

**Agenda for Meeting of the Bankruptcy/Uniform Commercial Code
Committee of the Business Law Section of the Florida Bar**

Lynn Welter Sherman, Chair

Jodi Cooke, Vice-Chair

Hon. Catherine Peek McEwen, Judicial Chair

Thursday, June 16, 2016

9:00 am –11:30 am

Location: TBD

- I. Welcome and Approval of Minutes**
Lynn Welter Sherman, Committee Chair
- II. Introduction of Special Guests and Pro Bono Reminder**
Lynn Welter Sherman, Committee Chair
- III. Business Law Section Update & Welcome**
Alan Howard, Section Chair
Jon Polenberg, Section Chair-Elect
Melanie Damian, Section Treasurer
- IV. Legislative Update**
Michael B. Chesal, Section Legislative Chair
Aimee Diaz-Lyon, Section Lobbyist
- V. Reports from Study Groups**
 - a. *Proceedings Supplementary* (with Business Litigation Committee)
Donald Kirk
Ivan Reich
 - b. *HB 713/SB 562* (proposed amendments to Fla. Stat. § 559.72)
Jodi Cooke
 - c. *FBA foreclosure amendment* (proposed amendments to Fla. Stat. § 702.12)
Mindy Mora
 - d. *Amendments to Uniform Voidable Transaction Act*
John Hutton
 - e. *Collaborative Law*
Patricia Redmond
- VI. Bankruptcy Judicial Liaison Committee Meeting Report**
Hon. Paul J. Hyman, BJLC Judicial Chair
Cori Lopez-Castro, BJLC Chair
- VII. Liaison Reports from Other BLS Committees**

- a. *Pro Bono Committee*
Jennifer Morando
- b. *Diversity Committee*
Jim Moon
- c. *Membership Committee*
Zach Hyman
- d. *Young Lawyers Division*
Christian George
- e. *Communications Committee*
Chris Boussard

VIII. Continuing Legal Education

- a. *ABI/Stetson Seminar*
Hon. Catherine Peek McEwen
- b. *View from the Bench Seminar/Case Review*
Hon. Michael Williamson
Brad Saxton
- c. *Bankruptcy Law Education Series (BLES)*
Hon. Michael Williamson
- d. *Future CLE Programs*
Kathleen DiSanto
Brett Lieberman

IX. Old Business

- a. *Each One, Reach One Campaign*
Hon. Catherine Peek McEwen
- b. *Batram v. U.S. Bank*
Hon. Catherine Peek McEwen
- c. *Out of State Division Newsletter Submissions*
Don Workman
Hon. Catherine Peek McEwen
- d. *C.A.R.E. & Money\$mart\$ Programs*
Hon. Laurel Isicoff

X. New Business

- a. *H.R. 4225/S. 2448* (proposed bills to convert temporary bankruptcy judgeships & create new judgeships)
- b. *Review of Standing Committee Legislative Positions* (See Exhibit A)
Lynn Welter Sherman, Committee Chair
- c. *Policies & Procedures Drafting Committee*
Jodi Cooke, Committee Vice Chair
- d. *Uniform Commercial Real Estate Receivership Act*
Kenneth Murena

XI. CLE Presentation by Committee Sponsor – Michael Moecker & Associates



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Personal Property Appraiser**

**All Appraisals &
Appraisers Are NOT
Created Equal!**

XII. Future Meeting Dates

- a. Business Law Section Labor Day Retreat - September 2-5, 2016 (Naples, FL)
- b. Winter Meeting of the Florida Bar – January 25-28, 2017 (Orlando, FL)

XIII. Adjourn

1. Supports Revised Article I of the Uniform Commercial Code, as developed by the National Conference of Commissioners on Uniform State Laws (NCCUSL).
2. Supports legislation to update or modernize the assignment for benefit of creditors in Chapter 727, Florida Statutes.
3. Supports the creation of §702.55 Florida Statutes, providing for notice to homeowner in mortgage foreclosure action of possibility of relief under U.S. Bankruptcy Code.
4. In any proposed legislation regarding “Credit Counseling Services”, supports clear definitions and language to exclude licensed Florida attorneys, including bankruptcy attorneys who represent debtors, from the scope of the bills.
5. Supports Revised Article 7 of UCC developed by NCCUSL relating to electronic documents of title, warehouse receipts, and bills of lading.
6. Supports providing federal bankruptcy exemption for alimony, support or separate maintenance, that has already been received, to the extent necessary for the support of the debtor or his/her dependents.
7. Opposes any amendment to existing Florida law governing real property foreclosures unless those amendments carefully preserve and protect the property rights and due process rights of the holders of interests in or affecting Florida real property.
8. Supports proposed updating and clarifying Uniform Law Commission / NCCUSL amendments to Article 9 UCC/FS Ch. 679.
9. Supports HR 2533 re: Chapter 11 Bankruptcy Venue Reform Act of 2011.
10. Supports enactment of a separately credited financial literacy course as a prerequisite for high school graduation and a standard high school diploma, consistent with the requirements set forth in HB 367 and SB 212.
11. Supports revised Article 4A of the Uniform Commercial Code as developed by the National Conference of Commissioners on Uniform State Laws.

Additional BLS Judicial/Administration of Justice Positions:

1. Supports adequate funding of the state courts' system, state attorneys' offices, public defenders' offices, and court-appointed counsel.
2. Supports legislation consistent with the Supreme Court of Florida's certification of need for additional judges.
3. Supports the funding and allocation of appropriate and necessary resources to fund complex business litigation pilot projects in the 9th, 11th, 13th, and 15th judicial circuits, provided that pilot project funding is to be in addition to existing court funding.

4. Supports adequate funding for civil legal assistance to indigent persons through the Florida Access to Civil Legal Assistance Act.