



THEsouthernscoop

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Fall 2018

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2018 Annual Court Training



On August 31, 2018, the staff and Judges of the Bankruptcy Court for the Southern District of Georgia came together at the Mighty 8th Air Force Museum in Pooler, GA for a day of networking and team-building with facilitator Lou Gil, training on such topics as "Service to the Public." Employees were also treated to a tour of the museum, which included collections of artifacts donated from various World War II Eighth Air Force groups, as well as an exhibit providing insight into the role of our present-day United States Air Force.

COURTHOUSE LOCATIONS

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

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



ART AND ESSAY CONTEST HONOREES

In honor of Constitution Day, the U.S. Bankruptcy Court for the Southern District of Georgia-Savannah Division held its 2nd annual art contest for local K-3rd graders and an essay contest for 4th and 5th graders. Students were asked to create a piece of art or write an essay regarding why they value particular freedoms set out in the U.S. Constitution.

Participation skyrocketed this year! Entries were received from over 345 students representing 12 different elementary schools in Chatham County. The winning entries, currently on display on the second floor of the Tomochichi Federal Courthouse, were chosen by a select team of court officials.

The students, pictured below with Chief Judge Edward J. Coleman, III were invited to the courthouse where they participated in a mock trial and were presented with pocket-sized guides to the U.S. Constitution, medals, and framed certificates of achievement. Congratulations to these very talented students!



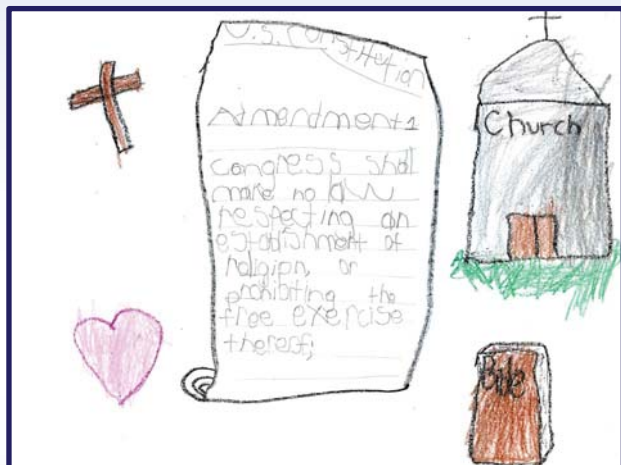
Pictured from left to right are (front row) Michael Hall Carter, II, Paxton Parrish, Cooper Crunkleton, and Nusaybah Kirk, (back row) Chief Judge Coleman, Kamrin Ladson, and Lietta Checketts.

U.S. Constitution Day Winning Drawings

MICHAEL HALL CARTER II

KINDERGARTEN, age 5

WHITE BLUFF ELEMENTARY



NUSAYBAH KIRK

1st GRADE, age 6

JACOB G. SMITH ELEMENTARY



U.S. Constitution Day Winning Drawings

PAXTON PARRISH

2nd GRADE, age 7

POOLER ELEMENTARY SCHOOL



COOPER CRUNKLETON

3rd GRADE, age 9

HESSE ELEMENTARY SCHOOL

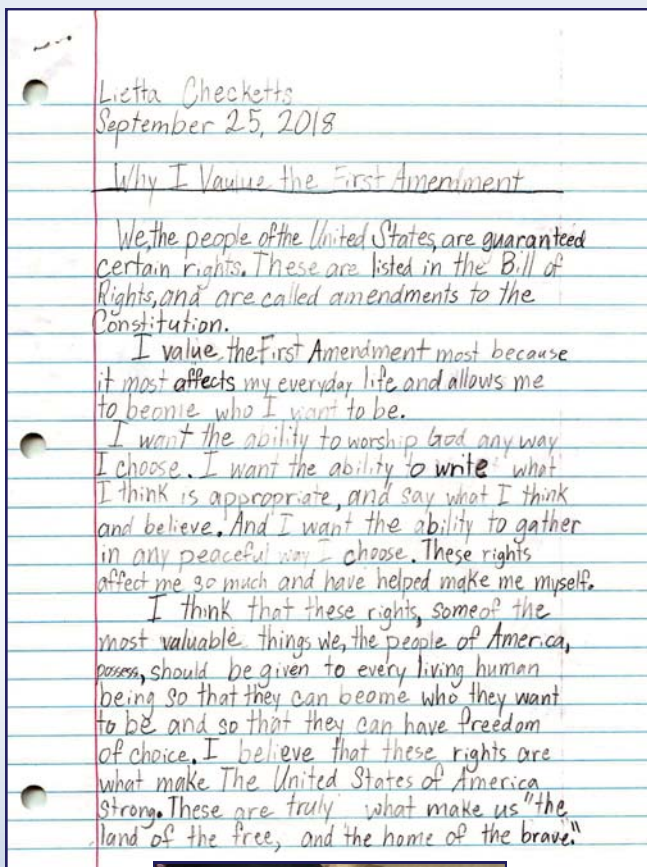


U.S. Constitution Day Winning Essays

LIETTA CHECKETTS

4th GRADE, age 9

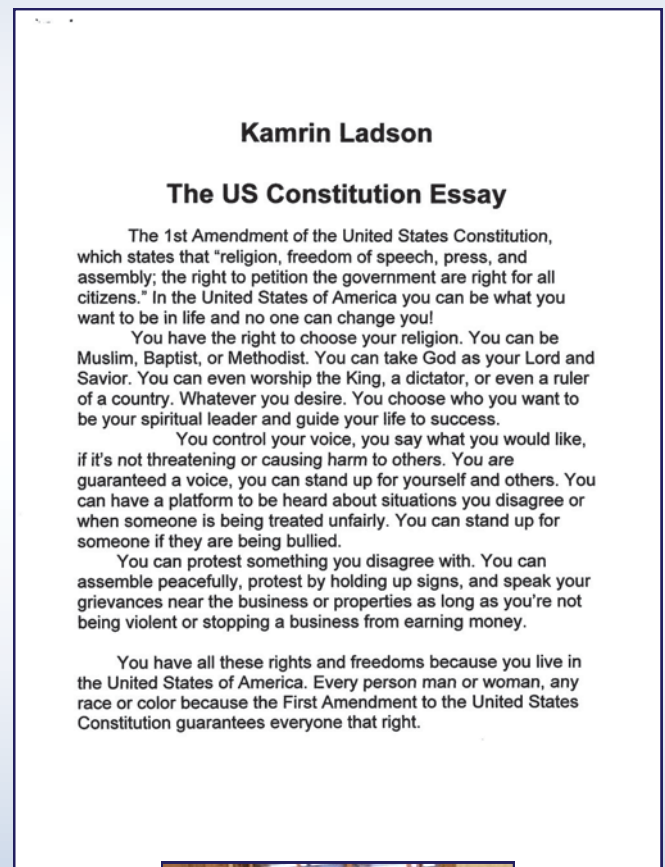
JACOB G. SMITH ELEMENTARY SCHOOL



KAMRIN LADSON

5th GRADE, age 10

OTIS BROCK ELEMENTARY SCHOOL



EMPLOYEE NEWS

Promotions, New Hires & Retirements

Lainie Saul **Chief Deputy Clerk**

Lainie was promoted to Chief Deputy Clerk in April, 2018. Lainie has been an employee of the Bankruptcy Court for the Southern District of Georgia for 18 years. She began her career with the court on September 4, 2000 in case administration, and had been our district's Data Quality Analyst/Trainer since May, 2009. Lainie earned a bachelor's degree in Communication Arts/Public Relations from Georgia Southern University in 1992. She is married to Brian Saul, and together they have two sons, Marc, a junior at Benedictine Military School, and Jack, an 8th grader at Rambam Day School.



Courtney Neibel **Data Quality Analyst**

Courtney has been employed with the court in our Augusta Division for over 18 years. She began as a Case Administrator in March 2000, was promoted to Operations Supervisor in 2009, and then became Division Manager in 2012. Courtney provides outstanding leadership, and has gained valuable operations knowledge during the course of her court career. She has also participated in numerous training opportunities that will apply directly to her new position as DQA. Please join us in congratulating Courtney on her new role in our court family.



EMPLOYEE NEWS

Promotions, New Hires & Retirements

Alec Chappell **Career Law Clerk**

On April 17, 2018, **Alec** became Judge Coleman's career law clerk.

Alec is from Columbus, Georgia. He received his bachelor's degree in Political Science from Mercer University in 2012 and received his law degree from Mercer's Walter F. George School of Law in 2016. After law school, Alec clerked for the Honorable C. Ashley Royal, United States District Judge for the Middle District of Georgia. Alec began clerking for Judge Coleman in 2017.



Carla Wilbourn **Augusta Divisional Manager**

Carla will begin working in the Augusta Division on December 10, 2018. She comes to us with over 22 years experience in court operations with the U. S. Bankruptcy Court for the Middle District of Georgia in Macon, most recently as an Operations Supervisor & Data Quality Analyst. She received a bachelor's degree in English (cum laude) from Shorter College in Rome, GA, and a paralegal certificate from Georgia College and State University in Macon. Please join us in welcoming Carla to our court family.



Meet Our New Case Administrators

Karen Carter has nine years experience as an administrative assistant for the Richmond County Clerk of Superior Court. She received a bachelor's degree in Business Administration from Augusta State University and an associate degree in nursing from Aiken Technical College. Karen began working in our Augusta Division on April 30.



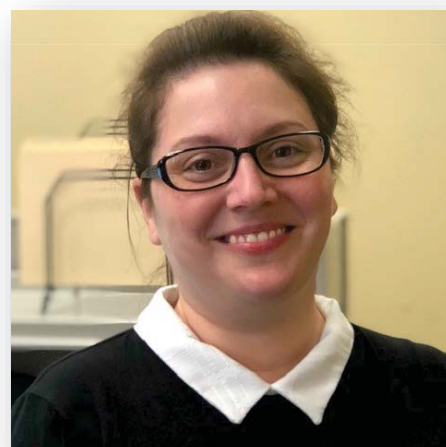
Lindsay Howell has close to seven years experience as a Deputy Clerk for Richmond County Clerk of Superior, State and Juvenile Court. She received an associates degree in Marketing Management from Augusta Technical College. Lindsay began working in our Augusta Division on October 1.



Ruba Franks has over twenty years experience as a Senior Managing Paralegal and Bankruptcy Manager with Atlanta based law firms, most recently with Eady Law, LLC. She was also a Bankruptcy Supervisor with Advanta Mortgage in San Diego, CA. Ruba began working in our Brunswick Division on September 17.



Crystal DeLaurentis comes to us with over fifteen years experience with Savannah based law firms, including work as a Senior Paralegal with Meyer & Sayers, LLP, and a Paralegal/Office Manager at Bulovic Law Firm, LLC. She is a cum laude graduate of Georgia Southern University with a bachelor's degree in Fashion Merchandising & Apparel Design. Crystal began working in our Savannah Division on October 1.





Janet Payton was hired as Secretary to Judge John S. Dalis on October 15, 1987, and received a promotion on October 22, 1988. She served under Judge Dalis as a Judicial Assistant until March 22, 2006, when she became the Judicial Assistant to Judge Susan D. Barrett. Janet served under both Judges during their terms as Chief Judge. After 31 years, and countless contributions to the Court, Janet retired on October 31, 2018. The court wishes Janet well in her retirement and in all of her future endeavors.



Margie Weaver was hired as an ECRO in the Augusta Division on January 6, 1997. She was promoted to Case Administrator on March 27, 2000, where she continued to serve as ECRO, and became the Chapter 11/12 Clerk first to Judge Dalis, and later to Judge Barrett. After 20 years of invaluable service to the Court, Margie retired on August 31, 2018. The court misses Margie and wishes her a very happy retirement!



Carmen Tardiff was hired as an Intake Clerk in the Augusta Division on October 5, 1998. She was promoted to Case Administrator on April 10, 2000. The Clerk's Office greatly benefitted from Carmen's hard work, dedication, and wealth of knowledge as a Case Administrator. After 20+ years of federal service, Carmen retired on September 30, 2018. Carmen's contributions to the Clerk's Office will be greatly missed. The court wishes her well in her retirement!



Federal Rules and Form Changes Effective December 1, 2018

The following rules were adopted by the U.S. Supreme Court and transmitted to the U.S. Congress on April 26, 2018 (*including adoption of new Bankruptcy Rule 8018.1*), which will become effective on December 1, 2018:

Federal Rules of Bankruptcy Procedure: 3002.1, 5005, 7004, 7062, 8002, 8006, 8007, 8010, 8011, 8013, 8015, 8016, 8017, 8021, 8022, 9025, new Rule 8018.1, and new Part VIII Appendix.

Federal Rules of Civil Procedure: 5, 23, 62, and 65.1.

Federal Rules of Appellate Procedure: 8, 11, 25, 26, 28.1, 29, 31, 39, and 41.

Federal Rules of Criminal Procedure: 12.4, 45, and 49.

Several proposed amendments to Official Forms are on track to be effective December 1, 2018. Proposed amendments to Official Forms 417A and 417B were approved by the Judicial Conference in September 2017, and proposed amendments to Official Forms 411A and 411B were approved by the Judicial Conference in September 2018.

Form 411A (*General Power of Attorney*)

Form 411B (*Special Power of Attorney*)

Form 417A (*Notice of Appeal and Statement of Election*)

Form 417C (*Certificate of Compliance with Type-Volume Limit, Typeface Requirements, and Type-Style Requirements*)

In addition, the following new or amended Director's Forms will go into effect on December 1, 2018:

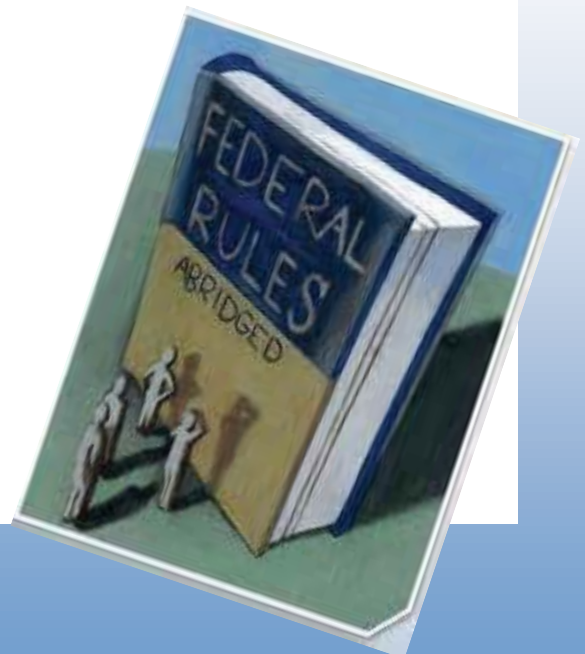
Form 2000 (*Required Lists, Schedules, Statements and Fees*)

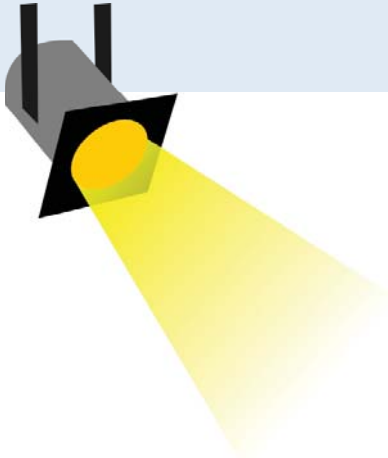
Form 3180W (*Order of Discharge in Chapter 13 Case*)

New Form 4170 (*Declaration of Inmate Filing*)

Click [here](#) for more info on the rule changes

Click [here](#) for more info on the form changes





Spotlight on Bankruptcy Rule 3002.1

Although this year's December rule changes are not as robust as they have been in recent years, we do want to highlight the changes to BR 3002.1 Notice Relating to Claims Secured by Security Interest in the Debtor's Principal Residence.

The amendments to Bankruptcy Rule 3002.1 will subdivide section (b) into:

- (b)(1) which authorizes courts to modify Home Equity Lines of Credit (HELOCs) and provides flexibility for courts to specify alternate procedures for keeping the person who is to maintain payments apprised of the current payment amount, and
- (b)(2) which is amended to acknowledge the right of the trustee, debtor, or party-in-interest to object to a change in the home mortgage payment amount, after receiving notice. Also allows parties to file a motion to determine the validity of the payment change; if no motion is filed by the day before the payment is to change, the change takes effect.

Note - If the motion for determination is timely filed and results in a suspension of the payments, the debtor will be required to cure the resulting default.

Rule 3002.1(e) is amended to allow parties-in-interest to also seek a determination of the validity of a claimed fee, expense, or charge.

The amendments to subdivisions (b) and (e) of Rule 3002.1 are intended to: create flexibility regarding a notice of payment change for home equity lines of credit; create a procedure for objecting to a notice of payment change; and expand the category of parties who can seek a determination of fees, expenses, and charges that are owed at the end of the case.

For payment changes involving home equity lines of credit, creditors should continue their use of **Form 410S1**, and under Part 3 write in that the reason for the payment change is a change in the home equity line of credit (HELOC).

A debtor, trustee, or other interested party should docket any objection to the payment change using the event **Bankruptcy > Motions/Applications > Motion to Determine Validity of Payment Change**.

Guidelines For Editing Metadata



Metadata is information associated with a file that is not generally intended to be printed or displayed. Essentially it is data about other data, such as hidden file information which may include the file location and author's name. Metadata can become a problem when it's unintentionally released. In light of the release of newer versions of word processing software (Microsoft Word 2016 and Adobe Acrobat PRO DC), the Court Services Office has updated their *Guidelines for Editing Metadata* previously issued in April 2013. This document provides guidelines for reducing and removing metadata prior to sharing documents, or when creating documents that will be filed in CM/ECF. Click [here](#) to view these guidelines.

How to Report a Technical Issue with CM/ECF

If you experience technical issues when filing in our CM/ECF system, please navigate to our website, www.gasb.uscourts.gov and click on the link [Report An Issue with CM/ECF](#). This link will take you to an informational page on how to contact the court. During regular business hours, you may phone any of our divisional offices. After hours/holidays/weekends, please notify our IT Department immediately via email by clicking on the link provided. In order for our IT Department to take appropriate action, your email should be specific as to the technical issues you are experiencing.

Procedural Change for Quality Control of Claims



Effective August 14, 2018, the Clerk's Office no longer issues notices for electronically filed deficient proofs of claim. Clerk's Office responsibilities are set out in FRBP 5003(b): "The Clerk shall keep

in a claims register a list of claims filed in a case when it appears that there will be a distribution to unsecured creditors."

Electronic claims filed via CM/ECF or ePOC are imported throughout the day into CM Assist (the Clerk's Office quality control program) for processing. Case administrators will review these claims to determine whether they are filed by the debtor or trustee. If a claim is filed by the debtor, debtor's attorney, or trustee, and a motion to allow the claim has not been filed, the case administrator will issue a **Notice of Filing of Proof of Claim by Debtor or Trustee**. All other imported claims will be removed from CM Assist without further quality control by the case manager. Attorneys for debtors should review the claims register for their clients and file an objection to claim for all deficiencies that would affect the claim or position in the case.

11 U.S.C. §521(a)(3) clarifies the statutory duty of debtor to assist the trustee in the review of claims..."cooperate as necessary to enable the trustee to perform the trustee duties..." and FRBP 4002(a)(4) also requires debtor to "cooperate with the trustee in the examination of the proofs of claims."

Please contact the Court with any questions.

Proposed Federal Rules Amendments Published for Public Comment

The Judicial Conference Committee on Rules of Practice and Procedure approved the following proposed amendments to rules and forms for public comment:

Federal Rules of Appellate Procedure: 35 and 40

Federal Rules of Bankruptcy Procedure: 2002, 2004, and 8012

Federal Rule of Civil Procedure: 30

Federal Rule of Evidence: 404

The proposed amendments and the reports of the advisory committees explaining the proposed changes are posted on the Judiciary's website at <http://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>. The public comment period closes on February 15, 2019.

GASB Website Conversion to HTTPS

The website of the U.S. Bankruptcy Court for the Southern District of Georgia has upgraded its security and is now accessible using HTTPS. If you have our site bookmarked, please change it to <https://www.gasb.uscourts.gov>. Starting on December 4, 2018, all site visitors will be automatically redirected to the HTTPS site.

Launch of New Bankruptcy Noticing Center Public Website

On June 30, 2018, a new public Bankruptcy Noticing Center (BNC) website was launched, combining and simplifying two critical program functions – Electronic Bankruptcy Noticing registration and preferred address registration; the site provides users with a modern, interactive experience, while ensuring better security. For more information, visit <https://bankruptcynotices.uscourts.gov/>.

Updated Bankruptcy Court Miscellaneous Fee Schedule

As announced on the Court's website in August, the Judicial Conference of the U.S. Court approved adjustments to the Bankruptcy Court Miscellaneous Fee Schedule, effective September 1, 2018. The schedule was revised to include the new fee for reproducing and transmitting a copy of a record in electronic format.

Click the link below to view the updated fee schedule:

<http://www.uscourts.gov/services-forms/fees/bankruptcy-court-miscellaneous-fee-schedule>

A Friendly Reminder

Updating Your CM/ECF Contact Information

Please take a minute to review your contact information in CM/ECF. Anytime your contact information changes, you need to update it. The information is displayed to other parties and is used for the court and the BNC to communicate with you. To review your information, log in to CM/ECF, go to the Utilities menu, click on Maintain Your ECF Account, and make any changes necessary.

Payee on Remittances

Please remind your clients when paying their fees to the Court, to make money orders and cashier's checks payable to **Clerk, U.S. Bankruptcy Court**. We continue to receive numerous money orders and cashier's checks made out incorrectly, and must return those items to the senders.

Submitting Proposed eOrders

Please double and triple check your eOrders before uploading them into the eOrders module. Common errors include:

- Incorrect case numbers.
- Incorrect judge name and/or initials.
- Language on the order does not match what is listed in the prayer of the motion.
- Order not in eOrder format (no 4" margin included; signature line for judge appears).
- Attorney "prepared by" block missing or incomplete.
- Incorrectly referenced file dates.
- Debtor and movant names incorrect and/or misspelled.
- Certificates of service included with the uploaded eOrder.
- Incorrect dollar amounts listed in settlements.

[eOrders Guidelines and Procedures](#) are available on our website.



New Bankruptcy Cases Fall 2.2 Percent Nationwide

Bankruptcy filings fell by 2.2 percent for the 12-month period ending September 30, 2018, compared with the year ending September 30, 2017, continuing a series of slight annual declines in new cases.

The September 2018 annual bankruptcy filings totaled 773,375, compared with 790,830 cases in the previous year, according to statistics released by the Administrative Office of the U.S. Courts. The number of bankruptcy cases filed was the lowest for any 12-month period since the year ending June 2007.

A national wave of bankruptcies that began in 2018 reached a peak in the year ending September 2010, when nearly 1.6 million bankruptcies were filed.

Miscellaneous Statistics for 12-Month Period Ending 10/31/2018

In the Bankruptcy Court for the Southern District of Georgia, there are 2,180 attorneys and 3,453 creditors registered to file in our CM/ECF system. Combined with court staff and case trustees, an impressive 390,860 docket entries were made in CM/ECF, and over 61,000 proofs of claim were filed. The Court performed quality control on 240,524 pleadings, documents and claims. As you can see below, 2018 is shaping up to be another very busy year for the Clerk's Office!

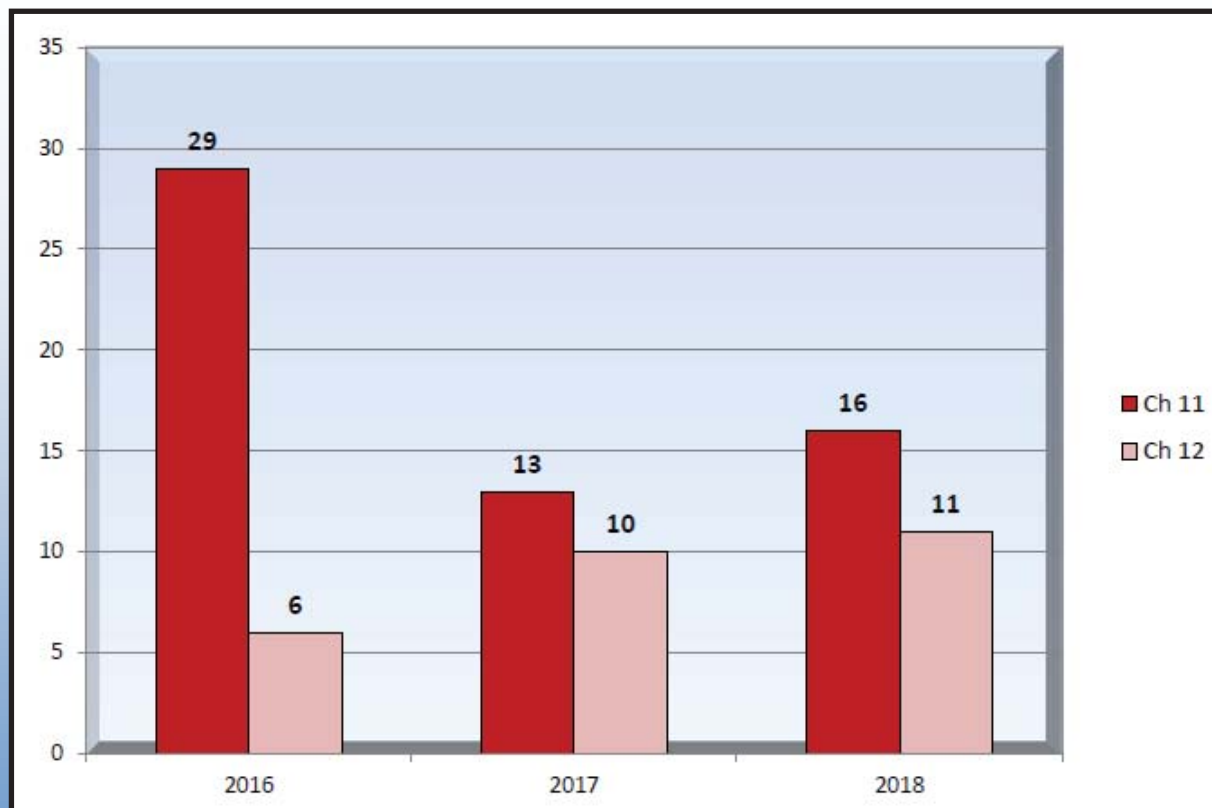
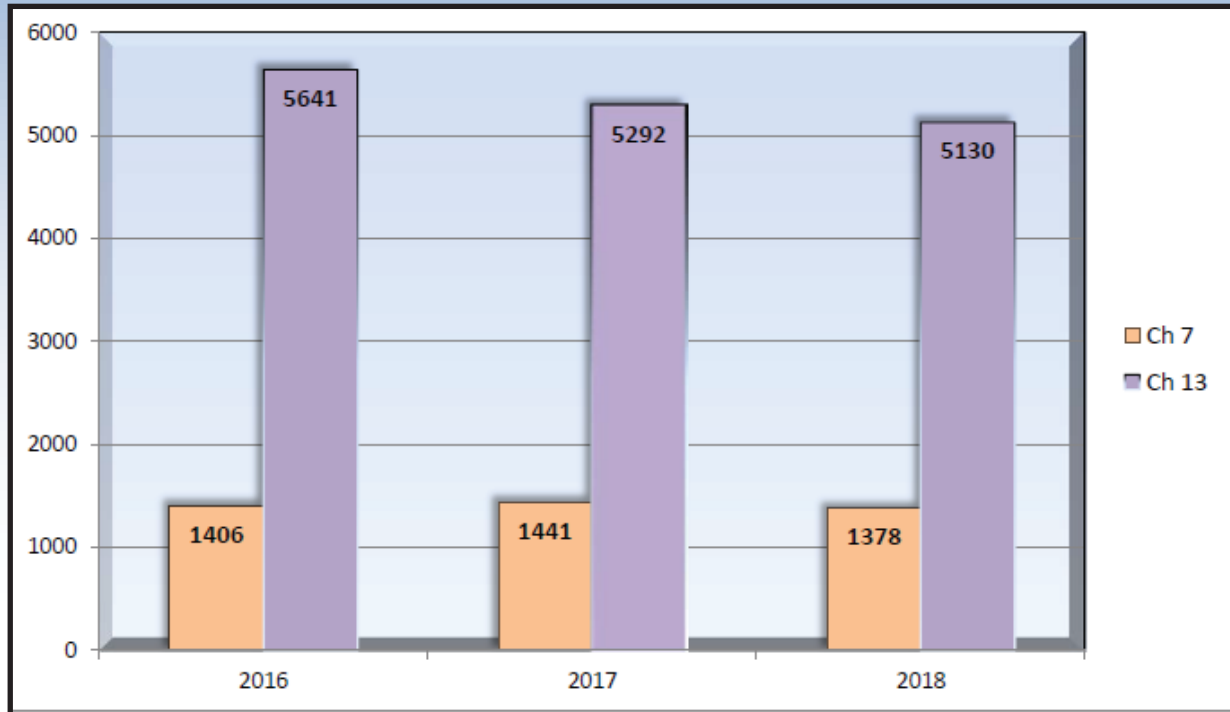
| Docket Entries Made By | TOTAL |
|----------------------------------|----------------|
| Case Managers | 118,868 |
| Attorney/Trustee/Creditor | 185,085 |
| Admin (ADI Processes/BNC Certs) | 86,907 |
| Total Docket Entries Made | 390,860 |

| Items QC'd in CMA | TOTAL |
|--------------------------------|----------------|
| Docket Events | 193,111 |
| Claims thru 8/13/18 | 47,413 |
| Total Items QC'd in CMA | 240,524 |

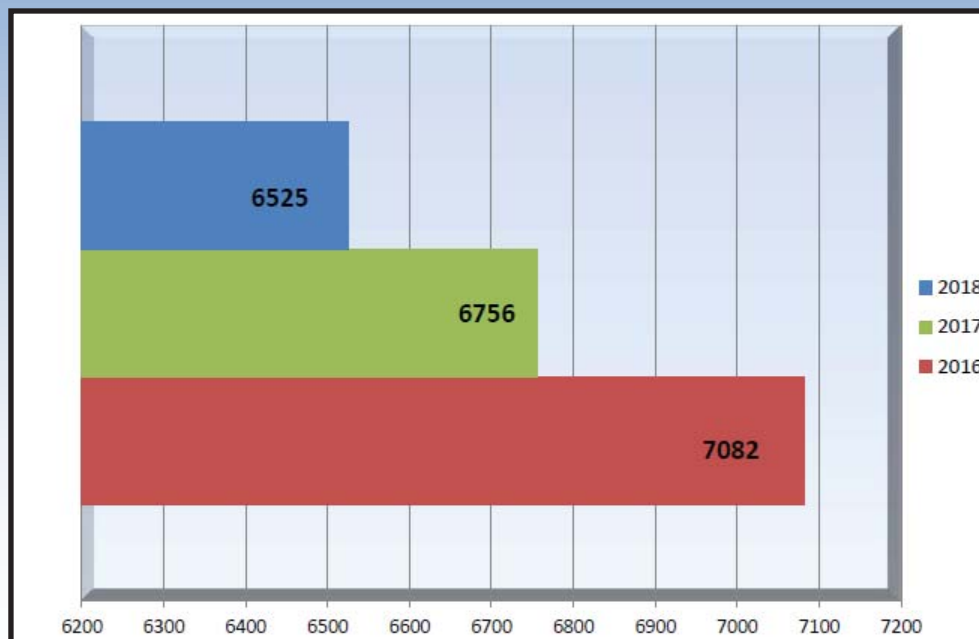
| Miscellaneous Statistics | TOTAL |
|--------------------------|--------|
| New BK Case Filings | 6,423 |
| New AP Case Filings | 99 |
| Discharges | 4,662 |
| Dismissals | 2,751 |
| Reopenings | 123 |
| Closings | 7,694 |
| Conversions | 411 |
| eOrders Uploaded | 26,418 |
| Orders Entered | 37,016 |

| Docketing Events by the Number | |
|--|--------|
| Affidavit of Default | 368 |
| Allow/Reconsider Claims / File Claim After Claims Bar Date | 483 |
| Amended Plans Before Confirmation | 1,701 |
| Claims Filed | 61,649 |
| Case Closed Without Discharge | 200 |
| Deficiency Notices | 3,938 |
| Garnishment Orders | 436 |
| Hearings Held (ALL) | 14,899 |
| Filing of POC by Debtor or Trustee | 1,032 |
| Trustee's Motion to Dismiss/Notice of Non Compliance | 5,310 |
| Relief from Stay | 2,455 |
| Transfer of Claim | 2,159 |
| Objection to Confirmation of Plan | 4,710 |
| Mapping Events | 13,550 |
| Negative Notice Motions | 4,429 |
| Extend/Impose Automatic Stay | 607 |
| Notice of Change of Address/Employment/Name | 8,017 |
| Motion to Employ/Sell/Settlement | 899 |
| Repeat Filer | 3,846 |
| Release of Wages (court generated) | 2,217 |
| Reaffirmation Agreements | 860 |

Case Filings by Chapter for 12-Month Period Ending 10/31/2018



Total Case Filings for 12-Month Period Ending 10/31/2018



Statistical data is available to the public on the Judiciary's website at:

<http://www.uscourts.gov/statistics-reports/caseload-statistics-data-tables>

THE COURTHOUSE WILL BE CLOSED IN OBSERVANCE OF THE FOLLOWING UPCOMING FEDERAL HOLIDAYS

| | | |
|-------------|------------------------|----------|
| December 25 | Christmas | Tuesday |
| January 1 | New Year's Day | Monday |
| January 21 | Martin Luther King Day | Monday |
| February 18 | President's Day | Monday |
| May 27 | Memorial Day | Monday |
| July 4 | Independence Day | Thursday |
| September 2 | Labor Day | Monday |
| October 14 | Columbus Day | Monday |

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

Do you have article ideas for *The Southern Scoop*? If so, please provide them to:

lainie_saul@gas.uscourts.gov or courtney_neibel@gas.uscourts.gov