



THEsouthernSCOOP

Volume 1, Issue 1

Spring 2016

Inside This Issue:

Automatic Adjustments to Dollar Amounts	2
Recent Changes by General Order	3
B. Avant Edenfield Jurist in Residence Program	4
Unclaimed Funds Locator	5
Bankruptcy Lawyers Advisory Committee	5
New Chief Deputy Clerk	6
Keep Your Contact Information Current in CM/ECF	6
Subscribe to Court Updates Via Email or Text	7
Opinions Database	7
Paying Filing Fees Via ACH	8
Case Filing Statistics	9-10
What's Missing?	11
Bankruptcy Terms Word Search	12

Welcome to the Inaugural Edition of *The Southern Scoop!*

By Chief Judge Susan D. Barrett

In 2015, Lucinda Rauback, the Clerk of the Bankruptcy Court for the Southern District of Georgia, approached the judges about introducing a newsletter designed to educate and inform the bar, the clerk's office staff, and chambers about topics of interest to the bankruptcy community in the Southern District of Georgia.

This inaugural edition of *The Southern Scoop* is the first step in the fruition of this project. Cinda and her staff have worked hard to find topics they hope you will find relevant and interesting. It is anticipated that the newsletter will be provided on a quarterly basis and will complement the other information you already are receiving from the clerk's office through emails, public notices, and postings to the court's website (www.gasb.uscourts.gov).

The clerk's office continues to strive to provide its services in the most professional and efficient manner possible. We hope you will find this newsletter to be another helpful tool in your interaction with the clerk's office and the bankruptcy court. We welcome your feedback including suggestions regarding useful articles, topics and interesting anecdotes.

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



Automatic Adjustments to Dollar Amounts in Statutory Provisions and Forms (Effective April 1, 2016)

As reported on the [court's website](#) and uscourts.gov, automatic adjustments have been made to dollar amounts in various provisions of the U.S. Bankruptcy Code and 28 U.S.C. § 1409(b), effective April 1, 2016. The adjustments occur every three years and reflect changes in the *Consumer Price Index for All Urban Consumers*. See 11 U.S.C. § 104(a).

The adjustments also impact the following Official and Director's forms:

- Official Form 106C, The Property You Claim as Exempt, Line 3
- Official Form 107, Your Statement of Financial Affairs for Individuals Filing for Bankruptcy, Line 6
- Official Form 122A-2, Chapter 7 Means Test Calculation, Lines 29 and 40
- Official Form 122C-2, Chapter 13 Calculation of Your Disposable Income, Line 29
- Official Form 201, Voluntary Petition for Non-Individuals, Line 8
- Official Form 207, Statement of Your Financial Affairs, Lines 3 and 4
- Official Form 410, Proof of Claim, Line 12
- Director's Form 2000, Required Lists, Schedules, Statements, and Fees, Pages 2, 3, and 4
- Director's Form 2830, Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q), Part III (*THIS FORM NOT USED IN SDGA*)
- Instructions for Individual Debtors, Pages 8 and 22
- Instructions for Non-Individual Debtors, Page 12
- Director's Form 2500E, Instructions, Page 1

The revised forms are effective April 1, 2016, and apply to cases filed on or after that date. You can access the revised forms on the Bankruptcy Forms page at: <http://www.uscourts.gov/forms/bankruptcy-forms>.

Recent Changes by General Order

Below is an overview of the court's [most recent General Orders](#), which you may access from the court's website.

General Order Number 2015-5: Order Requiring Payment of Chapter 13 Filing Fees Directly to Clerk and Order Vacating General Order 1995-3 (Effective March 1, 2016)

- Chapter 13 filing fees are paid directly to the clerk and no longer through the Chapter 13 plan.
- In CM/ECF under the Reports menu, trustees, attorneys, and their filing agents may access an Installment Fee Tracking Report. A case is added to the report upon entry of an Order Approving Payment of Filing Fee in Installments. A user may sort the report by chapter, case number, trustee, or debtor's attorney. See [Information Regarding Payment of Chapter 13 Filing Fees](#).

General Order Number 2015-4: Amended Order Regarding Lease and Adequate Protection Payments and Order Vacating General Order 2005-5 (Entered Nov. 20, 2015, and effective immediately)

- Pursuant to 11 U.S.C. § 1326 and § 105, debtors are permitted to designate in their Chapter 13 plans whether lease and adequate protection payments will be made directly to the creditor or will be remitted to the trustee.

General Order Number 2015-3: Discharge Requirements (Effective January 4, 2016)

- Effective January 4, 2016, individual debtors must file a certificate of eligibility for discharge before a discharge can be entered in Chapter 11, 12, and 13 cases.

General Order Number 2015-2: Automatic Dismissals (Effective January 4, 2016)

- When the debtor has filed the required documents within the 45-day period pursuant to 11 U.S.C. § 521(i), the court will enter an order in a Chapter 7 case or include language in the confirmation order in a Chapter 13 case, clarifying that the case is not subject to dismissal under § 521(i)(1) and that the debtor is not required to file any more documents pursuant to § 521(i)(2).

General Order Number 2015-1 (Entered October 23, 2015, and effective immediately)

- The General Order revises clerk's office procedures regarding the filing of creditor mailing matrices, schedules, and statements.

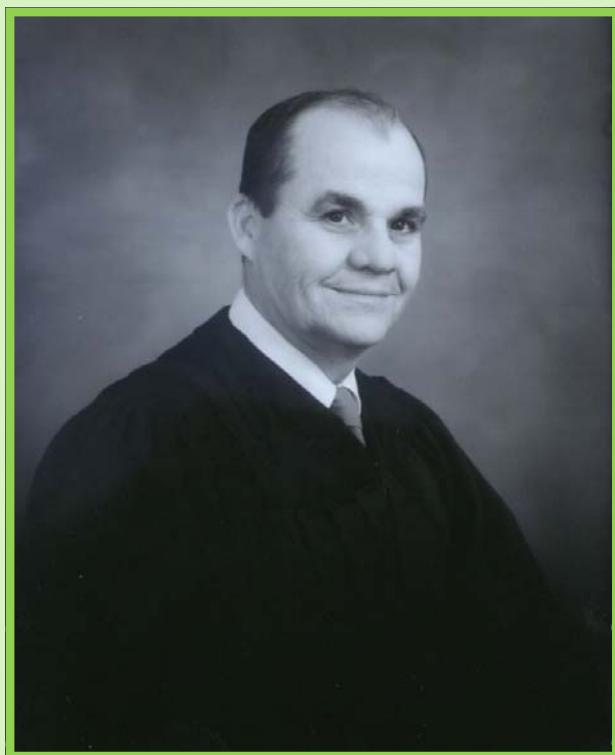
B. Avant Edenfield Jurist in Residence Program in Memory of Long-Standing U.S. District Judge for the Southern District of Georgia

In 2015, the University of Georgia (UGA) School of Law launched its Jurist in Residence program, which honors the late B. Avant Edenfield, U.S. District Judge for the Southern District of Georgia and UGA law alumnus. The B. Avant Edenfield Jurist in Residence program allows law students to gain exposure to Article III judges and learn about the federal court system. Each year, the law school will invite an Article III judge to teach a week-long intensive mini-course.

During his career, Judge Edenfield hired a number of UGA law graduates to serve as judicial law clerks, including Allen Yee, who made a gift to the law school to initiate the B. Avant Edenfield Jurist in Residence program.

UGA selected the Honorable Lisa Godbey Wood, Chief U.S. District Judge for the Southern District of Georgia, to serve as the first Jurist in Residence. Chief Judge Wood, a 1990 UGA law alumna who was a friend and colleague of Judge Edenfield, will present a week-long course focused on sentencing. *See* Lona Panter, “UGA Law School Creates Jurist in Residence Program Honoring Late Judge B. Avant Edenfield,” UGA TODAY, Nov. 19, 2015, available at: <http://news.uga.edu/releases/article/jurist-in-residence-program-edenfield-2015>.

In 1978, President Jimmy Carter appointed Judge Edenfield to the federal bench, and he served as an active district judge in the Southern District of Georgia for 28 years before taking senior judge status in 2006. Judge Edenfield passed away in 2015, but he will be remembered for years to come for his valuable service to the federal judiciary and to this district.



B. Avant Edenfield

Unclaimed Funds Locator

CM / ECF
ELECTRONIC CLAIMS
FINANCIAL MGMT
UCF LOCATOR
SEA ISLAND COMPANY
JUDGES' CALENDAR
BANK CODE & RULES
PUBLIC NOTICES
LOCAL RULES
COURT INFORMATION
GENERAL ORDERS
JUDGES' OPINIONS
JUDICIAL MISCONDUCT
RELATED SITES

The public may search the [Unclaimed Funds Locator](#), which consolidates unclaimed funds data for the Georgia Southern bankruptcy court and other participating bankruptcy courts. Currently, there are 49 courts' data available for searching.

A link to the Unclaimed Funds Locator is available from the court's [website](#) under "UCF Locator." A user may select a court from the dropdown menu, and the database is searchable by creditor name, case number, and debtor name.

To petition the court for the return of unclaimed funds, please see the court's [Procedures for Disbursement of Unclaimed Funds \(Revised September 2015\)](#).

Bankruptcy Lawyer Advisory Committee (BLAC) Serves the Georgia Southern Bankruptcy Community

The mission of the Bankruptcy Lawyer Advisory Committee (BLAC) is to "assist in the professional, efficient and effective administration of the bankruptcy laws within the Southern District of Georgia." BLAC members meet twice a year to vet ideas and to provide feedback on local court initiatives.

The committee is formed to represent the Southern District of Georgia geographically and by practice group. Current BLAC members include: Todd Boudreaux, Barbara Braziel, Mark Bulovic, Mark Cleary, Bob Cunningham, Jim Drake, Matt Duncan, Steve Greenberg (Vice Chair), Kathy Horne, Michon Lunsford, Angela McElroy-Magruder, Elaina Massey, Jim McCallar, Byron Meredith, Matt Mills, Joe Mitchell, Jeff Narmore, Bill Orange, Jim Overstreet (Chair), Joelyn Pirkle, Maggie Puccini, Paul Schofield, Edward Smith, Mike Souther, Shannon Statkus, Kenny Stone, Steve Wallace, Clay Ward, and Kim Ward.

The BLAC is currently comprised of four subcommittees, including: (1) Chapters 11/12- Business, (2) Consumer Chapter 13, (3) Consumer Chapter 7, and (4) Rules/Forms.

The court appreciates the service of the BLAC. Attorneys with an interest in participating on the committee may contact Chief Judge Barrett (706-849-4439), Jim Overstreet (706-863-2255), or Steve Greenberg (912-233-2251).

New Chief Deputy Clerk

On January 4, 2016, Meredith Mathis joined the court as the new Chief Deputy Clerk. Meredith came to us from the Administrative Office of the U.S. Courts, where she served as an attorney advisor since 2008. Prior experience includes serving as a law clerk for the U.S. Bankruptcy Court for the Eastern District of North Carolina, and the U.S. District Court for the Northern District of West Virginia, and working as an associate attorney at a law firm in Tallahassee, Florida.

Meredith received a Bachelor of Arts degree from the University of North Carolina at Chapel Hill, and a JD from the Catholic University of America, Columbus School of Law.

Please help us welcome Meredith to the court!



Keep Your Contact Information Current in CM/ECF

The court's [Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means](#) specifies that an “attorney is responsible for keeping all of his/her contact information updated in ECF.” If your email address, mailing address, telephone number or fax number change, make sure that information is updated in your CM/ECF account.

Subscribe to Court Updates Via Email or Text Updates

The court is pleased to announce that it has implemented a new, free email and text subscription service through GovDelivery. The subscription portal to subscribe for email or text updates is available on the court's [public website](#) above News and Announcements.

You may designate an email address where you would like to receive news from the court. This can be different from your official email address connected to your CM/ECF account where you are receiving notices of electronic filing (NEFs). Alternatively, you can designate a telephone number for receiving text messages of local court news.

Subscribers may update their preferences at any time. In addition to local court news, subscribers may elect to receive updates from the U.S. Courts on national news, statistics, educational resources, federal rulemaking and probation services.

We hope you'll find GovDelivery to be a convenient way to keep updated on local and national court topics.



Opinions Database

From the court's website, the public can search the [bankruptcy court's opinion database](#) by judge, date range, and search term. Below are a couple of recent opinions included in the database:

***In re Shree Meldikrupa, Inc.*, Case No. 15-41411-EJC (Mar. 22, 2016)**

- This order denies a creditor's Motion for Relief from the Stay. The creditor sought relief, pursuant to 11 U.S.C. § 362(d)(1), alleging that its collateral was not being adequately protected and that the Chapter 11 debtor filed its bankruptcy petition in bad faith. The creditor also sought relief, pursuant to § 362(d)(2), alleging that the debtor did not have any equity in the collateral and the collateral was not necessary for an effective reorganization. Under the ruling in *United Sav. Ass'n v. Timbers of Inwood Forest Assocs., Ltd.*, 484 U.S. 365, 371 (1988), the court held that the creditor was undersecured and not entitled to adequate protection under § 362(d)(1) because the collateral was not declining in value. In addition, the court did not find that the debtor filed its case in bad faith. With regard to § 362(d)(2), the court found that the debtor had no equity in the property; however, it was necessary for an effective reorganization.

***Sea Island Acquisition, LLC v. Barnett, et al.*, Case No. 10-21034-JSD (Mar. 4, 2016)**

- The debtor was still required to convey to the purchaser real property that was provided for in an Asset Purchase Agreement, but not specifically identified until after closing. The clear and unambiguous terms of the Plan, the Confirmation Order, and the Asset Purchase Agreement showed the intent that all real property was to be conveyed from the debtor to the purchaser, and none was to be excluded from the conveyance.

Paying Filing Fees Via Automated Clearing House (ACH)

Filers paying filing fees over the Internet now have the option to pay by bank account debit (Automated Clearing House) from the Treasury Department’s Internet payment system.

At the end of each fee transaction event, you will see the usual **PAY NOW** button.

Click **PAY NOW** to be directed to pay.gov.

Internet Payments Due

Date Incurred	Description	Amount
2016-02-19 14:08:05	Motion for Relief From Stay(12-40029) [motion,mrlfsty] (176.00)	\$ 176.00
		Total: \$176

At Step 1: Enter Payment Information, **Pay via Bank Account (ACH)** will be the first option to select.

Complete the required fields, then click on the **Continue with ACH Payment** button.

Step 1: Enter Payment Information 1 | 2

Pay Via Bank Account (ACH) [About ACH Debit](#)

Required fields are indicated with a red asterisk *

Account Holder Name: Wendy Pena-attorney *

Payment Amount: \$176.00

Account Type: *

Routing Number: *

Account Number: *

Confirm Account Number: *

Check Number:

Routing Number: 026946783 Account Number: 9243767390 Check Number: 1234

Payment Date: 02/22/2016

Select the "Continue with ACH Payment" button to continue to the next step in the ACH Debit Payment Process.

At Step 2: Authorize Payment, enter an email address if you want to receive a confirmation/receipt, then check the box to agree to the authorization and disclosure language.

Step 2: Authorize Payment 1 | 2

Payment Summary [Edit this information](#)

Account Holder Name: Wendy Pena-attorney

Payment Amount: \$176.00

Account Type: Personal Checking

Routing Number: 042000424

Account Number: *****1234

Check Number: 123

Payment Date: 03/17/2016

Email Confirmation Receipt

To have a confirmation sent to you upon completion of this transaction, provide an email address and confirmation below.

Email Address:

Confirm Email Address:

CC: Separate multiple email addresses with a comma

Authorization and Disclosure

Required fields are indicated with a red asterisk *

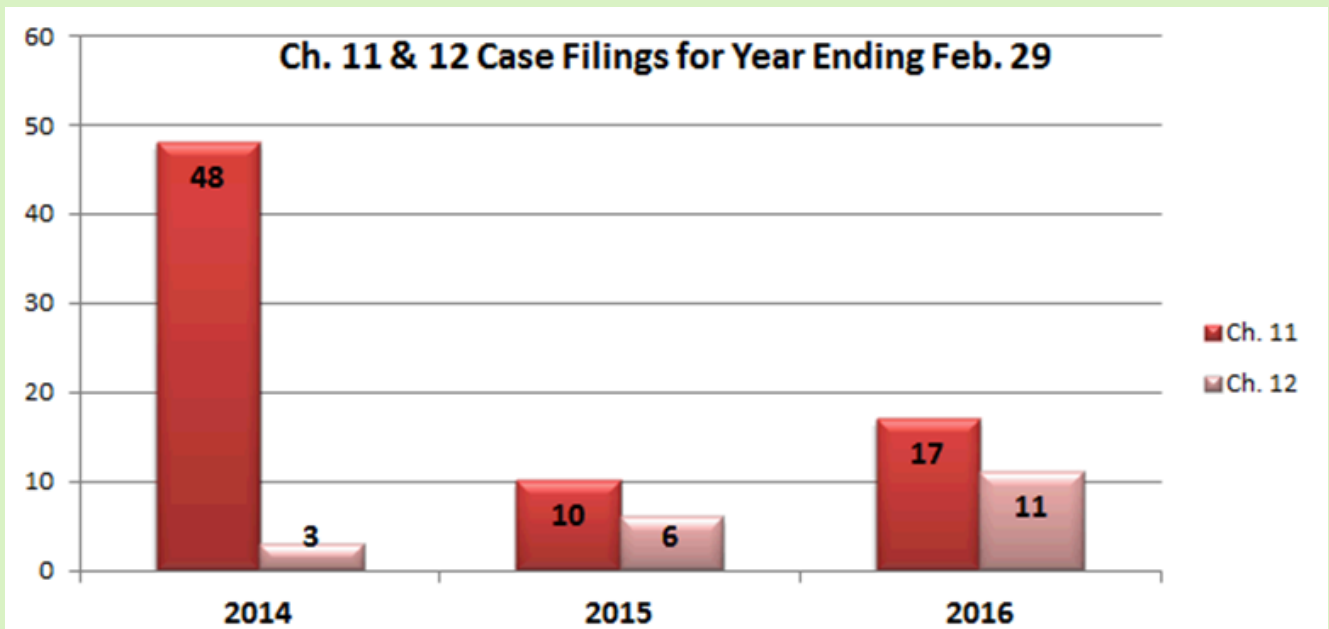
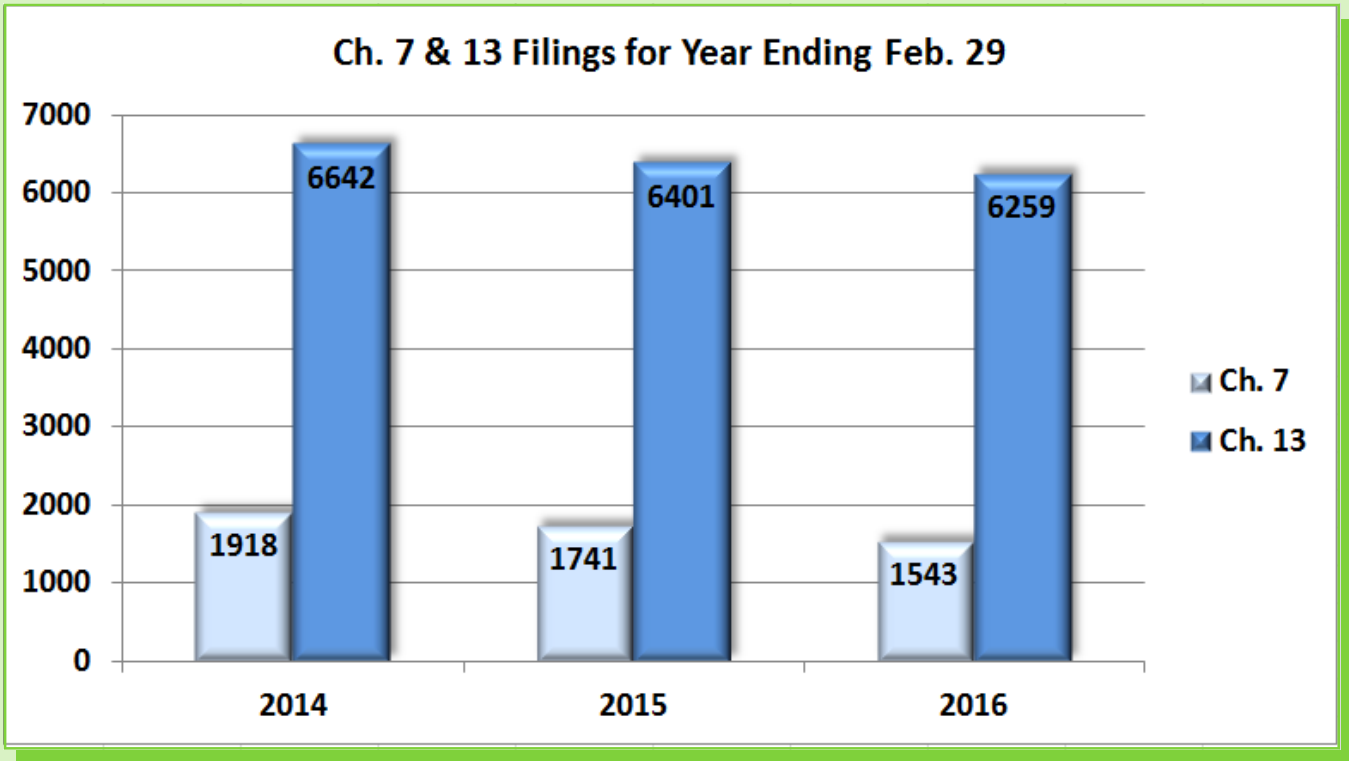
I agree to the authorization and disclosure language. *

At the bottom of this screen is the **SUBMIT PAYMENT** button. Click **SUBMIT PAYMENT** to complete the transaction and receive a receipt.

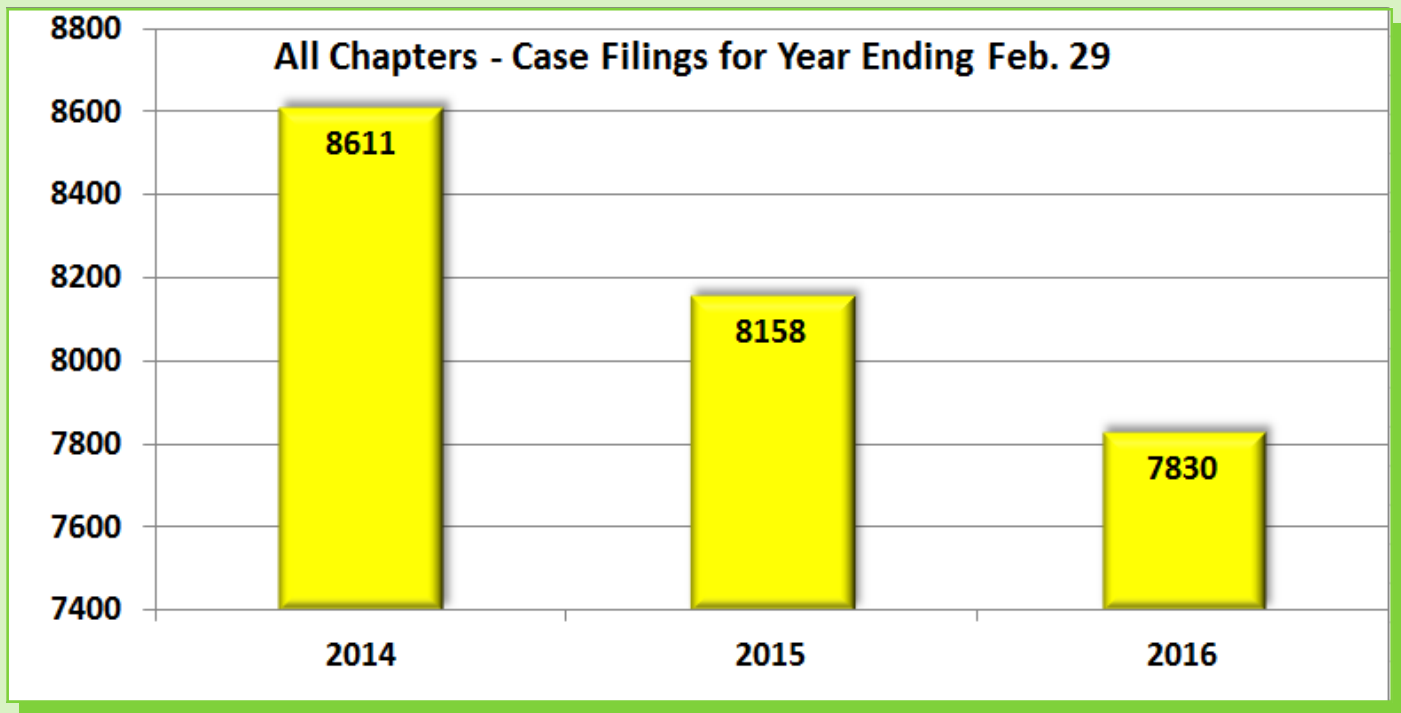
[View Authorization and Disclosure in a separate window.](#)

Press the "Submit Payment" Button only once. Pressing the button more than once could result in multiple transactions.

Case Filing Statistics for the 12-Month Period Ending February 29, 2016



Continued Case Filing Statistics



2015 Year End Statistics and Facts

Active Users in CM/ECF			
Attorney Accounts			1,380
Creditor Accounts			2,321
CM/ECF Docket Entry totals			
Court User (no BNC)			210,777
BNC Certificates			93,461
External Filers			197,055
Total Docket Entries			501,293
Misc Highlights	BK	AP	Totals
New Case Filings	7,214	149	7,363
Discharges	5,622	n/a	5,622
Dismissals	3,059	24	3,083
Reopenings	326	1	327
Closings	9,256	202	9,458
Orders Entered	52,080	421	52,501
Conversions	491	n/a	491
Claims Filed via ePOC	9,793	n/a	9,793
Claims Filed via CM/ECF	48,279	n/a	48,279

NEF?

Do you think you may have missed a notice of electronic filing (NEF)? By running an NEF Summary Report from the Reports menu in CM/ECF, you can verify the notices that were sent to you. In order to view the report, log into CM/ECF with your attorney account.

Exhibits?

Are exhibits referenced in your motion? Make sure you attach them. However, in the event you forget, you can file the exhibits using the Misc > Exhibit event, and link the exhibit to the appropriate motion.

WHAT'S MISSING

Certificate of Service?

If you file a document and forget to attach your Certificate of Service, you may use the Misc > Certificate of Service event, and link the certificate to the appropriate document. If you need to file an amended certificate, you may use Misc > Amended Certificate of Service.

Proposed Order?

If not attached to the motion at the time of filing (or uploaded as an eOrder), regularly formatted orders should be emailed to the appropriate judge email box.

- ProposedOrders_EJC@gas.uscourts.gov
- ProposedOrders_JSD@gas.uscourts.gov
- ProposedOrders_LWD@gas.uscourts.gov
- ProposedOrders_SDB@gas.uscourts.gov

THE COURT WILL BE CLOSED IN OBSERVANCE OF THE FOLLOWING 2016 FEDERAL HOLIDAYS

Monday, May 30th – Memorial Day
 Monday, July 4th – Independence Day
 Monday, September 5th - Labor Day
 Monday, October 10th – Columbus Day
 Friday, November 11th – Veteran's Day
 Thursday, November 24th - Thanksgiving
 Monday, December 26th – Christmas

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

Please send article ideas for the newsletter to:

meredith_mathis@gas.uscourts.gov or lainie_saul@gas.uscourts.gov.

BANKRUPTCY TERMS WORD SEARCH

N U T E N E N U P D K Q U Q K V P
 O C C R X G E M E A N S T E S T T
 I V O L U N T A R Y O P I N I O N
 T L C N I S L T O R I U Y C A D X
 O P B H V T T T D X T R O T B E D
 M E Y A D E F E N D A N T I R R N
 L X D F N G R U E S M O R B P R L
 T P A R Z K T S R D R I B L R A C
 Q E M B D V R E I N I T A S E B L
 X D R I A I V U E O F I J E J K T
 D I K F A D S Y P B N T U U U X A
 P T A U A L H M V T O E D W D Z Y
 I E G R A H C S I D C P I S I G Y
 Z D S C T E V F X S V Y C L C Q E
 P G P A G I F W T B S Z I F E E W
 F R O T I D E R C T Z A A N Q V O
 Q D R E T P A H C G Q F L A K J W

- | | | | | | | |
|--------------|------------|------------|-----------|------------|-----------|-----------|
| ADVERSARY | ATTORNEY | BANKRUPTCY | BARRED | BIFURCATE | CHAPTER | CLAIM |
| CONFIRMATION | CONVERSION | CREDITOR | DEBTOR | DEFENDANT | DISCHARGE | DISMISSAL |
| EXPEDITED | JUDGE | JUDICIAL | LIEN | MEANS TEST | MOTION | OPINION |
| ORDER | PETITION | PLAINTIFF | PREJUDICE | TRUSTEE | VOLUNTARY | |