ACTIONABLE AI

presents

AI Playbook

for Florida Bankruptcy Firms

Debtor Practice · A Practical Guide to Using AI Responsibly, Ethically, and Profitably

actionableai.net · Prepared by Greg Yates - Updated September 25, 2026

Important Notice

This playbook is educational and informational. It is not legal advice, ethics counsel, or a substitute for consultation with The Florida Bar or qualified counsel on any specific matter or on your firm's own professional-responsibility obligations.

Nothing here creates an attorney-client relationship. Actionable AI is a consulting firm, not a law firm.

Bankruptcy law changes. Exemption amounts are indexed, means-test figures are updated roughly every six months by the U.S. Trustee Program, Chapter 13 plan confirmation standards evolve with case law, and courts issue new standing orders on AI use. Every statute, dollar amount, deadline, and case cited in this playbook is current as of the September 22, 2026 edition date and must be independently verified against a primary source before you rely on it in a client matter.

All sample policies, disclosures, letters, and prompts are starting points. Have a Florida-licensed attorney review them before adoption or use.

A note on numbers. Every figure here falls into one of three buckets, and you can tell which from the sentence around it. Statutory amounts, deadlines, and case outcomes carry their own citation and can be checked at the source. Third-party statistics name the body that produced them. Anything else is an Actionable AI working assumption, offered to be stress-tested against your firm's own rates, volumes, and matter values rather than repeated as fact.

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The Problem With Generic AI Advice

Here is what the AI influencers will not tell you: the advice flooding your inbox was written for nobody. The same deck gets sold to a marketing agency, a dental practice, and a bankruptcy firm handling fifty consumer cases a month. It does not know the difference, because it was never built to.

It does not know you operate a high-volume practice where the means test is a moving target updated every six months and your client cannot afford a mistake. It does not know that a wrong exemption strategy can cost a debtor their home, their car, or the retirement account they spent thirty years building. It does not know that in the Middle District of Florida, one of the highest-filing bankruptcy districts in the nation, your trustee program has specific expectations that no national AI product was trained on.

Generic AI advice produces generic results. In a debtor bankruptcy practice, generic results mean the wrong means-test figure that bars a Chapter 7 filer who actually qualifies, the exemption analysis that misses the unlimited homestead because the AI applied a federal cap instead, the hallucinated case citation that draws a Rule 9011 inquiry, and the missed automatic-stay deadline that lets a creditor proceed with a foreclosure while you discover the error on a Monday morning. The cost of wrong is not embarrassment. It is a client who loses the house, a Bar grievance, and a malpractice exposure that follows you.

What This Playbook Does Differently

This playbook was built for the small Florida bankruptcy firm that represents debtors, solos and firms with fewer than 25 lawyers handling Chapter 7, Chapter 13, and occasional Subchapter V matters. Every recommendation is pressure-tested against the Florida Rules of Professional Conduct, Florida Bar Ethics Opinion 24-1, the Bankruptcy Code, the three Florida districts' local rules and trustee programs, and the economics of running a practice where flat fees and volume are the model.

It answers three questions that matter:

1. What are the real ethics risks of using AI in a debtor bankruptcy practice, and how do you build guardrails that hold under trustee and Bar scrutiny?
2. What specific tasks should you use AI for, and which ones will end your career or your client's case?
3. How do you implement AI without blowing a stay deadline, leaking a client's Social Security number, or filing a schedule that does not match the pay stubs?

That is it. No evangelism. No predictions about the future of law. No vendor kickbacks. Just the specific, Florida-grounded, debtor-side analysis a small firm needs to make good decisions in 2026.

The Actionable AI Philosophy

Tools serve lawyers. Not the other way around.

The bankruptcy firm that benefits most from AI is not the one that adopts the most tools. It is the one that uses them carefully, picking them, governing them, training on them, and using each only where it earns its keep. Your practice is deadline-driven, document-intensive, and trustee-scrutinized. AI fits parts of it very well. It can draft a 341 prep brief overnight, catch a missed asset on Schedule A/B, and assemble a plan feasibility check in minutes. But it can also produce the wrong means-test figure, invent a case, and expose your client's Social Security number to a third-party server, and every one of those failures lands on you.

THE ACTIONABLE AI TEST

Before you put any AI tool near a bankruptcy matter, answer four questions:

1. Does the tool have a contractual no-training-on-your-data clause?

2. Where does the client data go, and who can access it?

3. Can a lawyer verify the output before it reaches a client, a trustee, or a court?

4. Would you be comfortable if The Florida Bar, and the trustee on your case, knew you used this tool for this purpose?

If you cannot answer all four confidently, the tool is not ready for client matters.

Why Florida Bankruptcy Practice Is Different

Every practice area has its own relationship with AI. Estate planners worry about Florida homestead in a different way than bankruptcy lawyers do. Litigators worry about hallucinated citations in a different context than bankruptcy attorneys who sign schedules under penalty of perjury. The debtor bankruptcy firm in Florida carries a specific set of pressures that shape every recommendation in this playbook.

Volume Is the Business Model

A small Florida bankruptcy firm is not managing ten complex matters at a time. It is managing fifty to a hundred active cases simultaneously, many moving through different stages at once. Intake overlaps with 341 prep, which overlaps with plan confirmations, which overlaps with discharge orders and post-discharge follow-up. The administrative burden is constant, relentless, and mostly repetitive.

That repetition is exactly where AI delivers value. Not the complex judgment calls. The routine work that eats your paralegal's day and bleeds into evenings. The risk is assuming that because AI handles volume work well, it handles everything else the same way. It does not. The document checklist, the schedule consistency check, the 341 prep memo, the status update letter. These are the wins. The means-test calculation, the exemption strategy, the decision to propose a particular plan payment. These remain yours.

> **KEY FINDING**
>
> The Middle District of Florida is consistently one of the nation's highest-filing bankruptcy districts. For the 12-month period ending December 31, 2025, the Middle District recorded 26,279 total filings on the federal judiciary's caseload tables, second in the nation, and up 38 percent year over year. It ranked first in the nation in Subchapter V cases. (Source: U.S. Bankruptcy Court, M.D. Fla., January 2026 statistics.)
>
> AI does not change the volume. It changes how much of it a two-attorney firm can handle without burning out the team.

The Means Test Is a Moving Target

Chapter 7 eligibility runs through the means test under 11 U.S.C. Section 707(b)(2). The test compares your client's current monthly income against the Florida median income for their household size. The Florida median income figures are published by the U.S. Trustee Program and updated approximately every six months. For cases filed on or after July 15, 2026, the four-person household median is $114,761 annually, about $9,563 per month.

AI tools may or may not carry current UST figures in their training data. The UST updates the numbers; AI training data has a cutoff. A model that confidently produces a means-test analysis based on figures that were current eighteen months ago will give your client the wrong answer with complete confidence. Verify the applicable median income directly from justice.gov/ust using the figures in effect on the filing date. That is the controlling number, not whatever the AI returns.

IMPORTANT

Every means-test analysis uses the Florida median income figures in effect on the date of filing, pulled directly from the U.S. Trustee Program website (justice.gov/ust) before the petition is filed.

An AI-generated means-test figure is a hypothesis until verified against the current UST tables. Mark every AI output on this issue accordingly.

Florida's Exemption Landscape

Florida has opted out of the federal exemption scheme (Fla. Stat. Section 222.20), so Florida debtors use state exemptions, subject to the 730-day domicile rule in 11 U.S.C. Section 522(b)(3)(A), which can send a recent arrival back to a prior state's exemptions or to the federal set. The Florida scheme is unusually generous in some respects and unusually specific in others. Getting it right separates a good outcome from a disaster.

— **Homestead:** Florida's homestead exemption is unlimited in value for property within the size limits (half an acre in a municipality, 160 acres elsewhere). But 11 U.S.C. Section 522(p) caps at $214,000, for cases filed April 1, 2025 through March 31, 2028, any interest in the homestead acquired during the 1,215 days before filing. Two things AI tools routinely get wrong here. The cap reaches only the interest acquired inside that window, not the entire homestead. And under Section 522(p)(2)(B) it does not apply at all to equity rolled over from a prior principal residence in the same state. A client who sold a Florida home and bought another one eighteen months ago may be fully protected. Run the analysis. Do not assume the cap.

— **Motor vehicle:** Up to $5,000 of equity in one motor vehicle per debtor under Fla. Stat. Section 222.25(1), raised from $1,000 effective July 1, 2024. Test your tool on this one. A model trained before mid-2024 will tell you $1,000 with total confidence and cost your client $4,000 of protected equity. In joint cases, each debtor's interest in a vehicle is analyzed separately; the ownership and equity structure controls whether each spouse can claim the exemption.

— **Personal property exemptions:** Two separate exemptions apply. The Florida Constitution (Art. X Sec. 4) provides a $1,000 personal property exemption. Fla. Stat. Section 222.25(4) provides an additional $4,000 exemption if the debtor does not claim or receive a homestead exemption. These are distinct; in joint cases each debtor may claim the constitutional $1,000, and if neither claims homestead, each may claim the additional $4,000, but the analysis is fact-specific and stacking rules require careful attorney review.

— **Retirement accounts:** Qualified retirement plans, IRAs, and similar tax-exempt accounts meeting Fla. Stat. Section 222.21's requirements are generally exempt without dollar limit. The exemption is subject to the statute's listed exceptions, including certain fraudulent transfer and timing rules, and requires analysis of whether the specific account qualifies. One of the most important exemptions in a consumer case; AI tools often understate it or miss the qualification requirements.

— **Life insurance cash value:** The cash surrender value of a life insurance policy issued on the life of a Florida citizen or resident is generally exempt under Fla. Stat. Section 222.14. The statute includes an exception where the policy was effected for the benefit of a creditor of the insured. Confirm the specific policy terms before relying on this exemption.

— **Tenancy by the entirety:** Property held as tenancy by the entirety is exempt from the individual debts of either spouse, a powerful protection in joint-filing cases with separate creditor claims.

— **Wages:** Disposable earnings of a head of family are fully exempt from garnishment under Fla. Stat. Section 222.11 when earnings do not exceed $750 per week; amounts above that threshold receive different statutory treatment and are subject to waiver rules. This exemption is relevant to pre-bankruptcy wage garnishment analysis but does not directly alter the Chapter 7 means-test calculation, which uses its own income and expense framework under the 122A forms.

AI tools have a particular weakness here: they apply federal exemptions to Florida filers, apply the wrong dollar cap to the homestead, and miss the tenancy-by-the-entirety analysis in joint cases. Every exemption strategy in a Florida consumer case gets a human review against the current Florida statutes before the petition is filed.

Three Districts, Three Cultures, Three Trustee Programs

Florida has three federal bankruptcy districts: the Northern (Tallahassee, Pensacola, Gainesville, Panama City), the Middle (Tampa, Orlando, Jacksonville, Ocala, Fort Myers), and the Southern (Miami, Fort Lauderdale, West Palm Beach). The Bankruptcy Code is the same in all three. The practice is not.

Each district has its own Chapter 13 trustee program, and the Middle District alone runs three separate Chapter 13 standing trustee offices, in Tampa, Orlando, and Jacksonville, each with its own practices on plan confirmation, feasibility, and proof-of-claim review. Each district has its own local bankruptcy rules, model Chapter 13 plans, and standing orders. Federal judges in each district have individual chamber requirements that change without announcement. The Middle District's Chapter 13 procedures and model plan have been revised more than once in the past two years. Do not work from a plan form you saved last year.

> **IMPORTANT**
>
> An AI tool cannot know what the Tampa division Chapter 13 trustee has been pushing back on this quarter, or what the Orlando trustee considers a feasibility problem at a given plan payment level.
>
> That knowledge lives in your experience, your relationships, and your bar association. It does not live in any training dataset.

Before any filing, check the current local rules, the current Chapter 13 plan form, and the assigned judge's standing orders for your specific division. What was accurate six months ago may no longer be.

The Automatic Stay Is Not a Rough Estimate

For an ordinary filing, the automatic stay generally takes effect when the petition is filed under 11 U.S.C. Section 362(a), but Section 362(b) contains exceptions and Section 362(c) limits or prevents the stay in some repeat-filer cases. Confirm the client's filing history and the specific creditor action before promising immediate protection. [Source: 11 U.S.C. Section 362]

This is where AI creates the single most dangerous failure mode in a bankruptcy practice. An AI tool that generates a deadline, calculates a response period, or interprets a motion-to-lift-stay timeline incorrectly does not produce a missed billing deadline. It produces a client who wakes up to a locksmith on their front door. The consequences are not proportional to the mistake, and they cannot always be undone.

THE DEADLINE RULE

AI tools may never set, confirm, calculate, or interpret filing deadlines, response deadlines, hearing dates, plan payment due dates, or automatic-stay expiration dates.

All deadlines come from manual PACER review, docketing software with a verified direct court feed, or attorney confirmation against primary source documents.

Every AI-generated deadline is wrong until proven otherwise. Make this rule absolute.

The Subchapter V Opportunity

Subchapter V of Chapter 11, added by the Small Business Reorganization Act of 2019, is one of the fastest-growing reorganization options nationally for small businesses. The statistics are striking: Subchapter V elections were up 67 percent in Q1 2026, 833 filings against 499 in Q1 2025 (Epiq AACER), as rising interest rates, tighter credit, and post-pandemic cost pressure pushed more small business owners toward the bankruptcy system.

The current Subchapter V debt limit is $3,424,000 (effective April 1, 2025, per the Federal Register triennial inflation adjustment; verify current amounts in the Federal Register or at justice.gov/ust before any filing). Federal legislation, the Bankruptcy Threshold Adjustment Act of 2026 (S. 3977, with House companion H.R. 7730), would raise the Subchapter V debt limit permanently to $7.5 million and the Chapter 13 debt limit to $2.75 million. The Senate passed S. 3977 unanimously on August 3, 2026. The House passed an amended companion, H.R. 7730, on September 16, 2026. The bill is not yet law, and the current statutory limit remains $3,424,000. Verify current limits and legislative status before any filing. [Sources: H.R. 7730 (GovInfo); U.S. Trustee Program: Subchapter V]

Subchapter V moves faster, costs less, and gives debtors more control over the reorganization process than traditional Chapter 11. It requires a trustee but gives the debtor-in-possession operating authority. For a small Florida business owner facing a creditor pile-on, it is often the best available option, and the firm that knows the Subchapter V workflow, and can AI-assist the document-intensive parts of the case, has a material competitive advantage. The Middle District of Florida filed more Subchapter V cases than any other district in the country in 2025. The volume is already here.

The Florida Ethics Reality

The Florida Rules of Professional Conduct were not written with AI in mind. They apply anyway. The framework is not complicated once you map it onto the way AI actually gets used in a debtor bankruptcy practice. Ignoring it is the fastest way to turn a winning case into a Bar file.

Florida Bar Ethics Opinion 24-1, issued January 19, 2024, addresses generative AI directly. It is advisory rather than binding, but the underlying Rules are not, and it is required reading for any Florida lawyer using these tools on client matters. Its conclusions align with the Rules and with ABA Formal Opinion 512 (July 2024), and they are not novel. It applies existing rules to a new technology, but the application is what matters. Read the actual opinion at floridabar.org. The summary below is not a replacement.

One more layer that is specific to bankruptcy practice: every petition and schedule is signed under penalty of perjury. Federal Rule of Bankruptcy Procedure 9011 authorizes sanctions for filings made without reasonable inquiry into whether the factual contentions have evidentiary support. AI output that goes into a petition without independent attorney review is not a basis for a good-faith defense under Rule 9011. It is the opposite.

The Five Rules That Matter Most

RULE 4-1.1: COMPETENCE (AND TECHNOLOGICAL COMPETENCE)

The comment to Rule 4-1.1 requires keeping up with the benefits and risks of relevant technology. In a bankruptcy practice, competence means understanding that the means-test figure an AI returns might be last year's number, that the exemption amount might be wrong for Florida, and that the cited case might not exist. You do not need to be an AI engineer. You need enough understanding to decide when AI is appropriate, to supervise its use, and to catch the errors before they go into a filing signed under penalty of perjury.

Florida's CLE rules under Rule 6-10.3 require thirty hours per three-year cycle, including three hours of approved technology CLE. Bar-approved AI programs satisfy that requirement. For a practice that signs as many documents as a high-volume bankruptcy firm, there is no cheaper investment.

> **ACTION ITEM**
>
> Within 90 days, every lawyer in the firm completes at least one CLE on generative AI in legal practice, and the firm documents it.
>
> Under the Florida Bar's CLER credit formula (one credit hour per 50 minutes of instruction, rounded to the nearest half hour), a 90-minute program counts as 2.0 CLE hours. That is the competence duty, addressed at a single lunch.

RULE 4-1.6: CONFIDENTIALITY OF INFORMATION

Bankruptcy files contain some of the most sensitive financial data a lawyer ever handles: Social Security numbers, bank account numbers, employer tax IDs, pay stubs, tax returns, full asset inventories, debt histories, and the complete financial picture of a client in crisis. This is not ordinary client data. Florida Bar Ethics Opinion 24-1 requires lawyers to understand the retention, data-use, and training policies of any AI tool before entering confidential information. A lawyer who pastes sensitive client financial data into a tool

whose terms permit training on inputs, or whose retention practices are unknown, risks a serious confidentiality violation under Rule 4-1.6, whether or not any human ever reads the output.

As a firm governance rule: require a signed Data Processing Agreement and a no-training-on-customer-data clause before any client-specific information goes into an AI tool. Florida Bar Ethics Opinion 24-1 does not use enterprise-tier or DPA as a legal bright line, but that standard operationalizes the confidentiality duty in a way you can document and defend. Note also what the DPA does not do. Where confidential information is actually disclosed to a third-party generative AI tool, Opinion 24-1 recommends obtaining the client's informed consent. A signed DPA is an important safeguard, but it does not by itself resolve the informed-consent or confidentiality analysis. It does not substitute for the conversation. The underlying client files in a bankruptcy matter are full of the most sensitive financial data a lawyer ever handles. [Source: Florida Bar Opinion 24-1]

> **IMPORTANT**
>
> No AI tool is approved for client bankruptcy data without a written contract that includes (1) a no-training-on-customer-data clause, (2) defined retention with deletion on demand, and (3) breach-notification obligations.
>
> A client's full Social Security number (on the restricted Form 121) and the sensitive financial data in the underlying source documents never go near a tool that cannot give you all three in writing.

RULE 4-5.3: RESPONSIBILITIES REGARDING NONLAWYER ASSISTANCE

Florida Bar guidance treats AI output like work product from a nonlawyer assistant. The model is your paralegal. In a high-volume bankruptcy practice, that paralegal may be handling schedule drafts, document checklists, 341 prep briefs, and status letters simultaneously across dozens of files. That does not reduce the supervision obligation. It increases it. You are responsible for what the AI produces: written policies, training, verification, and documented oversight.

> **NOTE**
>
> If a Bar grievance arrived tomorrow about AI-generated work on a pending bankruptcy matter, what could you show them?
>
> If the honest answer is 'nothing in writing,' your supervision program has work to do, and every schedule in your queue is a potential liability.

RULE 4-3.3: CANDOR TOWARD THE TRIBUNAL (AND RULE 9011)

AI tools fabricate case citations and statutory provisions. Florida has its own cautionary tale: in Capital Standard, LLC v. U.S. Bank National Association, No. 2D2024-1392, 2026 WL 2450571 (Fla. 2d DCA Aug. 21, 2026), the court found at least 31 fabricated or unsupported citations in counsel's amended brief, and after opposing counsel flagged the problem, his reply brief added 15 more. Counsel never apologized and claimed he had set up unspecified processes to prevent it happening again; the court found neither his explanation nor his conduct satisfactory. The court struck both briefs, fined him $1,500, made him personally liable for the opposing party's appellate fees, and referred him to The Florida Bar. Verification is not 'does this case exist.' It is 'does this case say what the AI says it says.' 'The AI made it up' is not a defense.

In bankruptcy practice, the candor obligation runs not just to Article III judges but to the bankruptcy court and, through the petition and schedules, to the trustee under penalty of perjury. Rule 9011 mirrors Rule 11's reasonable-inquiry standard. An AI-drafted adversary proceeding brief with an invented case citation exposes you to sanctions in two systems simultaneously.

> **IMPORTANT**
>
> No AI-generated citation, whether a case, Code section, local rule, standing order, or administrative order, appears in any filing, memo, letter, or internal note until a real lawyer has verified it against a legal database, the official USC, or the court's current orders page.
>
> Print it. Put it on the wall. Make it absolute.

RULE 4-1.5: FEES

Bankruptcy fee practice has its own ethics layer that no other area does: most consumer fees require court approval. Chapter 7 attorney fees are disclosed on Official Form 2030 under Rule 2016(b), and again in the Statement of Financial Affairs (Form 107, Question 16). Chapter 13 fees are governed by the district's no-look provisions or require a fee application. Excessive fees draw trustee scrutiny and can be reduced by the court.

AI compresses hours. Opinion 24-1 is explicit that the efficiency gain cannot inflate time or fees, and ABA Formal Opinion 512 (July 2024) reaches the same conclusion: bill the time actually expended. If AI turns a two-hour schedule-drafting session into twenty minutes, billing two hours is a Rule 4-1.5 violation and a problem in a Chapter 13 case where the trustee reviews your fee application. The flat-fee structure common in consumer bankruptcy handles this more cleanly than hourly billing, provided the flat fee remains reasonable for the actual scope of work. Understand who is reading the number. Your Rule 2016(b) disclosure is signed, and a Chapter 13 fee application is reviewed by a trustee whose job is to protect the estate and by a judge who can reduce it on their own motion. In a case where creditors are paid out of what is left, a fee application claiming hours AI no longer takes is not merely a Rule 4-1.5 problem. It is a representation to the court about work that was not performed.

> **NOTE**
>
> Before you file your Rule 2016(b) disclosure or a fee application, ask: is the fee you are disclosing or requesting consistent with the actual work done, AI efficiency included?
>
> Trustees and courts look at fee-to-case-complexity ratios. If AI compresses your time, your fee should reflect reality, not habit.

Other Rules That Touch This Work

— **Rule 4-1.4 (Communication):** If AI is materially involved in document preparation or strategy, the client should know through the engagement letter (Appendix B). In bankruptcy, clients are often anxious, unsophisticated about the process, and relying heavily on your guidance. The communication duty runs high.

— **Rule 4-1.18 (Prospective Clients):** AI intake tools that screen consultation callers create duties to people who never become clients. Confidentiality and conflict-check obligations attach from the first AI-handled inquiry.

— **Rule 4-5.5 (Unlicensed Practice of Law): An AI chatbot must not provide individualized bankruptcy advice or recommend a chapter. It may conduct only limited, attorney-approved factual intake and must identify itself as AI, avoid legal conclusions, and route legal questions to a lawyer. Opinion 24-1 requires that prospective clients be told they are communicating with AI, not a lawyer. This matters especially in bankruptcy where the chapter decision has enormous consequences.** [Source: Florida Bar Opinion 24-1]

— **Rule 4-7.13 (Deceptive and Inherently Misleading Advertisements):** Claiming 'AI-powered' bankruptcy services requires substantiation — characterizations of a firm's tools or capabilities must be objectively verifiable. An advertisement may not use a voice or image that creates the erroneous impression that an AI chat is the advertising lawyer or a firm employee. Florida's advertising rules are strict.

- **Section 934.03 (Two-Party Consent): As a firm policy, no AI notetaker or transcription assistant may join a call, meeting, or conversation with a client, opposing counsel, a counterparty, or any third party unless prior consent from all participants has been obtained and documented. Confirm that the communication falls within Section 934.03 and that the consent covers the recording or transcription. Several video platforms now enable transcription by default, which makes this an easy accidental violation in a small firm.** [Source: Florida Statutes Section 934.03]

The Courts Are Writing Their Own Rules, Right Now

Start at the top. On May 28, 2026, the Florida Supreme Court amended Rule of General Practice and Judicial Administration 2.515(d)(2) to require the signer of a filing in a Florida court to represent that the legal authorities identified in it exist and are accurately cited. The requirement reaches attorneys and unrepresented parties alike, and the amendment authorizes sanctions, including reprimand, contempt, striking a document, dismissal, costs, and attorney fees. It took effect June 15, 2026. This statewide signer certification does not replace the Federal Rules of Bankruptcy Procedure or any applicable federal district or judge-specific procedure. [Source: Florida Supreme Court Opinion SC2026-0673]

> **NEW: STATEWIDE RULE, EFFECTIVE JUNE 15, 2026**
>
> Florida Rule of General Practice and Judicial Administration 2.515(d)(2): by signing, you represent that every legal authority you cite exists and is accurately cited.
>
> It binds attorneys and self-represented parties alike in every Florida court.
>
> This is the verification rule from the candor section, now written into the rules of court for every Florida state court filing you make. It does not govern federal bankruptcy courts, which operate under their own rules, but it reinforces the same standard you should be applying to every filing regardless of forum.

Below the Florida Supreme Court, federal bankruptcy courts and individual judges may add their own procedures. For example, a Middle District of Florida memorandum issued by Judge McEwen on August 31, 2026, warns that signers must independently verify AI-assisted filings and that Federal Rule of Bankruptcy Procedure 9011 applies to represented and unrepresented parties. Verify the assigned judge's current

procedures before filing; do not assume that a district-wide AI disclosure requirement applies. [Source: Judge McEwen: Warning Regarding Use of Generative AI]

> **BEFORE EVERY BANKRUPTCY FILING**
>
> Check the current local rules and the assigned judge's standing orders for your district (flmb.uscourts.gov, flsb.uscourts.gov, or flnb.uscourts.gov).
>
> If a current rule, local order, or judge-specific procedure requires disclosure or certification, disclose and certify exactly what occurred. If no requirement applies, do not add a boilerplate certification; ask the supervising attorney whether disclosure would be appropriate. Appendix C gives a starting framework that must be adapted to the actual order. [Sources: Florida Supreme Court Opinion SC2026-0673; Judge McEwen AI memorandum]

The Emerging Issue Most Bankruptcy Firms Are Missing

Most of this playbook is about using AI to run your practice. This chapter is about something your clients desperately need to know: student loans are no longer automatically bankruptcy-proof. But there is a process, and most debtors filing for bankruptcy in Florida do not know it exists.

The Old Reality and Why It Changed

Under 11 U.S.C. Section 523(a)(8), student loan debt is presumptively non-dischargeable in bankruptcy unless the debtor can prove 'undue hardship.' For decades, courts applied the Brunner test, a three-part standard that required showing present inability to repay, that the situation was likely to persist for most of the repayment period, and good-faith prior efforts to repay. Courts interpreted it so harshly that attorneys routinely advised clients that discharge was functionally impossible.

That changed in November 2022, when the Department of Justice and the Department of Education rolled out a standardized process to evaluate student loan discharge requests in bankruptcy. The adversary proceeding remains required. The DOJ created a standardized attestation process to help evaluate the financial picture and identify cases in which the government may stipulate to discharge, reducing cost and contested litigation in qualifying cases. [Source: DOJ Student Loan Guidance]

> Before November 2022: adversary proceedings were required, but the process lacked the DOJ's standardized attestation framework and often involved more contested litigation. After the DOJ guidance: the adversary proceeding remains required, while the attestation helps the government evaluate whether to stipulate to discharge. In Iuliano's 652-case study, 87 percent of cases had a successful outcome, compared with 61 percent in 2017 and 39 percent in 2007. [Sources: Iuliano, Bridging the Student Loan Bankruptcy Gap; DOJ Student Loan Guidance]
>
> The DOJ reported approximately 1,220 adversary proceedings from November 2022 through March 2024; 96 percent of filers used the attestation form, and 98 percent of decided cases in which DOJ recommended discharge resulted in full or partial relief. Iuliano's separate 652-case study found an 87 percent successful-outcome rate, compared with 61 percent in 2017 and 39 percent in 2007. [Sources: DOJ student-loan bankruptcy report; Iuliano, Bridging the Student Loan Bankruptcy Gap]

The Scale of the Problem and Your Opportunity

The New York Fed's Q1 2026 Consumer Credit Panel data tells the story. Student-loan delinquency of 90 or more days reached 10.3 percent of all outstanding balances in Q1 2026. Approximately 2.6 million federal student-loan borrowers went more than 120 days past due, on Federal Reserve Bank of New York household-credit data and were transferred to the Department of Education's Default Resolution Group in Q1 2026 alone, following roughly one million in Q4 2025. The average borrower entering default is nearly 40 years old, was current on their loans before the pandemic pause, and is more likely to live in the South. [Source: New York Fed Household Credit, Q1 2026]

That profile describes a large fraction of your bankruptcy clients. Middle-aged Floridians, current on their debt through the pandemic, now unable to sustain payments after the pause ended. They are filing Chapter 7 or Chapter 13 because they cannot manage the full debt load, and they have no idea that the student

loans that look like permanent fixtures might be dischargeable through a process that did not practically exist three years ago.

> Many debtor clients may be unaware that student-loan discharge can be pursued through an adversary proceeding. Identifying potential candidates at intake is a possible service differentiator; validate any competitive claim before using it in marketing. [Source: Iuliano, Bridging the Student Loan Bankruptcy Gap]

How the Process Works

The process requires filing an adversary proceeding within the bankruptcy case under 11 U.S.C. Section 523(a)(8), naming the loan holders as defendants. Once filed, the U.S. Attorney's Office for the district where the bankruptcy is pending handles the adversary proceeding; the Attestation Form (Appendix A, current version dated May 2025. Verify the current version at justice.gov/ust/student-loan-guidance before filing) is available directly on the UST website. The debtor completes the form providing income, expenses, past repayment efforts, and long-term financial prospects. DOJ evaluates the attestation against the IRS Collection Financial Standards, the same standards the IRS uses to determine what a debtor can afford to pay.

If the financial picture supports discharge, the DOJ stipulates to the facts and recommends discharge to the court. The court then enters an order of discharge. The typical debtor does not need a contested trial. The key is identifying the right candidates, completing the attestation form accurately, and presenting the financial picture cleanly.

— **Candidates who typically qualify:** Debtors on fixed incomes or disability; older borrowers with limited earning potential; debtors with significant medical expenses that consume disposable income; debtors who have made good-faith repayment efforts for years without reducing the principal balance.

— **The form:** Available at justice.gov/ust/student-loan-guidance. The UST guidance page was updated March 17, 2026; the current Attestation Form (Appendix A) is dated May 2025 and Appendix B (Sample Scenario) is dated January 2023. Verify you are using the current versions before filing.

— **Both Chapter 7 and Chapter 13:** The adversary proceeding can be filed in either chapter. In Chapter 13, strategic timing relative to plan confirmation matters. Coordinate with your Chapter 13 plan.

— **Private loans:** Private student loans are not covered by the DOJ attestation process. Whether a particular private loan falls within Section 523(a)(8) depends on whether it qualifies as an educational loan under the statute, and some private loans may be dischargeable without an adversary proceeding. For those that do fall under Section 523(a)(8), the Brunner standard governs in the Eleventh Circuit. The process described here applies to federal loans held or guaranteed by the Department of Education.

How AI Fits the Student Loan Adversary Proceeding

The adversary proceeding creates document-intensive work that AI handles well. Organizing the financial picture for the attestation form, meaning income, expenses categorized against IRS standards, prior repayment history, and long-term income prospects, is exactly the kind of structured analysis that AI can assist with before an attorney reviews and signs off. AI can also help draft the adversary proceeding

complaint from a researched template, help the client prepare their financial narrative, and draft the cover letter transmitting the attestation form.

What AI cannot do: decide whether a client qualifies, apply the IRS standards to reach a legal conclusion, or verify that the financial figures are accurate. Those are attorney judgments. The AI does the organization; you do the analysis. A sample prompt for attestation form preparation appears in the Prompts Library.

Ethics Risks & Governance Framework

A governance policy without teeth is a document in a drawer. This section gives you the framework: the failure modes that will trip a small debtor bankruptcy firm, the data classification that decides which tool sees which information, and the training that turns a written policy into practice.

High-Risk Failure Modes

AI-SET DEADLINES

The most catastrophic failure mode in bankruptcy practice, and the one that is qualitatively different from every other area of law. A wrong employment-law deadline forfeits a claim. A wrong bankruptcy deadline can lift the automatic stay, end a Chapter 13 case, or allow a foreclosure to proceed. The AI returns a response deadline that is off by one day, the client misses the hearing, and the trustee moves to dismiss. Make the deadline rule absolute: AI does not set, confirm, or interpret any deadline. Every date comes from PACER or docketing software with a direct court feed.

HALLUCINATED CITATIONS AND CODE SECTIONS

The most publicly visible failure mode. Capital Standard, LLC v. U.S. Bank National Association (Fla. 2d DCA Aug. 21, 2026) produced fines and a Bar referral over 46 fabricated or unsupported citations across two briefs. In bankruptcy adversary proceedings, a hallucinated citation is not just an embarrassment. It is a Rule 9011 event. Every AI citation is presumptively wrong until verified against a primary source.

CONFIDENTIALITY VIA FREE TOOLS: WITH SOCIAL SECURITY NUMBERS

The highest-stakes confidentiality risk in bankruptcy is the routine nature of the most sensitive data. Official Form 121 (Statement About Your Social Security Numbers) is submitted with the bankruptcy filing and contains the full SSN; it is restricted from the public PACER record but remains part of the confidential client file you handle. Bank statements, tax returns, and other source documents underlying the schedules contain full account numbers, employer tax IDs, and other highly sensitive financial data. A staff member who pastes any of that into a free AI tool may create a Rule 4-1.6 confidentiality problem and may require incident and breach-notification analysis, depending on the tool's handling, authorization, and the facts, in a practice where the volume creates constant pressure to find shortcuts. The fix is policy plus training plus an enterprise tool that is easier to use than the free one. [Sources: Florida Bar Opinion 24-1; Florida Statutes Section 501.171]

WRONG EXEMPTION OR MEANS TEST FIGURE

The bankruptcy-specific failure mode. The AI applies a federal exemption cap to a Florida homestead, missing the unlimited exemption the client qualifies for. Or it uses means-test figures that are six months stale and tells a qualifying Chapter 7 debtor they fail the test. Or it misses the tenancy-by-the-entirety protection that shields the client's jointly-held assets. These errors are invisible until the schedule is filed, and reversing them after the trustee has reviewed the petition is costly, embarrassing, and sometimes fatal to the case.

OVER-RELIANCE

The slowest-burning failure mode. The attorney stops verifying. Output quality drifts. The model is wrong on an exemption, wrong on a plan feasibility figure, wrong on a citation. Nobody catches it because the

volume makes review feel optional. The cure is the verification step as a non-negotiable workflow gate, not something you do when you have time.

Data Classification Framework

Bankruptcy files sit at the top of the sensitivity scale. A classification framework makes tool decisions faster and less dependent on judgment in the moment.

Class	What it contains in bankruptcy	Tool tier required
Tier 1: Public information	Bankruptcy Code sections, published opinions, UST guidance, generic legal concepts, template language without client facts	Any approved tool, including general-purpose enterprise models.
Tier 2: Anonymized matter facts	Hypothetical fact patterns, financial scenarios with identifiers stripped, research questions	Enterprise tools with no-training contracts. Strip all identifiers first.
Tier 3: Client identifiers and matter facts	Client name, case number, creditor names, income figures, expense schedules, general financial facts	Only tools with a signed DPA, no-training terms, defined retention, and breach notification.
Tier 4: Highly sensitive	Social Security numbers, bank account numbers, employer tax IDs, full tax returns, medical or disability records, domestic-violence disclosure information	DPA-covered tools only, after internal attorney review; consider matter-specific client consent; consider whether AI is appropriate at all.

IMPORTANT

Bankruptcy source documents and the confidential client file routinely contain Tier 4 data, full SSNs on Form 121, full account numbers in bank statements, complete tax returns, and medical or disability records.

Before any staff member runs a client's financial information through any AI tool, the tool must be on the Approved Tool List, and the DPA must be signed.

When in doubt, the answer is no.

Approved Tool List

Your policy is only as good as the list it covers. Maintain a current Approved Tool List specifying for each tool: the approved use cases, the data tiers it may handle, its DPA status, the responsible owner, and the renewal date. Review it quarterly. Default response to a staff request for a new tool: 'not yet, pending the approval process,' which requires a DPA, defined retention, breach-notification terms, and a brief written assessment.

Staff Training Requirements

Everyone who touches AI on firm work needs to know:

- What tools are approved and for what tasks.
- How to classify data, and that a client's Social Security number is always Tier 4.
- Why every AI deadline requires PACER confirmation before docketing.
- Why every AI citation and every AI means-test figure requires independent verification.
- What a confidentiality breach looks like and how to report it within 24 hours.
- What to do when unsure: stop and escalate, not proceed and hope.

Minimum cadence: onboarding before any AI use on client matters, an annual refresh with case studies, tool-specific training when a new tool is approved, and a signed acknowledgment in the personnel file.

Best Use Cases by Workflow Stage

A small Florida debtor bankruptcy practice runs the same pipeline whether you sit in Tampa, Orlando, Miami, or Tallahassee. Here is where AI fits at each stage, and where it does not.

Stage 1: Intake and Consultation

The fastest, most visible value AI delivers in your practice. Intake is repetitive, the stakes are high (wrong chapter choice changes everything), and volume means you see the same fact patterns constantly.

— **AI helps:** Turning intake forms and consultation notes into structured triage memos. Flagging every potential claim type and chapter fit. Generating a document checklist from the client profile. Drafting follow-up sequences for missing documents.

— **AI does not:** Make the chapter choice. Assess whether the client's domestic-violence disclosure warrants address confidentiality under the court's seal procedures. Tell you the client's income situation doesn't add up in a way that will matter to the trustee. Those are yours.

> **CAREER-ENDING TRAP**
>
> Never let an AI-generated means-test conclusion go to a client without attorney review.
>
> AI tools may use stale UST median income figures, miss the household-size analysis, or apply the wrong IRS expense standards.
>
> The means test is a legal conclusion, not a math exercise. The attorney makes the call.

Stage 2: Document Gathering

Document gathering is one of the most time-consuming non-legal tasks in a bankruptcy practice. AI accelerates it.

— **AI helps:** Generating case-specific document checklists from the intake profile. Drafting escalating reminder sequences for missing items. Flagging common gaps before the attorney review: tax refunds, pending personal injury claims, inherited property, cryptocurrency, loyalty points with cash value, business interests.

— **AI does not:** Chase the client's employer for the pay stubs. Know that the client casually mentioned a pending slip-and-fall claim that did not make it onto the intake form. Assess whether the asset list is complete. That last one stays with you.

Stage 3: Schedules, SOFA, and Means Test

The document-drafting stage with the highest error rate in AI output and the highest stakes in the case.

— **AI helps:** Drafting schedules from extracted intake data for attorney review. Running internal consistency checks, comparing Schedule I against pay stubs, Schedule J against bank statements, and SOFA against disclosed transfer history. Scanning Schedule A/B for commonly missed asset categories. Assembling the means-test worksheet inputs.

— **AI does not:** Sign the schedules. Apply the correct Florida exemptions with authority. Certify accuracy under penalty of perjury. Confirm the means-test figure against current UST tables. That verification is always manual, always against the current figures on the filing date.

> **IMPORTANT**
>
> Every schedule that AI helps draft gets a side-by-side review against the source documents by a lawyer or supervised paralegal before filing.
>
> The trustee's job at the 341 meeting is to find inconsistencies. If they find one that you produced with AI and did not catch, the consequences fall on you.
>
> Spot-check standard: on a routine no-asset Chapter 7, verify every Schedule I and J line item against the pay stubs and bank statements, plus a 25 percent sample of Schedule A/B entries under $1,000.
>
> Full-verification standard: 100 percent of every schedule, the means-test figure, and every exemption claimed on any case involving a homestead, a business interest, a transfer within the two years before filing, or non-exempt equity over $10,000.
>
> Document the verification in the matter file: who checked, against what source, on what date.

Stage 4: Chapter 13 Plan Drafting

Chapter 13 plan drafting is iterative, math-intensive, and highly district-specific. AI accelerates the iterative parts.

— **AI helps:** Assembling the claims register and flagging secured-debt treatment issues. Modeling projected disposable income from extracted financial data. Flagging feasibility issues, comparing plan payment against income and expenses. Modeling alternative treatment scenarios when the math is tight. Drafting the plan narrative from a reviewed template.

— **AI does not:** Confirm the plan. Know your district's current trustee guidelines on plan payment amounts. Know whether the assigned judge has been tight on feasibility recently. Know that this client's overtime income is unreliable enough to create a confirmation risk. Those judgments are yours, and they decide whether the case confirms or dies at the hearing.

Stage 5: 341 Meeting and Contested Matters

341 meeting prep is the most valuable, lowest-risk AI use case in the whole practice.

— **AI helps:** Client prep briefs in plain English for Chapter 7 and Chapter 13. Anticipating likely trustee questions based on the case profile. Drafting objection responses. Cross-examination outlines for contested matters and adversary proceedings.

— **AI does not:** Appear at the 341 meeting. Read the trustee. Know what the examiner has been focused on this month. In Florida, Chapter 7, 12, and 13 section 341 meetings are generally conducted by video. Confirm format and platform from the case notice before telling the client how to prepare.

Stage 6: Discharge and Post-Discharge

Post-discharge is where a well-run practice generates referrals. AI helps turn it into a system.

— **AI helps:** Discharge summary letters in plain English. Credit-rebuild guidance with practical next steps. Reaffirmation analysis memos flagging the options and the risks. Follow-up sequences designed to generate referrals from satisfied clients.

— **AI does not:** Advise on whether to reaffirm. That requires attorney judgment on the specific debt, the interest rate, and the client's real situation. And it does not know why this client ended up here. You do. That is usually what determines what the discharge summary should actually say.

Stage 7: Student Loan Adversary Proceedings

The emerging practice area, enabled by the DOJ guidance and the attestation process described in the previous chapter.

— **AI helps:** Organizing the client's financial picture for the attestation form, covering income, expenses, prior repayment efforts, categorized against IRS Collection Financial Standards. Drafting the adversary proceeding complaint from a verified template. Helping the client articulate the good-faith repayment history narrative. Drafting the cover letter transmitting the attestation form to DOJ.

— **AI does not:** Determine whether the client qualifies. Apply the IRS standards to reach a legal conclusion. Verify the accuracy of the financial figures. Confirm that the DOJ-assigned attorney has received and reviewed the attestation. Every substantive step is attorney work.

PRACTICE DEVELOPMENT

Add a student loan question to your intake form: 'Do you have federal student loans? Have you made consistent payments without reducing the principal balance?'

Identify candidates early. Review the DOJ attestation criteria before the 341 meeting. Brief qualifying clients on the process before discharge.

Most of your competitors are not doing this yet.

Prompts Library

Fifteen prompts for a small Florida debtor bankruptcy practice, organized by workflow stage. Adapt the bracketed fields. Strip identifiers before running any prompt in a tool without an enterprise DPA. Verify every statute, citation, figure, and deadline against a primary source before it goes anywhere.

> **IMPORTANT**
>
> Strip client identifiers, especially Social Security numbers, bank account numbers, and employer tax IDs, before running any prompt in a tool not covered by a signed DPA.
>
> Verify every Code section, UST figure, exemption amount, case citation, and deadline against a primary source before relying on the output.
>
> These prompts are calibrated for Florida debtor-side practice. Treat every output as a first draft, not a finished product.
>
> Document AI use in the matter file: tool, date, task, attorney.

Intake and Case Screening

PROMPT 01: INTAKE TRIAGE SUMMARY · Intake Stage

```
You are a bankruptcy intake specialist reviewing a prospective client's intake
form for a small Florida bankruptcy law firm. Review the following intake
information and provide: (1) Chapter fit recommendation with brief rationale
(Chapter 7, 13, or Subchapter V if applicable). (2) Three immediate red flags or
missing information. (3) Key questions to ask at the consultation. (4) Complexity
rating (1 to 5) with explanation. (5) Whether the client may have federal student
loans that warrant an adversary proceeding inquiry.

Intake form data: [PASTE ANONYMIZED INTAKE FORM]

Keep output to one page. Plain English throughout. Flag any items requiring
attorney review before the consultation.
```

PROMPT 02: DOCUMENT GATHERING CHECKLIST · Intake Stage

```
Generate a case-specific document checklist for a Florida bankruptcy client with
the following profile: [HOUSEHOLD SIZE], [EMPLOYMENT STATUS / EMPLOYER], [CHAPTER
7 or 13], estimated monthly income approximately [AMOUNT].

List every document needed for the petition, schedules, means test, and proof of
income, organized by category: income verification, tax returns, real property,
vehicles, financial accounts, debts, transfers, and any bankruptcy-in-the-last-8-
years disclosure.
```

```
Also flag commonly overlooked assets for this profile: pending claims, tax refunds, retirement accounts not yet listed, cryptocurrency, rewards/loyalty points, business interests, and inheritances within 180 days.

Label each item with the Schedule or Form it supports. Flag Tier 4 items (SSN, account numbers) that require DPA-covered tool handling.
```

PROMPT 03: CONSULTATION PREP MEMO · Intake Stage

```
Draft a one-page pre-consultation memo for the attorney for the following prospective bankruptcy client. Include: (1) Likely chapter fit and key eligibility questions. (2) Three issues to probe in the consultation. (3) Preliminary means-test flag based on the income information provided. Label it 'VERIFY against current UST figures at justice.gov/ust.' (4) Whether student loan discharge may warrant discussion. (5) Any asset or transfer disclosures that need probing.

Client profile: [PASTE ANONYMIZED SUMMARY]
```

Schedules, SOFA, and Means Test

PROMPT 04: SCHEDULE J REALISM CHECK · Schedules Stage

```
You are reviewing a debtor's proposed Schedule J expenses for a Chapter [7/13] petition in Florida. Review these monthly expenses and flag: (1) Any line items that appear unusually high or low for a [HOUSEHOLD SIZE]-person household in [CITY/REGION]. (2) Common expense categories that appear missing. (3) Any inconsistencies with the bank statement summary provided.

Proposed Schedule J: [PASTE EXPENSE LIST]
Bank statement summary (last 6 months, anonymized): [PASTE SUMMARY]

Do not make legal conclusions. Flag for attorney review only. Do not include client identifiers in your output.
```

PROMPT 05: ASSET GAP SCAN · Schedules Stage

```
You are reviewing a draft Schedule A/B for completeness. Based on the asset list and intake summary, flag any commonly overlooked categories not addressed:

- Pending or potential personal injury or workers' compensation claims
- Tax refunds owed for current or prior year
- Security and utility deposits
- Loyalty and rewards points with cash value
```

```
- Inheritances received or reasonably expected within 180 days of filing
- Retirement accounts not yet listed
- Cryptocurrency or digital assets
- Interests in any business entity, even informal
- Life insurance cash surrender value (may be exempt under Fla. Stat. Sec. 222.14)
- Tenancy-by-the-entirety property held with spouse (if applicable)

Draft Schedule A/B: [PASTE]
Intake summary: [PASTE ANONYMIZED]

Flag only. Do not make exemption or valuation determinations. All flagged items
route to the supervising attorney.
```

PROMPT 06: MEANS TEST RESEARCH ASSIST · Schedules Stage

```
I am preparing a Chapter 7 means test for a Florida debtor with a household of
[SIZE] and a filing date of [DATE]. I need the current Florida median income
figure for this household size as of the filing date.

Search the U.S. Trustee Program means test data and return: (1) The applicable
Florida median monthly income for this household size. (2) The effective date of
those figures. (3) The UST source URL to verify.

Do not calculate the means test result. Do not provide legal conclusions. Flag
this output: 'VERIFY against current UST figures at justice.gov/ust before
filing.'
```

Chapter 13 Plan

PROMPT 07: PLAN FEASIBILITY CHECK · Chapter 13 Plan Stage

```
You are reviewing a proposed Chapter 13 plan for feasibility issues before filing
in [FLORIDA DISTRICT]. Based on the plan summary and financial data below,
identify: (1) Any math issues with the projected disposable income calculation.
(2) Secured debt treatment inconsistent with current balances. (3) Feasibility
concerns given the plan payment amount and debtor income. (4) Whether the plan
must pay unsecured creditors in full or at a higher percentage based on projected
disposable income, the Section 1325(a)(4) liquidation analysis, priority claim
treatment, and other Section 1325 confirmation requirements.

Plan summary: [PASTE]
Schedule I (income): [PASTE]
Schedule J (expenses): [PASTE]
Claims register summary: [PASTE]
```

```
Do not confirm or approve the plan. Flag issues for attorney review. Note any
assumptions in your analysis. Do not include client identifiers.
```

PROMPT 08: MOTION TO VALUE: FIRST DRAFT · Chapter 13 Plan Stage

```
Draft a motion to value collateral under 11 U.S.C. Section 506(a) for a Florida
Chapter 13 case. The collateral is [DESCRIBE ASSET]. The creditor is [CREDITOR
NAME, if in the filing]. The debtor's position on current value is approximately
[AMOUNT]. The relevant standard is replacement value for personal property and
fair market value for real property. Insert citation placeholders labeled [CITE --
VERIFY] for any case authority.

Key facts: [PASTE ANONYMIZED CASE FACTS]

Include: jurisdiction and venue, the debtor's basis for valuation, the proposed
secured and unsecured amounts, and the requested relief. Attorney review and
verification of all authority required before filing.
```

341 Meeting and Contested Matters

PROMPT 09: 341 MEETING PREP BRIEF · 341 Stage

```
You are preparing a client for a Chapter [7/13] 341 meeting of creditors in
[FLORIDA DISTRICT]. Based on the case summary below, draft a pre-meeting prep
brief including: (1) The five most likely trustee questions for this specific fact
pattern. (2) Plain-English explanation of what the trustee is looking for. (3)
Case-specific issues warranting extra preparation. (4) What to bring.

Write for a client who has never been to a 341 meeting. Note that Chapter 7, 12,
and 13 section 341 meetings in Florida are generally conducted by video. Confirm
the format and platform from the case notice before sending this brief.

Case summary: [PASTE ANONYMIZED CASE SUMMARY]
```

PROMPT 10: STAY RELIEF RESPONSE: FIRST DRAFT · 341 / Contested Stage

```
Draft a response to a creditor's motion for relief from the automatic stay in a
Florida Chapter [7/13] case. The creditor's motion claims: [BRIEF DESCRIPTION OF
GROUNDS]. The debtor's position is: [DEBTOR FACTS AND DEFENSES].

Include: a statement of facts from the debtor's perspective, the legal standard
for stay relief under 11 U.S.C. Section 362(d), the debtor's specific grounds for
opposing relief, and a conclusion requesting denial. Insert citation placeholders
```

```
labeled [CITE -- VERIFY] for all authority. Attorney review and verification
required before filing.

Anonymized case facts: [PASTE]
```

Discharge and Post-Discharge

PROMPT 11: DISCHARGE SUMMARY LETTER · Discharge Stage

```
Draft a plain-English discharge summary letter for a Chapter [7/13] client. The
letter should: (1) Explain what the discharge means and what debts are affected.
(2) Note any debts that were NOT discharged, if applicable (student loans, child
support, recent taxes, reaffirmed debts). (3) Explain the automatic stay is now
permanent as to discharged debts. (4) Provide two or three practical next steps
for rebuilding credit. (5) Invite the client to refer friends or family.

Tone: warm, clear, professional. Under 400 words. An attorney will review before
sending.

Case details: Chapter [7/13], discharge date [DATE], notable non-discharged debts
(if any): [LIST].
```

PROMPT 12: REAFFIRMATION COUNSELING MEMO · Discharge Stage

```
Draft a memo for attorney review on whether the following reaffirmation is
advisable. A reaffirmation agreement re-obligates the debtor on a dischargeable
debt and removes the discharge protection for that debt. Address: (1) The asset at
stake, the creditor, the outstanding balance, and the interest rate. (2) Whether
the payment is feasible given the debtor's confirmed budget. (3) The risk if the
debtor reaffirms but later defaults. (4) The alternative: surrender and discharge.

Do not make the reaffirmation decision. That is the attorney's call. Present the
analysis for review.

Case facts: [PASTE ANONYMIZED]
```

Student Loan Adversary Proceedings

PROMPT 13: ATTESTATION FORM ORGANIZATION: STUDENT LOAN AP · Student Loan Stage

```
You are helping organize financial information for a student loan undue-hardship
attestation form under the DOJ U.S. Trustee Program guidance
(justice.gov/ust/student-loan-guidance; UST page updated March 17, 2026, current
```

```
Attestation Form dated May 2025. Verify current version before filing).

From the financial data below, organize the following for attorney review and entry onto the attestation form: (1) Current monthly income from all sources. (2) Monthly expenses organized by IRS Collection Financial Standards category (food/clothing/household; healthcare; transportation; housing and utilities). (3) Monthly surplus or deficit after IRS-standard expenses. (4) Summary of prior repayment efforts: total paid, years of repayment, income-driven repayment enrollment. (5) Any long-term factors affecting earning capacity.

Do not reach any legal conclusions. Do not calculate whether the debtor qualifies. Present the organized financial picture for attorney review.

Financial data (anonymized): [PASTE]
```

PROMPT 14: ADVERSARY PROCEEDING COMPLAINT: STUDENT LOAN · Student Loan Stage

```
Draft a complaint for an adversary proceeding to discharge student loan debt under 11 U.S.C. Section 523(a)(8). The complaint should allege undue hardship based on the attestation form financial picture.

Include: jurisdiction and venue in the [DISTRICT] bankruptcy court, the parties, a factual background establishing the debtor's financial situation and prior repayment history, the single count for discharge under Section 523(a)(8), and a prayer for relief.

Insert citation placeholders labeled [CITE -- VERIFY] for all authority including any undue-hardship standard citations. Do not generate specific case names. Attorney review and verification required before filing.

Case summary: [PASTE ANONYMIZED FACTS]
```

PROMPT 15: CLIENT STATUS UPDATE: ANY STAGE · Client Comms Stage

```
Draft a brief, plain-English client status update for a bankruptcy client. Current stage: [STAGE]. Key update: [WHAT HAPPENED / WHAT IS PENDING]. Next step: [WHAT CLIENT NEEDS TO DO OR EXPECT].

Tone: plain English, reassuring but not falsely optimistic, professional and warm. Under 150 words. No legal advice in the body. Flag any items requiring attorney review before sending.
```

Appendix A: Sample AI Governance Policy

Copy this template. Adapt the bracketed fields. Adopt it by firm vote, circulate it to all staff, and add it to onboarding. Have outside ethics counsel review before adoption.

[FIRM NAME]: ARTIFICIAL INTELLIGENCE USE POLICY

Version 1.0 | Effective Date: [Date] | Review Date: [Date + 1 Year]

1. Purpose

This Policy establishes [Firm Name]'s guidelines for the use of artificial intelligence in the practice of law. It exists to ensure that all AI use complies with the Florida Rules of Professional Conduct, protects client confidentiality under Rule 4-1.6, satisfies the supervision obligations of Rules 4-5.1 and 4-5.3, and aligns with Florida Bar Ethics Opinion 24-1.

2. General Principles

— AI tools may assist in the practice of law. They do not replace attorney judgment, supervision, or professional responsibility.

— All AI output communicated to a client, a trustee, or a court is reviewed by a licensed attorney before transmission or filing.

— Client confidentiality under Rule 4-1.6 applies in full to all AI use.

— Every AI-generated citation is verified against a primary source before inclusion in any filing, memo, or client deliverable.

— Every AI-generated deadline or date is verified against PACER and docketed by an attorney, never by AI output alone.

— Every AI-generated means-test figure, exemption amount, or financial conclusion is verified against the current UST tables or Florida statutes before reliance.

3. Definitions

'AI Tool' means any generative artificial intelligence software, including large language models, document-review platforms with AI features, and any other software producing output through machine-learning inference.

'Approved Tool' means an AI Tool on the Firm's current Approved Tool List that has executed a Data Processing Agreement and been authorized by the AI Policy Supervisor for use on client matters.

'Confidential Information' has the meaning given in Rule 4-1.6 of the Florida Rules of Professional Conduct.

4. Permitted Uses

— Internal administration and standard operating procedures.

— Intake triage memos, document checklists, and consultation prep, after attorney review.

— First-draft schedules, plans, motions, and correspondence from attorney-supplied facts, after attorney review and verification.

— Document review and asset gap scanning as an input to attorney judgment.

— Student loan adversary proceeding attestation form organization, where the attorney reviews all financial figures.

— Reviewed marketing and educational content.

5. Prohibited Uses

— Social Security numbers, bank account numbers, or employer tax IDs in any non-approved tool.

— AI as the sole source of any filing deadline, response date, or calendar entry.

— Any unverified citation in a filing, memo, or client deliverable.

— AI-generated means-test figures or exemption amounts relied upon without verification against current UST tables and Florida statutes.

— AI as the last set of eyes on any petition, schedule, or filing signed under penalty of perjury.

— Fee disclosures or fee applications that reflect hours AI no longer takes.

— AI communicating with clients, trustees, or courts as if it were a lawyer.

6. Confidentiality and Data Handling

No confidential information is entered into any AI tool unless that tool is on the Approved Tool List. Strip client identifiers wherever the task does not require them. Use the Data Classification Framework to choose the tool tier. Social Security numbers, account numbers, and tax returns are always Tier 4. When in doubt, do not paste. Anonymize, ask, or use an approved enterprise tool.

7. Court, Trustee, and Tribunal Filings

Before filing AI-assisted work, determine whether the bankruptcy court, assigned judge, local rules, or standing orders require AI disclosure or certification. Check the current orders for the relevant federal bankruptcy district (flmb.uscourts.gov, flsb.uscourts.gov, flnb.uscourts.gov) and the standing order for the assigned judge. All petitions, schedules, and statements are signed under penalty of perjury. Attorney review is not optional for AI-assisted filings.

8. Incident Response

If a potential confidentiality breach through AI use occurs: stop using the tool immediately, document what information was entered and into which tool, notify the AI Policy Supervisor within 24 hours, and follow the Firm’s data-incident protocol. Do not delete logs or evidence.

9. Acknowledgment

All attorneys and staff sign the AI Policy Acknowledgment on hire and upon any material revision. The Firm keeps signed acknowledgments in personnel records.

Appendix B: Client AI Disclosure Statement

Suitable for an engagement letter or a standalone disclosure. Customize the bracketed fields.

> **DISCLOSURE: USE OF ARTIFICIAL INTELLIGENCE TOOLS**
>
> [Firm Name] uses artificial intelligence tools in our practice. These tools may assist with document checklists, schedule preparation, 341 meeting preparation, and client communications on your matter. All AI-assisted work is reviewed and verified by a licensed attorney before it is filed or delivered.
>
> We do not enter your Social Security number, bank account numbers, tax returns, or other sensitive financial information into any AI system that is not covered by appropriate data-protection agreements.
>
> We do not use AI to set or calculate deadlines in your case. All dates and deadlines come from direct court verification.
>
> If you have questions about our use of AI, or prefer that we not use AI assistance on your matter, please tell us. We will document your request in writing and discuss any effect on timeline or cost.

Implementation Notes

— Include this disclosure in your standard engagement letter, not as a separate page the client may skip.

— If a client asks you not to use AI, document the request and honor it.

— Update the disclosure if your AI practices change materially.

— The disclosure need not name specific tools. Your practices matter more than the brand.

Appendix C: Court and Trustee AI Disclosure & Certification

Federal bankruptcy courts in Florida are adding AI-disclosure requirements through standing orders and local rules. Verify the current requirement before each filing. The language below provides a starting framework. Adapt it to the specific order that applies in your district and division.

> **CERTIFICATION REGARDING USE OF GENERATIVE ARTIFICIAL INTELLIGENCE**
>
> Pursuant to [the Court's Standing Order / Local Rule on Generative AI], the undersigned counsel certifies as follows:
>
> Generative artificial intelligence was [used / not used] in the preparation of this filing. [If used: The undersigned certifies that all factual assertions, legal authority, and citations have been independently reviewed and verified for accuracy. All schedules and statements were reviewed by the undersigned attorney before execution under penalty of perjury.]
>
> s/ [Attorney Name]
>
> [Florida Bar Number] | [Date]

Implementation Notes

— Check current standing orders at flmb.uscourts.gov (Middle), flsb.uscourts.gov (Southern), or flnb.uscourts.gov (Northern) before every filing. Individual judge orders change without broad announcement.

• If a current rule, local order, or judge-specific procedure requires disclosure or certification, disclose and certify exactly what occurred. If no requirement applies, do not add a boilerplate certification; ask the supervising attorney whether disclosure would be appropriate. [Sources: Florida Supreme Court Opinion SC2026-0673; Judge McEwen AI memorandum]

— For student loan adversary proceedings specifically, check whether the assigned judge has a standing order on AI in adversary matters, as these are sometimes separate from the general bankruptcy court order.

— Adapt the language to what you actually did. Do not use boilerplate that misdescribes your process.

Appendix D: Letter to AI Vendors

Send this before signing with any AI vendor that will touch client data. A vendor that cannot answer these in writing is not ready for your firm.

DATA SECURITY & HANDLING: VENDOR QUESTIONNAIRE

1. Do you train or improve your models on our inputs or outputs? Provide the contractual no-training clause.
2. Where is our data stored and processed, and which subprocessors and personnel can access it?
3. What is your data-retention period, and can we require deletion on demand?
4. What are your breach-notification obligations and timelines?
5. Will you sign a Data Processing Agreement?
6. What certifications do you hold (SOC 2 Type II, ISO 27001), and will you share the current report?
7. How is access controlled, whether by single sign-on, role-based permissions, or audit logging?
8. On termination, how is our data returned or destroyed, and on what timeline?
9. Specific to bankruptcy practice: How do you handle Social Security numbers and financial account numbers that appear in uploaded documents? Do they receive any special treatment or masking?

Appendix E: 90-Day Implementation Roadmap

Firms fail with AI when they try to do everything at once. Start narrow. Get good at two or three workflows. Then expand. Here is the ninety-day path for a small Florida debtor bankruptcy practice.

Days 1-30: Foundation

WEEK 1: POLICY AND TOOLING

— Designate an AI Policy Supervisor. In a small firm, usually the managing partner.

— Confirm Florida technology-CLE compliance under Rule 6-10.3(b). Register for an approved AI CLE if short.

— Pull your malpractice policy and read the technology and cyber endorsements.

— Audit current tool use: what AI is already running inside your research platform, your practice-management software, and any standalone tools staff adopted without a formal review.

— Select starting tools: one research AI, one enterprise general-purpose model, each with a DPA, no-training clause, and defined retention.

WEEK 2: TRAINING

— Run a 60-minute firm training on the AI policy, the data classification framework, and approved tools.

— Walk through three live examples: one safe use (public-law research), one that requires caution (anonymized schedule review), one prohibited use (SSN in a free tool).

— Add the Appendix B disclosure to your engagement letter.

— Post the approved tool list where everyone can see it.

WEEKS 3-4: PILOT

— Pick one high-volume, low-risk workflow to pilot: document gathering checklists or 341 meeting prep briefs are natural starts.

— One attorney runs the pilot and documents time saved, quality, and any near-misses.

— Adopt the Appendix A governance policy, customize it for bankruptcy practice, and have all staff sign the acknowledgment.

Days 31-60: Build Proficiency

— Implement AI-assisted schedule drafts for attorney review, using the asset gap scan and Schedule J realism check prompts.

— Build the verification gate: no citation filed, no deadline docketed, no means-test figure used, without independent confirmation.

— Build the firm prompt library from this playbook, customized to your districts and case mix.

— Train the team on Tier 4 data handling and the approved tool list.

Days 61-90: Optimize and Expand

— Measure time saved per case type and confirm your fee disclosures reflect the actual work done.

— Add a student loan question to every intake form. Start identifying candidates. Brief one qualifying client on the adversary proceeding process.

— Pilot the plan feasibility check prompt on a pending Chapter 13 matter.

— Update the approved tool list and policy, and schedule the annual review.

— Check each district court's standing orders and the Bar's AI guidance page for updates.

WHAT SUCCESS LOOKS LIKE AT DAY 90

Every lawyer and staff member knows which AI tools are approved and which are not.

No client's Social Security number or account number has gone near a tool without a DPA.

Every AI-generated deadline is confirmed from PACER and docketed by a human.

Every AI citation is verified against a primary source before it appears anywhere.

Your fee disclosures and applications reflect hours actually worked, AI efficiency included.

At least one client has been assessed for student loan discharge, whether or not they ultimately file an adversary proceeding.

About Actionable AI

Actionable AI is a solo AI-adoption consultancy for small law firms. Founded by Greg Yates, a former Big Law corporate equity partner at Steptoe (NYC Managing Partner) and Seyfarth Shaw, it exists because most firms have nowhere to turn for honest, practice-area-specific AI guidance. The big consultancies do not know your practice. The vendors are not neutral. The CLEs are too general. And the bankruptcy firm two offices down is guessing the same way you are.

The firm works only with small law firms in Florida. Not tech companies. Not generic small businesses. Law firms. The specificity is the point. Every recommendation, prompt, and policy is tested against actual Florida Bar guidance, actual Bankruptcy Code provisions, and the actual workflow of a Florida debtor practice with real trustees asking real questions at real 341 meetings.

What We Do

— **AI readiness assessments:** where your firm is, where the gaps are, what to fix first.

— **Implementation support:** selecting tools (many of which you may already pay for), negotiating enterprise agreements, building governance that holds up to trustee scrutiny.

— **Prompts and training:** building the firm-specific prompt libraries and workflows that actually get used.

— **Ongoing advisory:** as the tools, UST guidance, and Bar requirements change, your implementation changes with them.

Who This Playbook Is For

The managing partner of a small Florida bankruptcy firm, Chapter 7 and 13, maybe Subchapter V, who knows AI matters, has probably experimented with it on simple tasks, and wants a practical roadmap from someone who has done the work. If the student loan discharge chapter made you think about three clients you have right now, this is the playbook for you.

READY TO IMPLEMENT AI IN YOUR BANKRUPTCY PRACTICE?

Book a free 15-minute assessment call to discuss (https://actionableai.s.gy/9Ei2uw):

— Which tools fit your practice stack and your case volume.

— Which two or three workflows to start with for your mix of Chapter 7 and Chapter 13.

— How to build a governance policy your staff will actually follow.

— Florida-specific ethics guardrails for your district and trustees.

— Whether your client base includes student loan discharge candidates.

No pitch. No deck. No obligation.

actionableai.net · Greg Yates · gyates@actionableai.net

Actionable AI

Download the free Florida AI Starter Playbook.

Eight practical resources for managing partners and firm administrators: a readiness checklist, five pilot workflows, a tool-approval scorecard, a lawyer verification checklist, and a 90-day plan. It is free, and the button below downloads it directly.

Scan to download the Starter Playbook

Download the Starter Playbook (PDF)

Direct download: Florida AI Starter Playbook (PDF)

Want a second set of eyes on which workflow to pick?

I take 15-minute calls with managing partners and administrators. I will tell you whether there is a fit. No deck.

Book a 15-minute introductory call

Book a 15-minute introductory call