

MEMORANDUM

TO: Attorneys, creditors, and other parties in interest
Chapter 13 cases pending in the Fort Myers Division and Tampa

FROM: Jon Waage Chapter 13 Trustee, Fort
Myers and Tampa Divisions

DATE: April 3, 2020

SUBJECT: **Telephonic Section 341 Meetings of Creditors**

Due to the ongoing public health concerns associated with COVID-19, **Section 341 meetings will be conducted telephonically beginning April 11, 2020**, for as long as the need. This memorandum is intended to provide initial guidance on the procedures to be followed in connection with telephonic Section 341 meetings in the Fort Myers and Tampa Divisions where the 13 Trustee Jon Waage is assigned to the case.

The Bankruptcy Clerk's Office will begin issuing Notices of Chapter 13 Bankruptcy Case indicating the Section 341 meetings will be held telephonically. The Notices will provide all parties the trustee's dedicated teleconference number and a participant pass code. Make sure to pay attention to the numbers that are noticed because there will be two (2) different sets of numbers that will be used by Trustee Waage and they will be specific to the noticed 341 meeting.

Each case will be assigned its own fifteen-minute meeting slot and meetings will commence promptly at the scheduled meeting time. In order to reduce the number of participants on the line for each Section 341 meeting, and thereby improve the quality of the record, it is recommended that participants dial-in to the teleconference line no sooner than five (5) minutes prior to the scheduled meeting time. If you dial in early you may be asked to hang up and call back later. If you call in late the 341 meeting will not take place that day and either: the 13 Trustee will file a motion to dismiss the case; and/or debtors counsel will have to notice the new date given by the Trustee.

Prior to conclusion of the Section 341 meeting, **Debtors must provide photo identification and acceptable proof of social security number to the trustee in the manner directed by the trustee.** We will require Debtors' counsel to submit to the 13 Trustees office a declaration under penalty of perjury declaring that he/she has personally verified the identity of the debtor by checking his/her original photo identification and personally inspected original document proof of the debtor's social security number. (Attached for your convenience are sample declarations, which will satisfy the trustees' requirements.) The required declaration(s) must be submitted to the assigned Chapter 13 Trustee Jon Waage, utilizing the trustee's secure document portal no later than seven (7) business days prior to the Section 341 meeting.

Finally, in order to ensure the quality of the record, as well as increase the efficiency and improve the overall meeting experience, all parties are reminded of the following guidelines for telephonic meetings

- Only the Trustee is permitted to record the meeting, no other recordings can be made.
- When joining the meeting, do not announce your presence, especially when the trustee is conducting another meeting. Counsel should instruct his or her clients of this requirement.
- The use of speakerphones is prohibited, and the use of cell phones is discouraged.
- Don't conduct calls in public places, or while driving or in a moving car. Background noises (particularly wind) are very distracting.
- Put your phone on Mute when not speaking.
- Make an extra effort to speak slowly, clearly, and calmly.
- Announce your name as much as practical.
- Consider pausing a moment before speaking as delays are common.
- Wait until you are called upon by the trustee before speaking and do not talk over or interrupt another speaker.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS/TAMPA DIVISION

In Re:

Chapter 13
Case No. 9:20-bk-_____

Debtor(s).
_____ /

**DECLARATION OF ATTORNEY REGARDING
PHOTO IDENTIFICATION AND PROOF OF SOCIAL SECURITY NUMBER**

I, _____, pursuant to 28 U.S.C. 1746, declare

under penalties of perjury that attached are true and correct copies of the following documents:

1. I personally verified the identity of the debtor by checking his/her original photo identification:

____ Driver's License (State and number) _____
____ State Identification (State and number) _____
____ Passport (Country, number, expiration date) _____
____ Military Identification (number) _____
____ Other (Describe) _____

2. I personally inspected the following original document as proof of the debtor's social security number:

____ Social Security Card
____ Social Security Administration Statement
____ W-2 Form
____ Recent Payroll Stub
____ Other (Specify) _____

I declare under penalty of perjury that the foregoing is true and correct.

Date: _____

Debtor's Attorney