



# The Southern Scoop

U.S. Bankruptcy Court, Southern District of Georgia

[www.gasb.uscourts.gov](http://www.gasb.uscourts.gov)

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Fall 2024

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## A New Chief Judge for the Bankruptcy Court

The Honorable Michele J. Kim was appointed as Chief Judge of the Bankruptcy Court by the United States District Court of the Southern District of Georgia effective August 19, 2024. Chief Judge Kim succeeds the Honorable Edward J. Coleman, III, who served as Chief Bankruptcy Judge since November 2017.

Chief Judge Kim, who was originally sworn in as a Bankruptcy Judge for this District in June 2017, presides over all bankruptcy cases filed in the Brunswick and Waycross divisions. As chief judge, she also acts as the organizational leader of the Court and has a significant impact on the Court's administrative decisions.

The entire Court family extends its sincere gratitude to Judge Coleman for his leadership as chief judge these past years.

## 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	124 Barnard St Savannah, GA 31401	52 N Main St Statesboro, GA 30458	601 Tebeau St Waycross, GA 31501
(706) 823-6000	(912) 280-1376	unstaffed	(912) 650-4100	unstaffed	unstaffed

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

## National Bankruptcy Filings Rise 16.2 Percent

(Published on the [U.S. Court's website](#) July 25, 2024)



Personal and business bankruptcy filings rose 16.2 percent in the 12-month period ending June 30, 2024, compared with the previous year. According to statistics released by the Administrative Office of the U.S. Courts, annual bankruptcy filings totaled 486,613 in the year ending June 2024, compared with 418,724 cases in the previous year.

Business filings rose 40.3 percent, from 15,724 to 22,060 in the year ending June 30, 2024. Non-business bankruptcy filings rose 15.3 percent to 464,553, compared with 403,000 in the previous year.

To read the entire article, click the link below:

<https://www.uscourts.gov/news/2024/07/25/bankruptcy-filings-rise-162-percent>

## Request for Public Comment on Proposed Amendments to Federal Rules and Forms by February 17, 2025

The Judicial Conference Committee on Rules of Practice and Procedure (Standing Committee) has approved for publication for public comment the following proposed amendments to existing rules and forms, as well as a proposed new bankruptcy rule. **The public comment period is open from August 15, 2024 to February 17, 2025.** If adopted by the Supreme Court and transmitted to Congress by May 1, 2026, absent congressional action, the proposals would take effect on December 1, 2026.

- Appellate Rules: 29 and 32, Appendix on Length Limits, and Form 4;
- Bankruptcy Rules: 1007, 3018, 5009, 9006, 9014, 9017, and new Rule 7043;
- Official Bankruptcy Form 410S1; and
- Evidence Rule: 801.

Comments concerning the proposals must be submitted electronically no later than **February 17, 2025**. Please note that comments are part of the official record and publicly available. To view the proposals and supporting materials, as well as instructions on submitting written comments, please visit the Rules & Policies page on the U.S. Court's website at <https://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>.

## Transcript Rate Increase Effective **October 1, 2024**

Effective October 1, 2024, for all transcripts ordered on or after this date, the price for transcripts will increase as set forth on the chart below. To order a transcript, please visit the Court’s **Transcript/Audio Requests** page at [www.gasb.uscourts/transcriptaudio-requests](http://www.gasb.uscourts/transcriptaudio-requests).

### MAXIMUM PER PAGE TRANSCRIPT RATES EFFECTIVE OCTOBER 1, 2024

TRANSCRIPTS	ORIGINAL	FIRST COPY TO EACH PARTY	EACH ADDITIONAL COPY TO THE SAME PARTY
<b>30-Day Transcript (Ordinary)</b> A transcript to be delivered within thirty (30) calendar days after receipt of an order.	\$4.40	\$1.10	\$0.75
<b>14-Day Transcript</b> A transcript to be delivered within fourteen (14) calendar days after receipt of an order.	\$5.10	\$1.10	\$0.75
<b>7-Day Transcript (Expedited)</b> A transcript to be delivered within seven (7) calendar days after receipt of an order.	\$5.85	\$1.10	\$0.75
<b>3-Day Transcript</b> A transcript to be delivered within three (3) calendar days after receipt of an order.	\$6.55	\$1.30	\$0.90
<b>Next-Day Transcript (Daily)</b> A transcript to be delivered on the calendar day following receipt of the order (regardless of whether that calendar day is a weekend or holiday), prior to the normal opening hour of the clerk’s office.	\$7.30	\$1.45	\$1.10
<b>2-Hour Transcript (Hourly)</b> A transcript of proceedings to be delivered within two (2) hours from receipt of the order.	\$8.70	\$1.45	\$1.10
<b>Realtime Transcript</b> A draft unedited transcript produced by a certified <del>realtime</del> reporter as a byproduct of <del>realtime</del> to be delivered electronically during proceedings or immediately following receipt of the order.	One feed <sup>1</sup> , \$3.70; two-to-four feeds, \$2.55; five or more feeds, \$1.80.  Orders placed on or before the day of the proceeding will be batched together for purposes of determining the number of feeds; and subsequent orders will be charged at the lowest page rate assessed on the previous orders.	N/A	N/A

# Bankruptcy Rules and Forms Changes

## Effective **December 1, 2024**

On September 12, 2023, the Judicial Conference of the United States approved the proposed restyled Federal Rules of Bankruptcy Procedure (FRBP) for all Rules Parts I through IX, amendments to certain FRBP, and the adoption of new FRBP 8023.1, as well as the abrogation of Official Form 423. Absent Congressional intervention, the following bankruptcy rules and forms changes will take effect on **December 1, 2024**:

### Amendments to the Federal Rules of Bankruptcy Procedure

- Bankruptcy Restyled Rules Parts I through IX
- Bankruptcy Rule 1007\*
- Bankruptcy Rule 4004
- Bankruptcy Rule 5009
- Bankruptcy Rule 7001
- Bankruptcy Rule 9006
- Proposed New Bankruptcy Rule 8023.1

*\*FRBP 1007(b)(7) is amended for substantive change in two ways. First, language is added to make the rule inapplicable to debtors who are not required to complete an instructional course concerning personal financial management as a condition to discharge. Second, the rule is amended to require an individual debtor who has completed an instructional course concerning personal financial management to file the certificate of course completion (often called a Certificate of Debtor Education) issued by the approved provider of that course in lieu of filing an Official Form, if the provider has not already filed the certificate of course completion with the Court.*

These rules changes, as well as the changes to Appellate Rules 32, 35, 40, and Appendix on Length Limits, Civil Rule 12, and Evidence Rules 613, 801, 804, 1006 and new Rule 107, can be viewed on the [Pending Rules and Forms Amendments](#) page of the United States Courts website. The [Congressional Package](#) dated April 2024 contains black-line versions of the Rules and Committee Notes for a quick reference of the changes.

### Changes to the Official and Director's Bankruptcy Forms

- [Official Form 410 Proof of Claim](#) (subject to approval by the Judicial Conference at its September 2024 meeting)
- [Director's Form 1040 Adversary Proceeding Cover Sheet](#)
- [Director's Form 2630 Bill of Costs](#)

### Abrogation of Official Form 423 (Certification About a Financial Management Course)

- Official Form 423 (Certification About a Financial Management Course) has been abrogated and is no longer required as proof of completion of a personal financial management course.

Changes to the Official and Director's forms may be viewed at <https://www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments/pending-and-recent-changes-bankruptcy-forms>.

## Recent Legislation and Other Developments

**On May 23, 2024**, the 11th Circuit issued an opinion in *Patricia Lee v. U.S. Bank National Association*. In the split opinion (Chief Judge Pryor dissenting) - in which both the majority and the dissent focused on the meaning of the word “is” - the 11th Circuit held that the bankruptcy court did not err in concluding that the anti-modification provision in 11 U.S.C. § 1123(b)(5) applied to the bank's secured claim.

\*\*\*\*\*

**On May 31, 2024**, the 11th Circuit issued an opinion in *Charles K. Breland Jr. v. Commissioner of Internal Revenue* affirming the tax court’s determination that the consent order entered between the IRS and Breland during the pendency of his Chapter 11 bankruptcy did not fix Breland’s total underlying, nondischargeable tax debt for the years in question, nor did it prevent the IRS from assessing additional taxes beyond what was contemplated by the plan.

\*\*\*\*\*

**In June 2024**, the United States Supreme Court held in *Harrington v. Purdue Pharma L.P.* that the Bankruptcy Code does not authorize a release and injunction that, as part of a plan of reorganization under Chapter 11, effectively seeks to discharge claims against a nondebtor without the consent of affected claimants.

\*\*\*\*\*

**On August 26, 2024**, the 11th Circuit issued an opinion in *Bay Point Capital Partners II, LP v. Thomas Switch Holding, LLC (In re Virtual Citadel, Inc.)*, concluding that the bankruptcy court's determination of the value of a bitcoin mining property was not clearly erroneous. Specifically, the Court of Appeals found that the bankruptcy court did not err in: (1) finding that the subject property was a “special purpose property” with mining bitcoin as its highest and best use, (2) its choice of method to value the property as a matter of law, and (3) in giving the tax stamp value of the property some weight in its valuation.

\*\*\*\*\*

The **Ending Corporate Bankruptcy Abuse Act of 2024** has been introduced in the U.S. House and Senate, respectively as [H.R. 9110](#) and [S. 4746](#). The principal provisions of these measures would amend section 1112 of the Bankruptcy Code to set forth additional grounds for conversion or dismissal of a chapter 11 case. The Judicial Conference has not taken a position on this legislation.

\*\*\*\*\*

The **Nondebtor Release Prohibition Act of 2024** was introduced in the U.S. House on July 30, 2024 as [H.R. 9223](#); identical legislation was introduced in the prior Congress as [H.R. 4777](#) and [S. 2497](#). The act prohibits bankruptcy courts from modifying the civil liabilities of a nondebtor, limits consensual third-party releases only to cases in which a claimant receives conspicuous notice and expressly consents in signed writing to the release or modification of their claims against the nondebtor, prohibits large corporations from using divisional mergers to shield their assets from the victims of their misconduct, limits a similar tactic known as non-debtor stays and injunctions, subjects temporary injunctions to a 90-day limit, unless the injunction is affirmed by a U.S. Court of Appeals, or the appeal is dismissed before the end of the 90-day limit, and prevents the unwinding of reorganization plans that were entered before the enactment of this legislation. The Judicial Conference has not taken a position on this legislation.



## Bankruptcy Petition Preparers Enjoined from Operation

A bankruptcy petition preparer is defined in 11 U.S.C. § 110(a)(1) as a person, other than an attorney for the debtor or an employee of such attorney under the direct supervision of such attorney, who prepares for compensation a document for filing. The Bankruptcy Code strictly regulates the role and services provided by bankruptcy petition preparers, commonly known as BPPs. Vulnerable debtors often fall prey to the schemes of unlawful bankruptcy petition preparers who provide legal counsel, engaging in unauthorized practice of law. These debtors are then left to their own devices to navigate the bankruptcy system and prevent creditors from taking action against their real and personal property. These debtors' cases may be dismissed with prejudice for failure to file the required papers, barring refiling of another bankruptcy petition for 180 days.

The United States Trustee Program helps to protect these unsuspecting debtors by filing for injunctions and other relief against these unlawful bankruptcy petition preparers. According to a March 20, 2024 press release<sup>1</sup> by the Office of Public Affairs for the U.S. Department of Justice, the U.S. Trustee Program obtained a January 18, 2024 order in the Bankruptcy Court for the District of Maryland that permanently enjoined CA Enterprises, doing business as Premier Services and Premier Legal Services, from operating in the district. This same BPP was ordered, under a stipulated judgment entered by the Bankruptcy Court for the Southern District of Texas on July 2, 2024, to pay the debtor a total of close to \$95,000 in damages and returned fees.<sup>2</sup> On January 26, 2024, the Bankruptcy Court for the Eastern District of Virginia permanently enjoined Malynda Perez-Combs from operating in that jurisdiction, and fined Ms. Perez-Combs \$15,000.

Closer to home, in the Bankruptcy Court for Southern District of Georgia, the United States Trustee filed a complaint against Dave Maresca, Stephanie Turk, Synergy Law, LLC, and Synergy Attorney Services, LLC, the latter two defendants having been the subject of various motions, complaints and notices of show cause filed in multiple federal districts. Maresca, Synergy Attorney Services, and Synergy Law are debt relief agencies, and one or more of the defendants are bankruptcy petition preparers. In 2023, judgment was entered against the defendants, permanently enjoining them from the illegal and unauthorized practice of law and from acting as bankruptcy petition preparers in any bankruptcy case filed in the Southern District of Georgia without further Court order. The judgment also provided that the defendants pay \$6,000 to the United States Trustee, and over \$21,000 to multiple debtors for the fees they paid to the defendants to file bankruptcy.

The penalties for a bankruptcy petition preparer who does not comply with the provisions of title 11 of the United States Code and the Federal Rules of Bankruptcy Procedure are significant - the preparer may be fined, imprisoned, or both. *See 11 U.S.C. § 110; 118 U.S.C. § 156.* Seeking the advice of a qualified lawyer is strongly recommended when considering filing for bankruptcy. If you need assistance finding a bankruptcy lawyer, please visit the American Bar Association's Legal Services Division website at [www.americanbar.org/legal\\_services](http://www.americanbar.org/legal_services). Legal services information may also be found at [www.lsc.gov](http://www.lsc.gov).

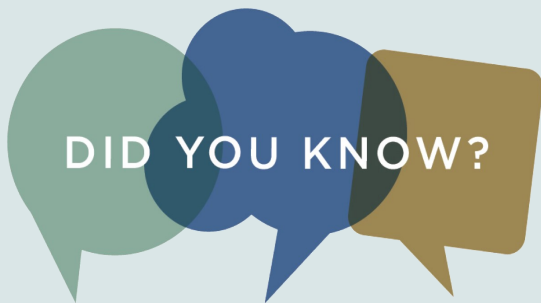
<sup>1</sup> [Office of Public Affairs | USTP Protects Vulnerable Consumer Debtors by Obtaining Injunctions and Monetary Relief Against Two Bankruptcy Petition Preparers | United States Department of Justice](#)

<sup>2</sup> [Office of Public Affairs | U.S. Trustee Program Obtains \\$105,000 Judgment and Permanent Injunction Against Bankruptcy Petition Preparers After Debtor Loses Home to Foreclosure | United States Department of Justice](#)

## Revised Notice of Hearing on Motion for Relief from Stay

The Notice of Hearing on Motion for Relief from Stay was recently revised to add language concerning [General Order 2017-1](#), which requires attorneys to utilize the Court’s Order on Motion for Relief from Stay (Local Form B-55) in Chapter 13 cases and consumer cases. In addition, Court staff will no longer generate the proposed order form B-55 when issuing the Notice of Hearing on Motion for Relief from Stay in CM/ECF.

The B-55 order form is located on the Court’s website at [www.gasb.uscourts.gov/local-forms](http://www.gasb.uscourts.gov/local-forms). Use of Local Form B-55 is permitted, but not required, in Chapter 11, Chapter 12, and non-consumer Chapter 7 cases. When preparing a proposed order, please consult the Court’s [Mandatory CM/ECF Administrative Procedures](#) and [E-Orders Trustee and Attorney Guidelines and Procedures](#).



**Proposed eOrder templates are available on the Court’s website.**

Visit <https://www.gasb.uscourts.gov/e-orders-trustee-and-attorney-guidelines-and-procedures> to view the templates to download for use.

### General Order 2024-1 Entered July 18, 2024

The Court entered **General Order 2024-1** on July 18, 2024, setting forth requirements for discharge in Chapter 11, 12, and 13 cases, and for hardship discharge in Chapter 12 and 13 cases. The order also vacates General Order 2015-3.

All certifications for discharge required under this General Order shall substantially conform to the proper local form. The forms for certification are located at [www.gasb.uscourts.gov](http://www.gasb.uscourts.gov) under *Forms > Local Forms*.

In addition, the Court’s **Chapter 11 Certification of Eligibility for Discharge** forms have been revised and are available on the Court’s website.

[General Order 2024-1](#)

[Debtor Certification of Eligibility for Discharge \(Ch 11 Non-Sub V\)](#)

[Debtor Certification of Eligibility for Discharge \(Ch 11 Sub V Non Consensual\)](#)

[Vacated General Order 2015-3](#)

### General Order 2024-2 Entered July 22, 2024

The Court entered **General Order 2024-2** on July 22, 2024, vacating General Order 2020-2. Interim Bankruptcy Rule 1020 is no longer applicable to cases governed by subchapter V of chapter 11 of the Bankruptcy Code filed after June 21, 2024.

Interim Bankruptcy Rule 1020 was implemented in response to the Bankruptcy Threshold Adjustment and Technical Corrections Act’s (“BTATC Act”) changes to the definition of “debtor” for cases governed by subchapter V of chapter 11 of the Bankruptcy Code set forth in 11 U.S.C. § 1182(1). These definitional changes were set to expire two years from the June 21, 2022 enactment of the BTATC Act if no legislative action was taken. Because no action was taken prior to June 21, 2024, the definition of “debtor” set forth in 11 U.S.C. § 1182(1) no longer includes the increased aggregate debt limit of \$7.5 million and has reverted to the definition of “small business debtor” set forth in 11 U.S.C. § 101(51D).

[General Order 2024-2](#)

[Vacated General Order 2020-2](#)

## Tax Returns and ID Required Prior to 341 Meeting

At least seven days prior to the 341 meeting, Chapter 7 and Chapter 13 debtors must provide the trustee with a photocopy of:

- (1) the most recently filed federal tax return or a transcript thereof;
- (2) government-issued photo ID; and
- (3) evidence of Social Security Number.

Contact the trustee assigned to the case to obtain instructions for submitting these materials.

This Court-specific information is now included on all Chapter 7 and Chapter 13 Notices of Bankruptcy, on the last page entitled “**Additional Court Specific Information.**”

For more information on the 341 meeting, visit <https://www.justice.gov/ust/moc>.

## Importance of Data Entry in Bankruptcy Case Opening

When opening a new bankruptcy case in CM/ECF, it is important that the data from the debtor’s petition and schedules be entered properly in the appropriate CM/ECF statistical screens. In all cases filed under Chapters 7, 11, or 13 by individuals with primarily consumer (nonbusiness) debt, the filing user must enter the dollar amounts listed on Official Form 106 Summary of Schedules (if available) into the corresponding fields in CM/ECF. This statistical information is transmitted to the Judiciary Data and Analysis Office for reporting requirements imposed by Congress and the Judicial Conference.

Some helpful hints to consider when entering dollar amounts into the CM/ECF statistical screen (*sample below*):

- Enter the totals from the summary of schedules; if no dollar amount is provided for the field or if the form is missing, the corresponding field(s) in CM/ECF should be left blank (null).
- If the amount provided for any field is \$0, the corresponding field in CM/ECF should be entered as 0. Zeros calculate for the computed amount for Total Dischargeable Debt (*Schedules D and E/F minus the Nondischargeable Debt*). A blank field will not compute that number.
- If the debtor reports a negative value in a field on the Summary of Schedules document, enter 0 in that field in CM/ECF.

**Open New Bankruptcy Case**

**Summary of Assets and Liabilities and Certain Statistical Information**

*Report the totals from Schedules A/B, D, E/F, I, J, Forms 122, and Nondischargeable Debt in the boxes provided.*

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
Schedule A/B - Total Real Estate Property	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule A/B - Total Personal Property	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule D - Total Secured Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule E/F - Total Priority Unsecured Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule E/F - Total Nonpriority Unsecured Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule I - Monthly Income	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule J - Monthly Expenses	<input type="text"/>	<input type="text"/>	<input type="text"/>
Current Monthly Income (Official Form 122A-1, 122B or 122C-1)	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Total Nondischargeable Debt (Official Form 106Sum, 9g)</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Total Dischargeable Debt (Computed)</b> Note: Not computed when any value above for D, E, F, or total nondischargeable debt is not known	<input type="text"/>	<input type="text"/>	<input type="text"/>

Next | Clear



## PACER Updates

### **Reminder: Update User Type**

PACER and CM/ECF users may have noticed a prompt to review and update their existing user type selection (e.g., *Individual, Attorney, etc.*). This updated information is essential for understanding users and their needs.

Users will have three opportunities to skip this user type update before their account is disabled. To avoid any disruptions, you should complete this process when the prompt first appears.

For questions or assistance, please contact the PACER Service Center at (800) 676-6856 or by emailing [pacer@psc.uscourts.gov](mailto:pacer@psc.uscourts.gov).

### **Help with Login Issues**

Try these tips for PACER login assistance:

- Confirm you entered your credentials correctly (*remember that passwords are case-sensitive*).
- Delete your internet browser cookies/clear your cache (*CTRL + Shift + Delete*) and then restart your browser.
- Try a different browser.
- Use a different network.
- Call the helpdesk at 800-676-6856.

### **Getting Faster, More Efficient PSC Support Via Email**

When you contact the PACER Service Center (PSC) for help, please include the following information in your message to ensure you get the help you need, when you need it:

1. Account number and username
2. Specific federal court, if applicable
3. Your specific issue (e.g., *login reset questions*)

**NOTE: The PSC cannot locate accounts by state bar number.**

### **Sign Up for PACER Announcements**

Go to the PACER website at <https://pacer.uscourts.gov> to receive announcements by email. On the website, go to the **Email Updates** section. Enter your email address and click **Sign Up** to get the latest PACER news delivered to your inbox.

*Questions or comments regarding PACER updates? Email [pacer@psc.uscourts.gov](mailto:pacer@psc.uscourts.gov) or call (800) 676-6856.*

## Case Management Modernization Updates

The Judiciary is currently engaged in Case Management Modernization (CMM), which aims to build a better case management system by the Judiciary and for the Judiciary. The development of this modernized case management system is different from what the Administrative Office for the United States Courts (AO) has done in the past. One of the main differences is that this new system will be rolled out incrementally—there will not be one “go live” date. Instead, courts will begin working in the new system with just one case type (*see below for more information on what those will be*). The courts are tasked with providing feedback on the product, which the CMM team will consider, to inform the next iterations of development. This means that courts could be working in both NextGen and the new CMM system in parallel for some period of time.

### **Select of MVPs (Minimum Viable Products)**

The Case Management Modernization team has chosen the following case types as the initial MVPs:

**District Court - Civil case type, Nature of Suit codes 861-865**

**Bankruptcy Court - Chapter 13 case type**

**Appellate Court - Board of Immigration Appeals case type**

A Minimum Viable Product (MVP) is an initial version of a product designed to offer enough functionality to attract courts to become early, or “pilot,” product users. This approach enables the early adoption and validation of certain system functionality early in the overall product development life cycle. Then, incorporate feedback from pilot users to improve the product over time. The District, Bankruptcy, and Appellate courts will each have their own initial MVP releases. Product scope for National Courts will be addressed in the post-MVP phase.

### **PACER Public User Group**

One of the steps in the modernization project will be replacing the current version of PACER with unified search functionality and other improvements aimed at making records searches easier and more intuitive and user-friendly. A Public User Group appointed by the AO will help provide feedback and test the new search functions, along with other internal court users of the technology.

If you would like to provide feedback or comments regarding any of the electronic public access services to the AO and Public User Group, please email [epa\\_publicusergroup@ao.uscourts.gov](mailto:epa_publicusergroup@ao.uscourts.gov). For more information regarding the Public User Group, visit [www.uscourts.gov/court-records/electronic-public-access-public-user-group](http://www.uscourts.gov/court-records/electronic-public-access-public-user-group).

## Updated Case Management Digit Assignments

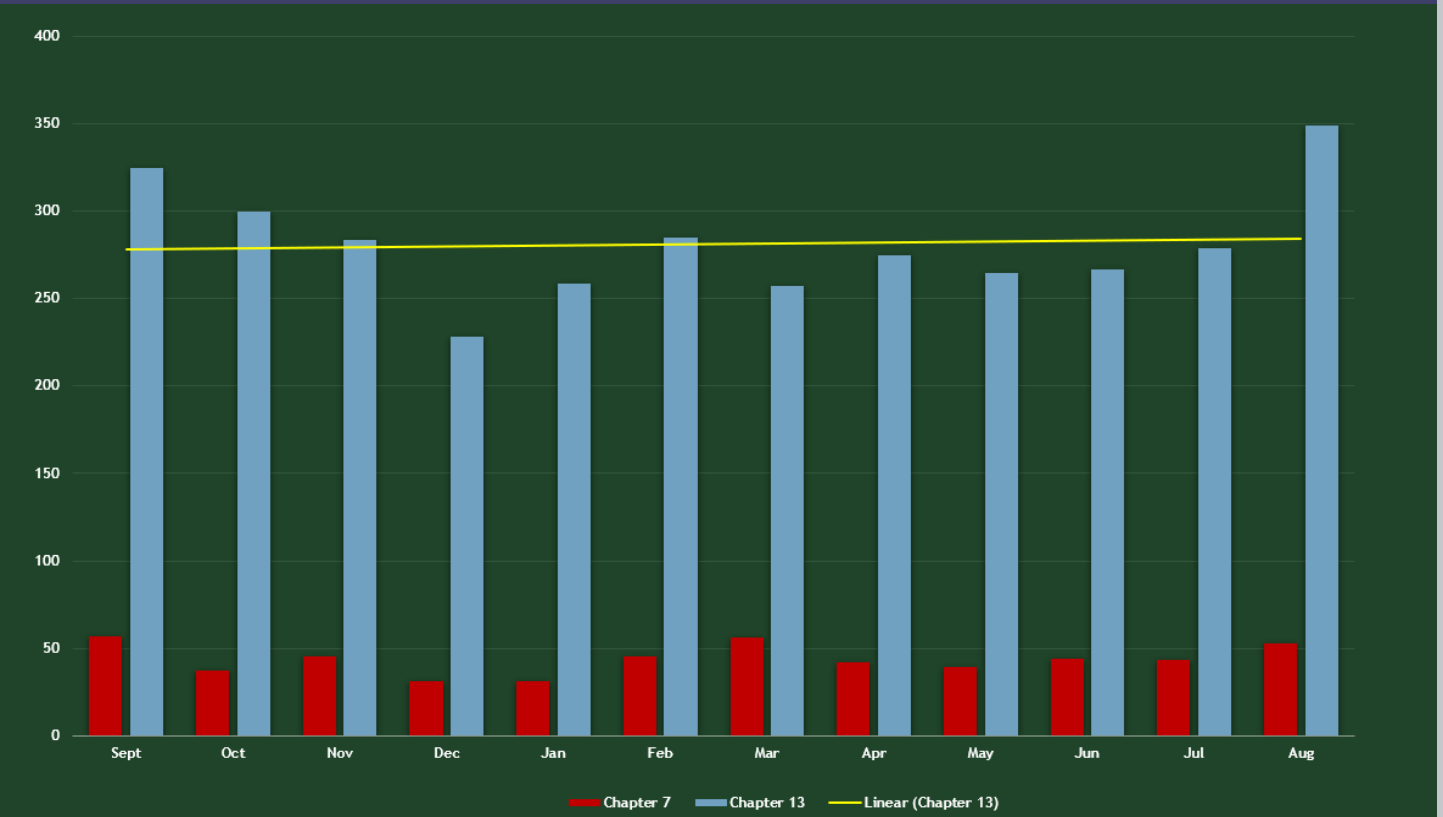
The following case management digit assignment list was revised on May 28, 2024, and is subject to change periodically. Current case management digit assignments are also available on the Court’s website at [www.gasb.uscourts.gov](http://www.gasb.uscourts.gov) under *Court Info > General Information > Phone Directories and Case Management Digit Assignments*.

Case Administrator	Phone Number	Ch. 13 (including adversaries)	Ch. 7 (including adversaries)	Ch. 7 and 13 Case Opening	Ch. 11 and 12 (including adversaries)
<b>Becky (RED)</b>	(912) 280-1375	00-32 Bwk/Way	00-32 Bwk/Way	0, 1, 2 Bwk/Way	
<b>Karen (KMS)</b>	(706) 823-6019	33-66 Bwk/Way	33-66 Bwk/Way	3, 4, 5 Bwk/Way	MJK: Case Mgmt: 00-49 Case Open: 0, 1, 2, 3, 4 ***** All SDB
<b>Tory (TGG)</b>	(912) 280-1369	67-99 Bwk/Way	67-99 Bwk/Way	6, 7, 8, 9 Bwk/Way	MJK: Case Mgmt: 50-99 Case Open: 5, 6, 7, 8, 9
<b>Holly (HKB)</b>	(912) 650-4123	00-19 Sav/Stb	00-19 Sav/Stb		
<b>Renaë (RTC)</b>	(912) 650-4132	20-59 Sav/Stb	20-59 Sav/Stb	0, 1, 2, 3, 4 Sav/Stb	
<b>Laura (LLE)</b>	(912) 650-4140	60-99 Sav/Stb	60-99 Sav/Stb	5, 6, 7, 8, 9 Sav/Stb	
<b>Cherish (CAH)</b>	(912) 650-4102				All EJC
<b>Charlene (CCB)</b>	(706) 823-6456	00-24 Aug/Dub	00-24 Aug/Dub	00-24 Aug/Dub	All SDB
<b>Vonita (VWW)</b>	(706) 823-6024	25-49 Aug/Dub	25-49 Aug/Dub	25-49 Aug/Dub	
<b>Christina (CMT)</b>	(706) 823-6034	50-74 Aug/Dub	50-74 Aug/Dub	50-74 Aug/Dub	
<b>April G. (AKG)</b>	(706) 823-6038	75-99 Aug/Dub	75-99 Aug/Dub	75-99 Aug/Dub	All SDB
<b>Jacqueline (JWB)</b>	(706) 823-6021				All SDB

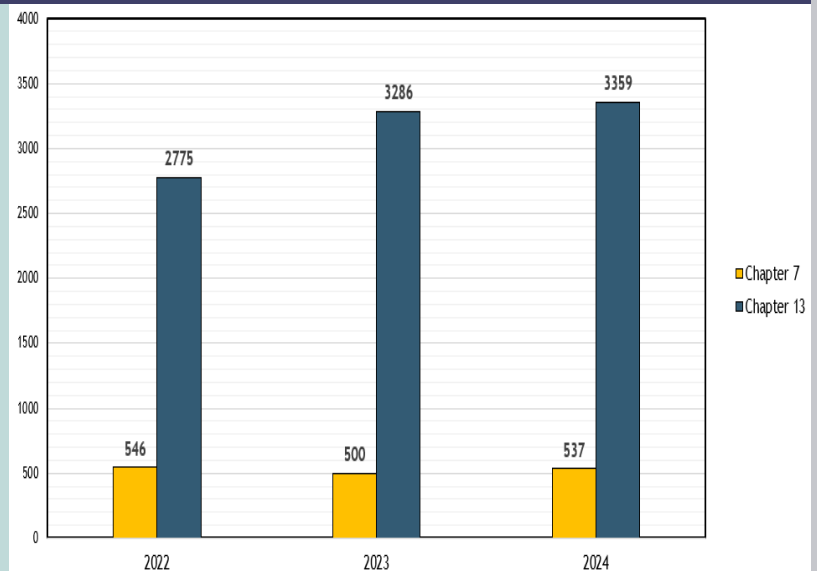
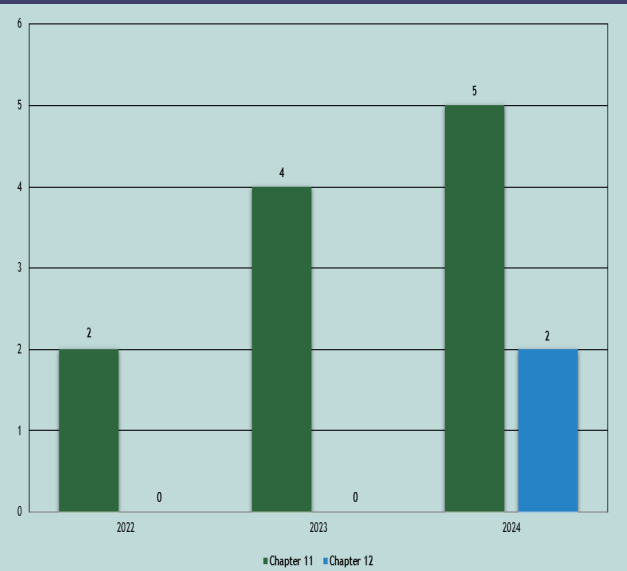
*Aug = Augusta; Bwk = Brunswick; Dub = Dublin; Sav = Savannah; Stb = Statesboro; Way = Waycross*

# United States Bankruptcy Court, Southern District of Georgia

## Case Filings by Chapter for 12-Month Period Ending August 31, 2024



## Case Filing Trends 2022-2024 (12-Month Period Ending August 31, 2024)



# United States Bankruptcy Court, Southern District of Georgia

## Recent Caseload Activity

The U.S. Bankruptcy Court for the Southern District of Georgia has a jurisdiction of 43 counties in southeast Georgia, with divisions in Augusta, Brunswick, Dublin, Savannah, Waycross, and Statesboro.

*For 12-Month Period Ending August 31, 2024*

### BANKRUPTCY FILINGS

Chapter 7	536
Chapter 11	5
Chapter 12	2
Chapter 13	3359

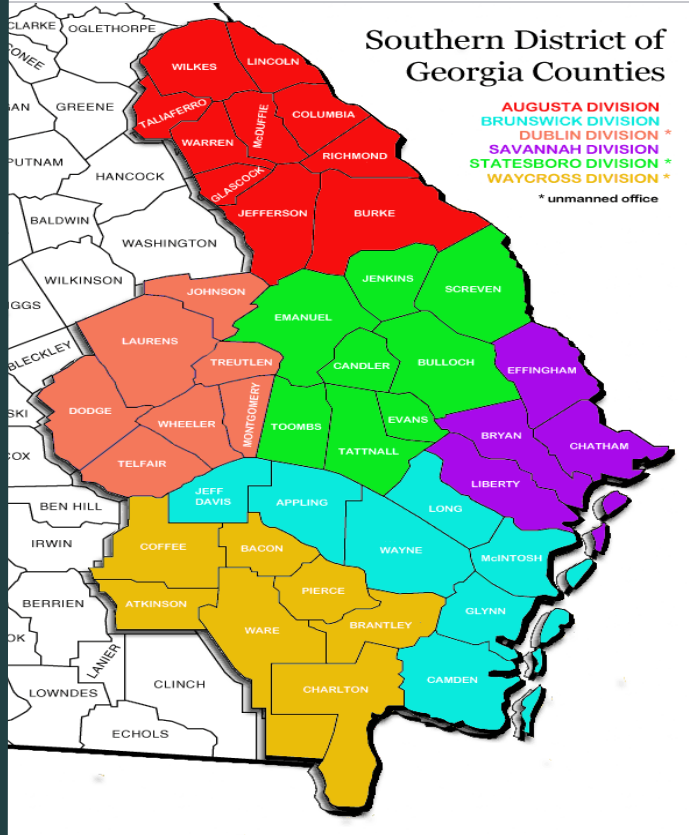
### PRO SE FILINGS

120

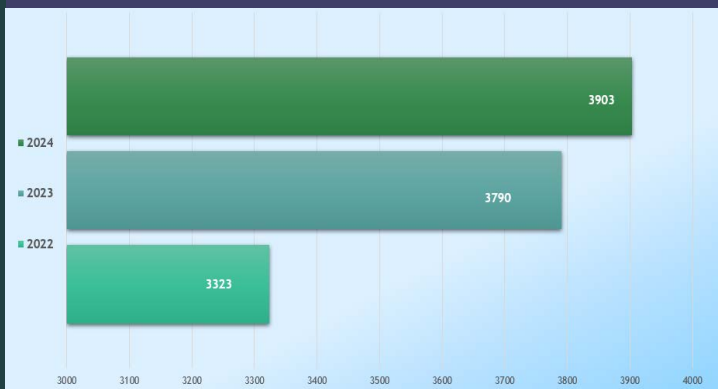
### FILINGS BY DIVISION

Augusta	1012
Brunswick	462
Dublin	216
Savannah	1189
Statesboro	384
Waycross	639

Reopened Cases	46
Conversions	105
Discharges	2702
Dismissals	1625
Adversary Proceedings	43
BK Closings	4356
AP Closings	46



Total Case Filings (All Chapters) for 12-Month Period Ending August 31, 2024



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

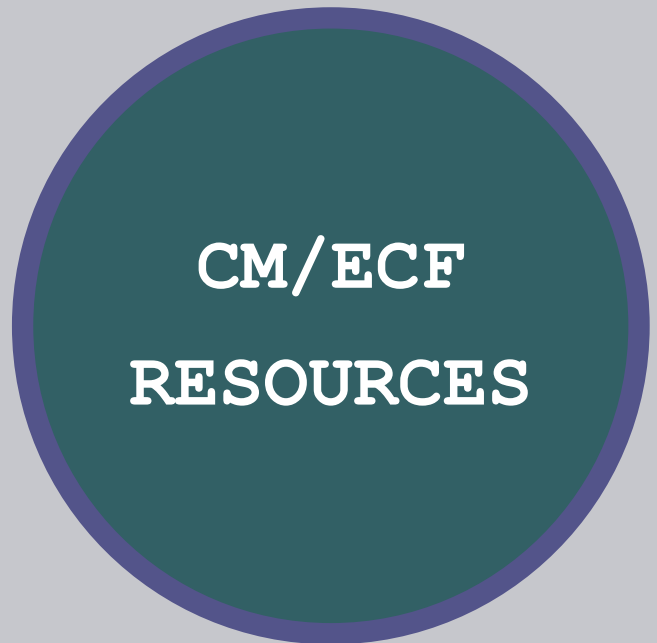
<https://www.uscourts.gov/statistics-reports/caseload-statistics-data-tables>

**Please note:** attorneys registering for CM/ECF access must be admitted to practice in the Southern District of Georgia, or admitted to appear pro hac vice, before full filing access can be granted.

Please review the Attorney Filer Registration and Attorney E-Filing Terms and Conditions at <https://www.gasb.uscourts.gov/cmecf-registration-information>.

For attorney admission procedures, please visit <https://www.gasb.uscourts.gov/attorney-admission-procedures>.

For information regarding appearing pro hac vice, please visit <https://www.gasb.uscourts.gov/attorney-admission-pro-hac-vice-procedures>.



## Register for CM/ECF Access

With the implementation of CM/ECF NextGen and Central Sign-On, registering for CM/ECF access in the Southern District of Georgia has never been easier! Users\*\* must first register for a [PACER](#) account, then request e-filing access to the Southern District of Georgia Bankruptcy Court's Live CM/ECF database. All of this can be completed within PACER.

Before requesting electronic access to the Court's database, filers must first read and agree to the Filer Terms and Conditions that are posted on the Court's website at:

[www.gasb.uscourts.gov/cmecf-registration-information](https://www.gasb.uscourts.gov/cmecf-registration-information).

Once you have submitted a request for filing access, or any updates to your current information, questions or concerns may be directed to our **CM/ECF Central Sign-On Administrator, Courtney Neibel, at 912-650-4107**. Please also visit the Court's website at:

<https://www.gasb.uscourts.gov/nextgen-information>.

**\*\*Please note that Debtors appearing Pro Se (those debtors without attorney representation) are not eligible to receive electronic filing access in the Southern District of Georgia Bankruptcy Court at this time.\*\***

## CM/ECF User Manuals

User manuals for CM/ECF are updated and available on the Court's website. These manuals are provided to assist filers in using the CM/ECF system for the U.S. Bankruptcy Court, Southern District of Georgia, and should be reviewed prior to electronic filing. The manuals also provide helpful information and docketing instructions for commonly filed pleadings, including new bankruptcy cases. The manuals are available at:

[www.gasb.uscourts.gov/cmecf-training-user-guidelinesmanuals-and-information](https://www.gasb.uscourts.gov/cmecf-training-user-guidelinesmanuals-and-information).

### To Report a Technical Issue with CM/ECF:

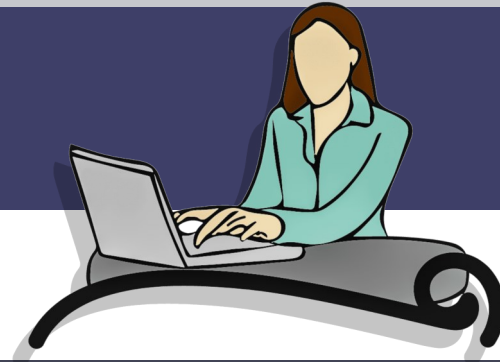
#### During Regular Business Hours

Contact the appropriate Clerk's Office:  
 Augusta 706-823-6000  
 Brunswick 912-280-1376  
 Savannah 912-650-4100

#### After Hours/Holidays/Weekends

Notify the Court immediately via email by clicking [HERE](#).

# What's NEW with CM/ECF Bankruptcy Events



## New and Modified Docket Events

Menu	Event	Notes
Miscellaneous	<b>Disclosure Statement pursuant to LR 7.1.1</b>	This event has been modified so a prompt will appear, reminding users of the revised local form effective 6/20/2024.
Miscellaneous	<b>Reaffirmation Disclosure Statement</b>	This event has been retired and is no longer available for use; instead, users must attach the disclosure statement when filing a Reaffirmation Agreement using the docket event located under:  <i>BK &gt; Misc. &gt; Reaffirmation Agreement.</i>
Miscellaneous	<b>Audio CD Fee (fka Copy CD Fee)</b>	This event has been re-named from Copy CD Fee to Audio CD Fee.
Trustee/US Trustee	<b>Notice of Non-Compliance</b>	This event has been modified so that in Chapter 13 Savannah and Statesboro cases, filers will be prompted to indicate whether the notice requests dismiss or conversion. The final docket text will reflect that selection.

The following events in CM/ECF have also been modified to comply with [General Order 2022-1](#) and [negative notice procedures](#) for the applicable chapters:

- Objection to Claim (and Notice and Opportunity for Hearing)
- Motion to Compromise/Settlement (Ch. 7 only) and Notice and Opportunity for Hearing
- Motion to Redeem (and Notice and Opportunity for Hearing)
- Motion to Avoid Lien (and Notice and Opportunity for Hearing)
- Motion to Avoid Lien on Household Goods (and Notice and Opportunity for Hearing)
- Motion to Avoid Judicial Lien (and Notice and Opportunity for Hearing)
- Motion to Avoid Non-Possessory, Non-Purchase Money Lien (and Notice and Opportunity for Hearing)
- Motion for Relief from Co-Debtor Stay
- Mod of Plan After Confirmation and Opportunity for Hearing

### Can't find the event you are looking for?

Use the **SEARCH** feature in CM/ECF on the top menu bar, or contact  
Data Quality Analyst Courtney Neibel to recommend adding a new event:  
[courtney\\_neibel@gas.uscourts.gov](mailto:courtney_neibel@gas.uscourts.gov) (912-650-4107)

# TIPS & TRICKS

**Offices with multiple attorneys should ensure the proper user log-in and password are being used to file documents.** Per [ECF Local Rule 8](#), the name of the filing user under whose log-in and password the document is submitted should match the “s/” signature or wet signature of the attorney who signed the document.

## Requests for Leave of Court

Please note that effective **August 20, 2024**, all requests for leave of court should be submitted to:

April Rowe at [april\\_rowe@gas.uscourts.gov](mailto:april_rowe@gas.uscourts.gov)

Shannon Auvil at [shannon\\_auvil@gas.uscourts.gov](mailto:shannon_auvil@gas.uscourts.gov)

Please refer to [General Order 1995-5](#) for the procedures when requesting leave of court.

## Certificates of Credit Counseling

When filing a Certificate of Credit Counseling, please ensure that the debtor’s name, including suffix, on the certificate matches what is listed on the petition and in CM/ECF.

**Note** that a debtor name with a suffix in the last name, such as Sr., Jr., II, III, should include the suffix in the name listed on the certificate of credit counseling.

## Amending a Chapter 13 Plan Before Confirmation

When a pre-confirmation amendment to the Chapter 13 Plan is necessary, please refer to [General Order 2017-3](#) regarding service of the plan and the proper form to use. The required form is located on the Court’s website at <https://www.gasb.uscourts.gov/sites/gasb/files/Ch13Plan-FinalDraft-Fillable.docx>.

The debtor must serve the amended plan on the Chapter 13 trustee assigned to the case and all creditors when the plan is filed with the Court, and the debtor shall file a certificate of service accordingly.

The proper event for filing an amended Chapter 13 plan before confirmation is located in CM/ECF under:

**Bankruptcy > Plan > Amended Ch. 13 Plan Before Conf.**

## **Before Filing an Application to Pay Filing Fee in Installments,**

the full filing fee must be paid in any prior bankruptcy cases for the debtor(s). Failure to pay the fee in a previous case will result in the entry of an order denying the application to pay the filing fee in installments in the current case.

## **Need assistance with filing?**

Contact the Clerk’s Office in any of the following divisions during regular business hours (8:30 AM to 5:00 PM):

Augusta: (706) 823-6000

Brunswick: (912) 280-1376

Savannah: (912) 650-4100



# Employee News

## *Welcome to Ginger Clements, Career Law Clerk to Judge Barrett*



Congratulations to Ginger Clements in her new position as Judge Barrett's new career law clerk. Ginger graduated cum laude from Northwestern University Pritzker School of Law where she received the American Bankruptcy Institute's Medal of Excellence, and from Louisiana State University with a business degree.

Ginger began her legal career in Chicago in the restructuring group at Kirkland & Ellis, and later joined the bankruptcy group at Arnold & Porter. She was named one of Best Lawyers' "Ones to Watch" in bankruptcy and creditor rights/insolvency and reorganization law in 2022. During law school she served as an intern for the Honorable Stephen Callaway (now retired) in the U.S. Bankruptcy Court for the Western District of Louisiana, and she previously worked in the clerk's office in that district as well.

Ginger and her spouse Paul welcomed their first child, Wendell, in May of this year. Welcome to Georgia Southern, Ginger! We are glad you are here.

## *Welcome to Sarah-Michael Farrington, Term Law Clerk to Judge Barrett*



Please welcome Sarah-Michael Farrington to the Court family as Judge Barrett's term law clerk for 2024-2025. Sarah-Michael recently graduated from Mercer University School of Law in Macon, Georgia, where she received CALI Awards for Bankruptcy, Consumer Bankruptcy Externship, and Advanced Legal Research, as well as the Outstanding Solicitor award for her work on the ABA Client Counseling Competition Team.

Sarah-Michael gained invaluable experience as a summer intern with the United States Trustee Program in the Atlanta regional office, and working with Joy Webster and Ishaq Kundawala to file Chapter 7 cases through Mercer's bankruptcy externship. She also holds a degree in Economics from the University of Georgia.

Congratulations, Sarah-Michael! We look forward to working with you and to your contributions to the Court.

## New Administrative Opportunity for Crystal DeLaurentis

In July 2024 the Court's Administrative Analyst, Crystal DeLaurentis, began a 6-month detail with the Administrative Office for the United States Courts (AO) within its Procurement Management Division (PMD). As part of the detail, Crystal is supporting the contracting branch within the PMD that handles procurements for the Department of Administrative Services' (DAS) Facilities and Security Office (FSO). She is working under the guidance of a seasoned contracting officer on procuring services for long range facilities projects, including design and construction of new or renovated courthouses for courts nationwide.

We are excited to have Crystal embarking on this opportunity with the AO. The experience she gains from this position will better serve our Court and allow her to share her insights of the local court perspective with PMD. Way to go, Crystal!

## Courtney Neibel Appointed as Data User Representative

Courtney Neibel, the Court's Data Quality Analyst/Trainer, was selected as a member of the Case Management Modernization Project's Data User Representative (UR) Community in July 2024, which is anticipated to continue through July 2025. Her participation in this group will assist the Administrative Office for the United States Courts (AO) in providing a modern, sustainable digital platform for the Judiciary to manage cases and improve communication, collaboration, and engagement among courts, the public, and partners. The Data UR Community is considering issues related to data migration, data standards and governance, and ad hoc issues related to the intersection of data and case filing/management functionality.

Courtney was also invited to serve on a dedicated Data Migration "tiger team" within the Data UR Community; the tiger team is a cross-functional, high performing team tasked with tackling critical challenges and achieving specific objectives related to data migration and conversion. The team will be performing a detailed analysis of the current data state of the courts' systems, identifying dependencies, customizations and constraints, and reporting needs, in order to complete a forward-oriented analysis of all likely data migration scenarios in a transition to Case Management Modernization in the coming years.

Congratulations, Courtney - we are proud of your efforts!

## *Celebrating milestones in federal service this year:*

***Congratulations to  
Becky Delatorre,  
Case Administrator***



## Court Mourns the Passing of Michael Drabek

It is with great sadness that the Court announces the passing of one of our beloved Court Family members, Michael (“Mike”) Drabek. Mike passed away on September 4, 2024, after a valiant, five-year battle with the rare cancer, Pancreatic Neuroendocrine Tumor. To those of us at the Court, Mike was a consummate professional, trusted advisor, and wonderful friend. Mike moved from Penfield, New York to Savannah, Georgia in 1997. He began his career with the United States Bankruptcy Court in 1999, where he served many roles, including Management Analyst, Human Resources Administrator, and Procurement Specialist. He retired from the Court in 2021 after 22 dedicated years.

Mike treasured his wife, three sons, and extended family, and was dedicated to serving others. His love of the Lord and music guided him in his service with the Kairos prison ministry, as well as a worship leader and musician at Sycamore Church in Savannah. He was an accomplished and professional musician, playing drums and percussion, guitar, bass, and keyboard. He was the U.S. Bankruptcy Court’s unofficial “Choir Director” and enjoyed singing with others at several court functions over the years.

We will miss Mike and everything he meant to us. He always saw the best in people and was there to offer a helping hand to anyone and everyone. Please join us in keeping his family in your thoughts and prayers.



## Anniversary of the Federal Court System

September 24 was the anniversary of the establishment of the federal court system as separate and apart from the state court system. In the U.S. Constitution, Article III deals with the Judicial Branch and focuses only on the Supreme Court. Article III did not cover how the court system would be developed, so the First Congress created the Judiciary Act of 1789 to establish the federal Judiciary. The Judiciary Act of 1789 was one of the first acts of Congress, and President George Washington signed it into law on September 24, 1789.

The present-day federal court system is composed of the Supreme Court, with its Chief Justice of the United States and eight associate justices, thirteen courts of appeals, and 94 district courts. Federal courts have exclusive jurisdiction over bankruptcy cases. There are 91 bankruptcy courts.<sup>1</sup>

<sup>1</sup>Article and photo courtesy of: <https://www.uscourts.gov/about-federal-courts/educational-resources/annual-observances/anniversary-federal-court-system>



## U.S. Constitution Trivia

Every year, on September 17, Constitution Day and Citizenship Day commemorate the signing of the U.S. Constitution in Philadelphia, PA on September 17, 1787.

Test your knowledge with the following trivia questions regarding the U.S. Constitution (*answers provided on the last page of this newsletter*):

1. How many men signed the U.S. Constitution?
2. What is the length of a term of a U.S. Senator?
3. The Speaker of the House is chosen by whom?
4. In what city did the Constitutional Convention meet?
5. How many amendments did Congress add to the Constitution in 1791?



## Celebrating Hispanic Heritage Month



Pictured above:

Sylvia Mendez - Image credit: [U.S. Army Corp of Engineers Los Angeles District](https://www.uscourts.gov/about-federal-courts/educational-resources/annual-observances/hispanic-heritage-month)

Hispanic Heritage Month is observed from September 15 to October 15 to pay tribute to the achievements of generations who have contributed to American life. The designation of these dates as National Hispanic Heritage Month became law in 1988. September 15 is significant because it is the anniversary of independence in five Latin American countries and the days that follow mark the independence of other Latin American countries. Visit <https://www.uscourts.gov/about-federal-courts/educational-resources/annual-observances/hispanic-heritage-month> to view this information and learn about three judges' stories during their first-person narratives.

*“That we are all individuals; that we are all human beings; that we are all connected together; and that we all have the same rights, the same freedom.”*

- Sylvia Mendez, recipient of the Presidential Medal of Freedom in 2011



For assistance in creating new PACER accounts, upgrading your current account, or linking your upgraded PACER account to your CM/ECF account, contact the:

**[PACER Service Center](#)**

[pacer@psc.uscourts.gov](mailto:pacer@psc.uscourts.gov)

(800) 676-6856

<https://pacer.uscourts.gov>

**FAQs:**

<https://www.pacer.uscourts.gov/help/faqs>

**Useful Links/Resources**

**United States Courts:**

[www.uscourts.gov](http://www.uscourts.gov)

**U.S. District Court for the Southern District of Georgia:**

[www.gasd.uscourts.gov](http://www.gasd.uscourts.gov)

**United States Trustee Region 21:**

[www.justice.gov/ust-regions-r21](http://www.justice.gov/ust-regions-r21)

**11th Circuit Court of Appeals:**

[www.ca11.uscourts.gov](http://www.ca11.uscourts.gov)

**National Creditor Registration Service:**

<https://bankruptcynotices.uscourts.gov>

**Federal Poverty Guidelines for 2024:**

<https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>

**Unclaimed Funds Information:**

[www.gasb.uscourts.gov/unclaimed-funds-information](http://www.gasb.uscourts.gov/unclaimed-funds-information)

**Transcript/Audio Requests:**

[www.gasb.uscourts.gov/transcriptaudio-requests](http://www.gasb.uscourts.gov/transcriptaudio-requests)

**Debtor Electronic Bankruptcy Noticing (DeBN):**

[www.gasb.uscourts.gov/debtor-electronic-bankruptcy-noticing-debn](http://www.gasb.uscourts.gov/debtor-electronic-bankruptcy-noticing-debn)



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Required Email Address

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The fastest way to receive information from the Court is to register with GovDelivery for email (*or text*) notifications from the Court's website at:

**[www.gasb.uscourts.gov](http://www.gasb.uscourts.gov)**

The Court's website is frequently updated with notifications regarding court operations during severe weather and unforeseen circumstances occurring in our area, as well as new or modified administrative and general orders and procedures. Registration with GovDelivery also enables you to receive updates from other courts with which you may be affiliated. Sign up using the link under the "News & Announcements" section at the bottom of the Court's home page.



The Court will be **CLOSED** in observance of the upcoming federal holidays:

**Monday, October 14, 2024**

**Monday, November 11, 2024**

**Thursday, November 28, 2024**

**Wednesday, December 25, 2024**

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

## THANK YOU

A special **thank you** to the following contributors to this edition of *The Southern Scoop*\*:

*Chief Judge Michele J. Kim*

*Alec Chappell*

*Ginger Clements*

*Renae Creel*

*Crystal DeLaurentis*

*Sarah-Michael Farrington*

*Christyne Murray*

*Dana Wilson*



*Pictured above: SCAD Film Festival on Broughton Street in Savannah, GA (<https://filmfest.scad.edu/history>)*

Savannah, Georgia is home to the Savannah College of Art and Design (SCAD), which holds its annual film festival each October. The SCAD Film Festival has celebrated more than 25 years of welcoming acclaimed films and honored guest celebrities to Savannah, connecting student filmmakers and enthusiasts with award-winning actors, directors, and others working in the film industry.

*Answers to U.S. Constitution Trivia on Page 20:*

1. 39
2. 6 years
3. The U.S. House of Representatives
4. Philadelphia, PA
5. 10

*\*For questions, comments, corrections, or suggested articles regarding this newsletter, please email:*

**[courtney\\_neibel@gas.uscourts.gov](mailto:courtney_neibel@gas.uscourts.gov)**

*We look forward to your feedback!*