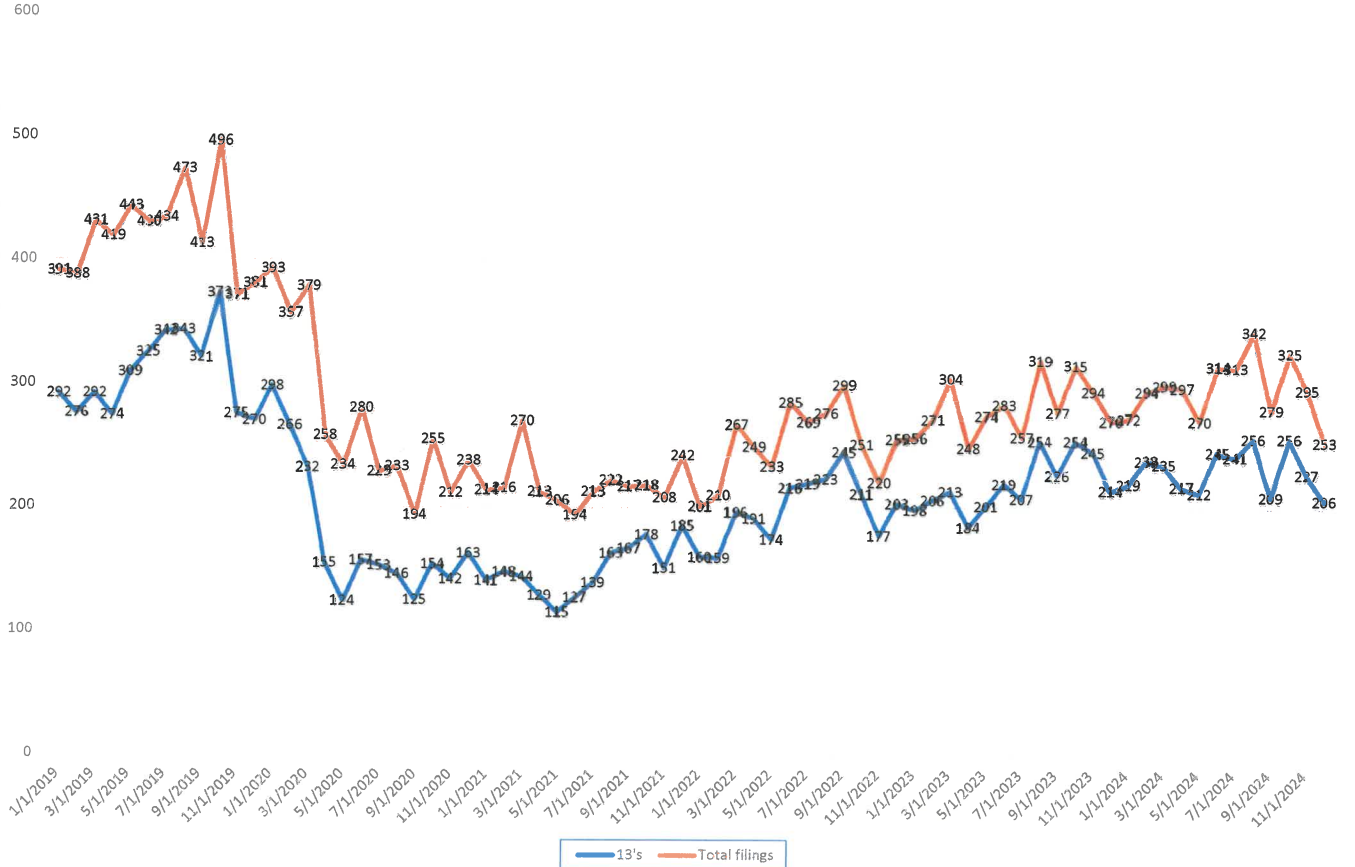


United States Bankruptcy Court, Southern District of Alabama
Quarterly Bankruptcy Section Meeting, February 11, 2025

1. Section chair Alex Garrett
2. Judges Callaway and Oldshue
 - Merchant cash advance settlement in NY
 - Car loan amounts in chapter 13 – seeking feedback
 - Telephonic appearances at motion docket – up to 3 cases; still need to appear for confirmations
 - C. Michael Smith
 - Selma courthouse update
 - Filing numbers (see attached) – up 6% in 2024
 - No court Mardi Gras week
 - Send CLE info to Jennifer Morgan
3. Andrea Redman, Clerk of Court
 - PACER search issue
4. Mark Zimlich, Bankruptcy Administrator
 - Subchapter V issues
5. Chris Conte, Chapter 13 Trustee
 - Rule 3002.1 amendment (see attached)
6. Consumer committee
7. Business committee
8. Evan Parrott – Bankruptcy at the Beach May 30-31, Henderson Beach Resort
9. Open the floor
10. Next meeting Tuesday, May 13, 2025 – jury assembly room, second floor of Federal Courthouse, with Microsoft Teams component. Let Andrea Redmon know if you would like to sponsor.

Monthly bankruptcy filings in the Southern District of Alabama since January 2019



December 2023-2024 Statistical Report For Bankruptcy Cases

2023-2024 YEAR Comparison Report For Bankruptcy Cases

MONTHLY Year To Date Bankruptcy Filings For 2023/2024

Year	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Totals
2023	247	268	303	250	272	281	259	320	278	316	294	270	3358
2024	272	294	299	298	271	314	313	344	279	325	296	253	3558
Incr/Decr %	10.12%	9.70%	-1.32%	19.20%	-0.37%	11.74%	20.85%	7.50%	0.36%	2.85%	0.68%	-6.30%	5.96%

Chapter 13 Filings 2023/2024

Year	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Totals
2023	193	201	207	179	196	217	201	250	223	250	241	209	2567
2024	217	238	233	216	211	243	241	257	206	256	228	206	2752
Incr/Decr %	12.44%	18.41%	12.56%	20.67%	7.65%	11.98%	19.90%	2.80%	-7.62%	2.40%	-5.39%	-1.44%	7.21%

Chapter 7 Filings 2023/2024

Year	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Totals
2023	54	67	96	68	74	62	58	68	55	64	53	60	779
2024	53	56	65	81	59	71	67	86	70	67	67	46	788
Incr/Decr %	-1.85%	-16.42%	-32.29%	19.12%	-20.27%	14.52%	15.52%	26.47%	27.27%	4.69%	26.42%	-23.33%	1.16%

Chapter 11 Filings 2023/2024

Year	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Totals
2023	0	0	0	3	2	2	0	2	0	2	0	1	12
2024	2	0	1	1	1	0	5	1	2	2	1	1	17
Incr/Decr %	100.00%	0%	100.00%	-66.67%	-50.00%	-100.00%	100.00%	-50.00%	100.00%	0.00%	100.00%	0.00%	41.67%

Chapter 12 Filings 2023/2024

Year	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Totals
2023	0	0	0	0	0	0	0	0	0	0	0	0	0
2024	0	0	0	0	0	0	0	0	1	0	0	0	1
Incr/Decr %	0%	0%	0%	0%	0%	0%	0%	0%	100.00%	0%	0%	0%	100.00%

Chapter 9 Filings 2023/2024

Year	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Totals
2023	0	0	0	0	0	0	0	0	0	0	0	0	0
2024	0	0	0	0	0	0	0	0	0	0	0	0	0
Incr/Decr %	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Year To Date Bankruptcy Cases By Chapter For 2023 / 2024

Year	Ch. 13	Ch. 7	Ch. 11	Ch. 9	Ch. 12	Total
2023 Filed	2567	779	12	0	0	3358
2024 Filed	2752	788	17	0	1	3558
% Diff	7.21%	1.16%	41.67%	0%	100.00%	5.96%
2023 Closed	2992	805	9	0	0	3806
2024 Closed	2714	839	12	0	3	3568
% Diff	-9.29%	4.22%	33.33%	0%	100.00%	-6.25%

2023-2024 MONTHLY Comparison Report For Bankruptcy Cases

United States Bankruptcy Court

_____ District of _____

In re _____, Debtor

Case No. _____
Chapter 13

Motion Under Rule 3002.1(f)(1) to Determine the Status of the Mortgage Claim

The [trustee/debtor] states as follows:

1. The following information relates to the mortgage claim at issue:

Name of Claim Holder: _____ **Court claim no. (if known):** _____

Last 4 digits of any number used to identify the debtor's account: _____

Property address: _____

City	State	ZIP Code
------	-------	----------

2. As of the date of this motion, [I have/the trustee has] disbursed payments to cure arrearages as follows:

- | | |
|---|----------|
| a. Allowed amount of the prepetition arrearage, if any: | \$ _____ |
| b. Total amount of the prepetition arrearage disbursed, if known: | \$ _____ |
| c. Allowed amount of postpetition arrearage, if any: | \$ _____ |
| d. Total amount of postpetition arrearage disbursed, if known: | \$ _____ |
| e. Total amount of arrearages disbursed: | \$ _____ |

3. As of the date of this motion, [I have/the trustee has] disbursed payments for postpetition fees, expenses, and charges as follows:

- | | |
|--|----------|
| a. Amount of postpetition fees, expenses, and charges noticed under Rule 3002.1(c) and not disallowed: | \$ _____ |
| b. Amount of postpetition fees, expenses, and charges disbursed: | \$ _____ |

4. As of the date of this motion, [I have/the trustee has] made the following payments on the postpetition obligations: \$ _____

[5. If needed, add other information relevant to the motion.]

6. I ask the court for an order under Rule 3002.1(f)(3) determining the status of the mortgage claim addressed by this motion and whether the payments required by the plan to be made as of the date of this motion have been made.

Signed: _____ Date: ____/____/____

(Trustee/Debtor)

Address

Number Street

City State ZIP Code

Contact phone (____) ____-____ Email _____

United States Bankruptcy Court
District of _____

In re _____, Debtor

Case No. _____
Chapter 13

**Response to [Trustee's/Debtor's] Motion Under Rule 3002.1(f)(1) to Determine the
Status of the Mortgage Claim**

_____ (claim holder) states as follows:

1. The following information relates to the mortgage claim at issue:

Name of Claim Holder: _____ **Court claim no. (if known):** _____

Last 4 digits of any number used to identify the debtor's account: _____

Property address: _____

City

State

ZIP Code

2. Arrearages

The total amount received to cure any arrearages as of the date of this response is

\$ _____.

Check all that apply:

☐ As of the date of this response, the debtor has paid in full the amount required to cure any arrearage on this mortgage claim.

☐ As of the date of this response, the debtor has not paid in full the amount required to cure any prepetition arrearage on this mortgage claim. The total prepetition arrearage amount remaining unpaid as of the date of this response is:

\$ _____.

☐ As of the date of this response, the debtor has not paid in full the amount required to cure any postpetition arrearage on the mortgage claim. The total postpetition arrearage amount remaining unpaid on the date of this response is:

\$ _____.

3. Postpetition Payments

(a) Check all that apply:

- ☐ The debtor is current on all postpetition payments, including all fees, charges, expenses, escrow, and costs.
- ☐ The debtor is not current on all postpetition payments. The debtor is obligated for the postpetition payment(s) that first became due on: ____/____/____.
- ☐ The debtor has fees, charges, expenses, negative escrow amounts, or costs due and owing.

(b) The claim holder attaches a payoff statement and provides the following information as of the date of this response:

- i. Date last payment was received on the mortgage: ____/____/____
- ii. Date next postpetition payment from the debtor is due: ____/____/____
- iii. Amount of the next postpetition payment that is due: \$ _____
- iv. Unpaid principal balance of the loan: \$ _____
- v. Additional amounts due for any deferred or accrued interest: \$ _____
- vi. Balance of the escrow account: \$ _____
- vii. Balance of unapplied funds or funds held in a suspense account: \$ _____
- viii. Total amount of fees, charges, expenses, negative escrow amounts, or costs remaining unpaid: \$ _____

4. Itemized Payment History

Include if applicable:

Because the claim holder asserts that the arrearages have not been paid in full or states that the debtor is not current on all postpetition payments or that fees, charges, expenses, escrow, and costs are due and owing, the claim holder attaches an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- all prepetition and postpetition payments received;
- the application of all payments received;

- all fees, costs, escrow, and expenses that the claim holder asserts are recoverable against the debtor or the debtor's principal residence; and
- all amounts the claim holder contends remain unpaid.

[5. If needed, add other information relevant to the response.]

Signature Date ____/____/____

Print _____ Title _____
Name

Company _____

If different from the notice address listed on the proof of claim to which this response applies:

Address _____
Number Street

City State ZIP Code

Contact phone (____) ____-____ Email _____

The person completing this response must sign it. Check the appropriate box:

- ☐ I am the claim holder.
- ☐ I am the claim holder's authorized agent.

United States Bankruptcy Court

_____ District of _____

In re _____, Debtor

Case No. _____
Chapter 13

Motion Under Rule 3002.1(g)(4) to Determine Final Cure and Payment of the Mortgage Claim

The [trustee/debtor] states as follows:

1. The following information relates to the mortgage claim at issue:

Name of Claim Holder: _____ **Court claim no. (if known):** _____

Last 4 digits of any number used to identify the debtor's account: _____

Property address: _____

_____ City

_____ State

_____ ZIP Code

2. As of the date of this motion, [I have/the trustee has] disbursed payments to cure arrearages as follows:

a. Allowed amount of the prepetition arrearage, if any: \$ _____

b. Total amount of the prepetition arrearage disbursed, if known: \$ _____

c. Allowed amount of postpetition arrearage, if any: \$ _____

d. Total amount of postpetition arrearage disbursed, if known: \$ _____

e. Total amount of arrearages disbursed \$ _____

3. As of the date of this motion, [I have/the trustee has] disbursed payments for postpetition fees, expenses, and charges as follows:

a. Amount of postpetition fees, expenses, and charges noticed under Rule 3002.1(c) and not disallowed: \$ _____

b. Amount of postpetition fees, expenses, and charges disbursed: \$ _____

4. As of the date of this motion, [I have/the trustee has] made the following payments on the postpetition obligations: \$ _____

[5. If needed, add other information relevant to the motion.]

6. I ask the court for an order under Rule 3002.1(g)(4) determining whether the debtor has cured all arrearages, if any, and paid all postpetition amounts required by the plan to be made as of the date of this motion.

Signed: _____
(Trustee/Debtor)

Date: ____/____/____

Address _____
Number Street

City State ZIP Code

Contact phone (____) ____-____ Email _____

United States Bankruptcy Court

District of _____

In re _____, Debtor

Case No. _____
Chapter 13

Response to [Trustee's/Debtor's] Motion to Determine Final Cure and Payment of the Mortgage Claim

_____ (claim holder) states as follows:

1. The following information relates to the mortgage claim at issue:

Name of Claim Holder: _____ **Court claim no. (if known):** _____

Last 4 digits of any number used to identify the debtor's account: _____

Property address: _____

_____ City

_____ State

_____ ZIP Code

2. Arrearages

The total amount received to cure any arrearages as of the date of this response is

\$ _____.

Check all that apply:

☐ As of the date of this response, the debtor has paid in full the amount required to cure any arrearage on this mortgage claim.

☐ As of the date of this response, the debtor has not paid in full the amount required to cure any prepetition arrearage on this mortgage claim. The total prepetition arrearage amount remaining unpaid as of the date of this response is:

\$ _____.

☐ As of the date of this response, the debtor has not paid in full the amount required to cure any postpetition arrearage on this mortgage claim. The total postpetition arrearage amount remaining unpaid as of the date of this response is:

\$ _____.

3. Postpetition Payments

(a) Check all that apply:

- ☐ The debtor is current on all postpetition payments, including all fees, charges, expenses, escrow, and costs.
- ☐ The debtor is not current on all postpetition payments. The debtor is obligated for the postpetition payment(s) that first became due on: ____/____/____.
- ☐ The debtor has fees, charges, expenses, negative escrow amounts, or costs due and owing.

(b) The claim holder attaches a payoff statement and provides the following information as of the date of this response:

- i. Date last payment was received on the mortgage: ____/____/____
- ii. Date next postpetition payment from the debtor is due: ____/____/____
- iii. Amount of the next postpetition payment that is due: \$ _____
- iv. Unpaid principal balance of the loan: \$ _____
- v. Additional amounts due for any deferred or accrued interest: \$ _____
- vi. Balance of the escrow account: \$ _____
- vii. Balance of unapplied funds or funds held in a suspense account: \$ _____
- viii. Total amount of fees, charges, expenses, negative escrow amounts, or costs remaining unpaid: \$ _____

4. Itemized Payment History

Include if applicable:

Because the claim holder disagrees that the arrearages have been paid in full or states that the debtor is not current on all postpetition payments or that fees, charges, expenses, escrow, and costs are due and owing, the claim holder attaches an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- all prepetition and postpetition payments received;

Fill in this information to identify the case:

Debtor 1 _____

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: _____ District of _____
(State)

Case number _____

Official Form 410C13-N

Trustee's Notice of Disbursements Made

12/25

The trustee must file this notice in a chapter 13 case within 45 days after the debtor completes all payments due to the trustee. Rule 3002.1(g)(1).

Part 1: Mortgage Information

Name of claim holder: _____

Court claim no. (if known): _____

Last 4 digits of any number you use to identify the debtor's account: _____

Property address:

Number _____ Street _____

City _____ State _____ ZIP Code _____

Part 2: Statement of Completion

The debtor has completed all payments due the trustee under the chapter 13 plan. A copy of the trustee's disbursement ledger for all payments to the claim holder is attached or may be accessed here: _____ (web address).

Part 3: Arrearages

Amount

- | | |
|---|----------|
| a. Allowed amount of prepetition arrearage: | \$ _____ |
| b. Total amount of prepetition arrearage disbursed by the trustee: | \$ _____ |
| c. Total amount of postpetition arrearage disbursed by the trustee: | \$ _____ |
| d. Total amount of arrearages disbursed by the trustee: | \$ _____ |

Part 4: Postpetition Payments

Check one:

- ☐ Postpetition payments are made by the debtor.
- ☐ Postpetition payments are paid through the trustee.
- ☐ Other: _____

If the trustee has disbursed postpetition payments, complete a and b below; otherwise leave blank.

- a. Total amount of postpetition payments disbursed by the trustee as of date of notice: \$ _____
- b. The last ongoing mortgage payment disbursed by the trustee was the payment due on _____ All subsequent ongoing mortgage payments must be made directly by the debtor to the mortgage claimant.

Part 5: Postpetition Fees, Expenses, and Charges

Amount of postpetition fees, expenses, and charges disbursed by the trustee: \$ _____

Part 6: A Response Is Required by Bankruptcy Rule 3002.1(g)(3)

Within 28 days after service of this notice, the holder of the claim must file a response using Official Form 410C13-NR.

X

Signature

Date ____/____/____

Trustee

First Name Middle Name Last Name

Address

Number Street

City State ZIP Code

Contact phone (____) ____-____

Email _____

Fill in this information to identify the case:

Debtor 1 _____

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: _____ District of _____
(State)

Case number _____

Official Form 410C13-NR

Response to Trustee's Notice of Disbursements Made

12/25

The claim holder must respond to the Trustee's Notice of Payments Made within 28 days after it was served. Rule 3002.1(g)(3).

Part 1: Mortgage Information

Name of claim holder: _____

Court claim no. (if known): _____

Last 4 digits of any number you use to identify the debtor's account: _____

Property address:

Number _____ Street _____

City _____ State _____ ZIP Code _____

Part 2: Arrearages

The total amount received to cure any arrearages as of the date of this response: \$ _____.

Check all that apply:

- ☐ The amount required to cure any prepetition arrearage has been paid in full.
- ☐ The amount required to cure the prepetition arrearage has not been paid in full. Amount of prepetition arrearage remaining unpaid as of the date of this notice: \$ _____.
- ☐ The amount required to cure any postpetition arrearage has been paid in full.
- ☐ The amount required to cure the postpetition arrearage has not been paid in full. Amount of postpetition arrearage remaining unpaid as of the date of this notice: \$ _____.

Part 3:**Postpetition Payments**

(a) Check all that apply:

- ☐ The debtor is current on all postpetition payments, including all fees, charges, expenses, escrow, and costs.
- ☐ The debtor is not current on all postpetition payments. The claim holder asserts that the debtor is obligated for the postpetition payment(s) that first became due on: ____/____/____.
- ☐ The debtor has fees, charges, expenses, negative escrow amounts, or costs due and owing.

(b) The claim holder attaches a payoff statement and provides the following information as of the date of this response:

- i. Date last payment was received on the mortgage: ____/____/____
- ii. Date next postpetition payment from the debtor is due: ____/____/____
- iii. Amount of the next postpetition payment that is due: \$ _____
- iv. Unpaid principal balance of the loan: \$ _____
- v. Additional amounts due for any deferred or accrued interest: \$ _____
- vi. Balance of the escrow account: \$ _____
- vii. Balance of unapplied funds or funds held in a suspense account: \$ _____
- viii. Total amount of fees, charges, expenses, negative escrow amounts, or costs remaining unpaid: \$ _____

Part 4**Itemized Payment History**

If the claim holder disagrees that the prepetition arrearage has been paid in full, states that the debtor is not current on all postpetition payments, or states that fees, charges, expenses, escrow, and costs are due and owing, it must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- all prepetition and postpetition payments received;
- the application of all payments received;
- all fees, costs, escrow, and expenses that the claim holder asserts are recoverable against the debtor or the debtor's principal residence; and
- all amounts the claim holder contends remain unpaid.

Part 5:**Sign Here**

The person completing this response must sign it. Check the appropriate box:

- ☐ I am the claim holder.
- ☐ I am the claim holder's authorized agent.

I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.

x

Signature Date ____/____/____

Name

First name Middle name Last name

Title

Company

Identify the corporate servicer as the company if the authorized agent is a servicer.

Address

Number Street

City State ZIP Code

Contact phone _____

Email _____