



Chapter 7 and 13 Filings for 12-Month Period Ending December 31



Chapter 11 and 12 Filings for the 12-Month Period Ending December 31



Statistical data is available to the public on the Judiciary's website at:
<http://www.uscourts.gov/statistics-reports/caseload-statistics-data-tables>

COURT WILL BE CLOSED IN OBSERVANCE OF THE FOLLOWING 2017 FEDERAL HOLIDAYS

Monday, February 20	Washington's Birthday
Monday, May 29	Memorial Day
Tuesday, July 4	Independence Day
Monday, September 4	Labor Day
Monday, October 9	Columbus Day
Friday, November 10	Veterans Day
Thursday, November 23	Thanksgiving Day
Monday, December 25	Christmas Day

CM/ECF and PACER will be available during these times for
 online filing and access to case information.

Please provide any comments or article ideas to
meredith_mathis@gas.uscourts.gov or lainie_saul@gas.uscourts.gov.