

**Agenda for the Bankruptcy/UCC Committee
of the Business Law Section of the Florida Bar**
2022 Annual Convention Meeting
Thursday, June 23, 2022, 12:30 p.m. – 2:30 p.m.
Zoom Meeting

https://us02web.zoom.us/meeting/register/tZAqcu6tqDgiHdlaBueoaK-OHwI5Pzgs_neU

James Moon, Chair
Mariane Dorris, Legislative Vice-Chair
Kenny Murena, Vice-Chair
Hon. Catherine Peek McEwen, Judicial Chair

I. Welcome and Approval of Minutes from the Prior Meeting
James Moon

EXHIBIT A

II. Introductions of Special Guests and Pro Bono Reminder
James Moon

III. Business Law Section Update & Welcome
Kacy Donlon, Section Chair
Doug Bates, Section Chair-Elect
Mark Stein, Section Treasurer
Manny Farach, Section Secretary

IV. Legislation

A. Legislative Overview for 2022 Session
Stephanie Lieb, Legislation Committee Chair
Aimee Diaz Lyon, Section Lobbyist

B. Legislative Review Subcommittee
Mariane Dorris

Sunsetting Legislative Positions – Discuss Positions to Support Going Forward

See Exhibit B

C. *Reports from Legislative Study Groups*

2023 Legislative Items

a. *Bankruptcy Threshold Adjustment and Technical Corrections Act (Federal)*

Hon. Catherine Peek McEwen
Mariane Dorris

S.3823 – and H.R. 7494

<https://www.congress.gov/bill/117th-congress/senate-bill/3823/text>

This bill modifies provisions related to small business reorganization bankruptcies and wage earner's bankruptcies.

Status: Presented to President

b. *Judgment Lien Amendments*

Prof. Jeff Davis
Jodi Dubose

Bankers want to support moving this legislation forward in 2023

c. *“Pick Your Partner” SB 336 and HB 519 reflect updates recently made to Article 9 of the UCC clarifying that certain overrides of restrictions on transferability do not apply to an ownership interest in a GP, LP or LLC*

(Joint with Corporations)

Jeff Davis
Matt Hale

APPROVED BY GOVERNOR

Effective Date Jan. 1, 2023

– CLE Program for Bankers – August 10, 2022

Panel – Matt Hale, Lou Conti, Robert Barron

d. *Warehouse Lien Amendments (§713.585)*

Dennis LeVine

Passed EC at Labor Day Retreat 2021 (Sept. 2021)

Was not a 2022 session issue...looking at 2023

2022 Legislative Items – Carrying Over to 2023

- e. Kearney Fix (Re: Requirements for Waivers of Exemptions)*
Jennifer Morando
John Hutton

AWAITING TRANSMITTAL TO GOVERNOR

Issue with Retroactivity of Kearney Fix

- f. Foreclosure Notice Bill*
April Stone
Judge McEwen

D. Reports from Other Ongoing Study Groups

- a. Florida Exemption Review/Revisions*
Kelly Roberts

Motor Vehicle Exemption – HB 265

VETOED BY GOVERNOR

- b. ABC Glitch Bill Study Group*
Jodi Dubose
Patricia Redmond

See Exhibit C

- c. Article 9*
Juan Mendoza
- d. Bankruptcy Venue Reform Act*
John Hutton
Hon. Catherine Peek McEwen

Referred to House Judiciary Committee 6/28/2021 – no further action

E. Items to be Monitored

- a. Northern District Judgeships/Divisions*
Hon. Karen Specie
Jodi Dubose

Doug Bates

b. *Uniform Voidable Transactions Act Amendments*

John Hutton

c. *Digital/Cryptocurrency Regulation Task Force*

Hon. Mindy Mora

Woody Pollack – Chair – Blockchain & Cryptocurrency Taskforce

The Blockchain & Cryptocurrency Task Force intends to move at Executive Council to transition the Task Force into a Substantive Committee; namely, the Blockchain and Digital Assets Committee.

The Task Force requests our review of their White Paper and seeks our support for this initiative.

See Exhibit D

d. *Nondebtor Release Prohibition Act of 2021*

Hon. Catherine Peek McEwen

Would virtually eliminate the use in bankruptcy cases of non-consensual, non-debtor releases in private claims and those brought by the government.

H.R. 4777 – no action since November. S. 2497 referred to judiciary, no action since July 2021.

H.R. 2096 – Sackler Act – no action since October. 3 FL co-sponsors: Crist, Wasserman-Schultz, Castor. S. 2472 referred to judiciary, no action since July 2021.

V. NCBJ Sponsorship

Marine Dorris

NCBJ – Marriott World Center, Orlando, FL, October 18, 2022 – October 22, 2022

Bank/UCC has formed a Sub-Committee to fund raise and assist in planning the State Bar Welcome Reception for the National Conference of Bankruptcy Judges (NCBJ) taking place on October 19, 2022, at the Marriott World Center in Orlando, Florida.

See Exhibit E

VI. Continuing Legal Education, Communications, and Publications

A. *Bankruptcy/UCC Committee CLE Programs*

a. *Previously Held CLE Programs*

i. *5/25/2022 – 2022 Business Litigation & Bankruptcy / UCC Case Law Update*

b. *Future Programs*

i. *View from the Bench 2022 – Tampa and Miami (POSTPONED – NEW DATES TBD)*
Hon. Michael Williamson

ii. *CLE Planning*
Tara Trevorrow

iii. *Contact Mariane Dorris or Kenny Murena if you would like to present a CLE or share ideas for future topics*

B. *Communications Committee Report & Newsletter*
Chris Thompson

C. *Out of State Division Newsletter Submissions*
Hon. Catherine Peek McEwen
Don Workman

VII. Cross-Committee Partnership and Other Liaison Reports

A. *Other Liaison Reports*

a. *CLE Committee – Andrew Layden*

b. *IMF Committee – Christina Taylor*

c. *Membership Committee – Terry Sanks*

d. *Pro Bono – Amanda Finley*

VIII. Old Business

A. *Creating an App for FRBP/Code*
Mark Healy

IX. New Business

- a. ABI Veterans Task Force
Carlos Sardi
James Moon

Pilot program to provide insolvency legal assistance to veterans in need.
the Veterans Task Force <https://veterans.abi.org/> is building a network of
insolvency lawyers willing to assist veterans in need.

Let Carlos Or James know if you are willing to be listed in a directory of
insolvency professionals willing to assist veterans in need.

X. Future Meeting Dates

September 2-5, 2022: BLS Retreat; JW Marriott Marco Island

XI. Adjourn