THE MARSHALL JULY, 2014 VOLUME XIII, NUMBER 7 THE MARSHALL CHRONICLES

Yearly Update: Stats and No Stanley Cup

In an update from last year's July article, "Stats and the Stanley Cup," I have gathered information from our office for the past 10 years. In that time we have received over \$662 million in "Gross payment from or on behalf of debtors," (the official term on the Monthly Report), I'll call them receipts. This averages out to just over \$5.5 million per month. However, that monthly number is deceiving. In FY (fiscal year) 04, the monthly average was about \$4.5 million and in FY14, the average is approximately \$7.5 million. That is a 67% increase, or, taken over 10 years, a 6.7% increase per year. This percent is up from the 6.4% increase I wrote about last year.

Here is a surprising trend in the receipt numbers: from FY04 through FY10, the

range was relatively flat, staying between \$4.5 million to \$5.0 million. In FY11, receipts went up to \$5.9 million, an 18% increase. FY12 was \$6.7 million, which is another 14% and finally FY13 increased to \$7.4 million, an additional 10%. In FY14, the increase is only 1% when compared to FY13.

In order to get from the receipts to the disbursements, we need to subtract the debtor refunds. Over the 10-year period this has averaged to be \$222,000 per month. The number has not

varied too much over that time period. The \$5.5 million in average monthly receipts less the \$222,000 in debtor refunds leaves an average of \$5.3 million to disburse monthly. In FY14, the average monthly disbursement is \$7.3 per month. In FY15 and forward, fees will be taken on receipts instead of disbursements, but it will work out to be the same amount because it will be receipts less debtor refunds, which is the amount we currently disburse.

Let's talk about the number of cases we have. In the past 10 years, 48,255 new cases have been filed. This is an av-

erage of 402 cases per month. In FY13 and FY14, the average number of new cases filed has been just over 550 cases per month. Of the new cases filed, 57.0% of those cases have been dismissed, 8.8% of the cases have been converted, and 22.1% have closed upon completion of the plan. That leaves 12.1% of the cases that are still active. Most of these will eventually close upon completion of the plan making 34.2% of the cases close upon completion of the plan.

Since July 1, 2003, we have gone from 8,241 to 14,848 cases or an increase of 80.2%, or about 8% per year. The table shows most of this increase has occurred since FY10. Before FY10, new case filings had averaged 332 cases per

month compared to 487 cases since. During that same time period, the percentage of dismissals has decreased from 65.7% to 51.8%. Many of the active cases are scheduled to close upon completion of the plan in the next few years.

I'm going to tie together the monthly average disbursements and the average caseload. If you divide the disbursements by the caseload at any particular time you would find the average monthly disbursement per case per month. Very surprisingly that number has not varied very much over the past 10 years. We have dis-

bursed approximately \$545 per case per month on average for the past 10 years and that amount has not changed much from 2003 to 2013. We have gone from disbursing \$4.5-\$5.0 million a month in FY04-FY10 to disbursing \$7.3 million per month in FY14, but the average of \$545 has remained fairly consistent because the caseload has grown from about 8,200 active case to 14,848 cases.

On the next page, the first table shows the total increase in caseload since October 1, 2003:

(Continued on page 2.)



By The Numbers: Boating

Americans bought over 163,000 new power and sailboats last year.



- About 38 percent (88 million) people in the United States participated in recreational boating at least once during the year.
- ▲ Among all registered boats in the U.S., 82 percent are power boats. Only two percent are sailboats.
- Boat services represent 70 percent of boating-related businesses in the U.S. Boat building comprises two percent of the industry.
- About ten percent of all American households own a boat.
- ▲ Hawaii has the fewest boat owners in the nation, both in absolute numbers (28,249 boat owners) and per capita (1 in every 93 people).

Sources: National Marine Manufacturers Association

THE MARSHALL CHRONICLES

The Editorial Staff: Cheryl Jones, Aaron Bowles, Brett Meyer, and CBH.

Contents and Contributors:

Yearly Update: Stats and No Stanley Cup, pgs. 1-2Dan Lyons
By the Numbers: Boating, pg. 2
Trustee Matters, pg. 3
Internet Tidbit, pg. 3Coffitivity.com
August's Notable Events, pg. 3
Not So Automatic Stay pg. 4
Take a Walk, pg. 4Health
New TNG Feature: Viewing Document History, pg. 5Sandra Pillar
Getting Your Required Documents, pg. 6
Recipe of the Month, pg. 6
Trivia Answers: Sean Connery, pg. 6
Making a Clean Break, pg. 6
What Are You Afraid Of?, pg. 7
How Salty Are You?, pg. 7
Did You Know? Catfish Trivia, pg. 8
Trivia Quiz: Sean Connery, pg. 8

Newsletter Information:

If you would like to contact us or submit ideas or articles for the newsletter, you can do so by:

- √ e-mailing us at newsletter@chi13.com,
- $\checkmark\,$ dropping your submission or idea in the anonymous newsletter folder located in the mail room, or
- ✓ leaving them with Brett Meyer.

Please remember when making a submission to the newsletter, it must be:

- ✓ type-written and
- submitted by the third Wednesday of the month via e-mail, a Word document or an ASCII file.

We also ask that anyone who attends a seminar please be prepared to furnish the committee with a detailed article on its subject.

You may also view this edition of THE MARSHALL CHRONICLES, as well as all the previously published issues, all in full color, on the Chapter 13 Trustee website at http://www.chicago13.com/.

Yearly Update: Stats and No Stanley Cup

(Continued from page 1.)

	Aggregate	Monthly Averages
Cases Active Oct. 1, 2003	8,241	
New Cases Filed	48,255	402
Dismissals	-27,512	-229
Conversions	-4,252	-35
Closings	-10,690	-89
Miscelaneous	806	6
Monthly Increase		55
Cases Active Jun. 30, 2014	14,848	

The final table shows the yearly trend of active cases from September 30, 2004 to June 30, 2014:

Fiscal Year Ending	Cases Active	Change	% Change
Sept. 30, 2004	8,380	186	2.2%
Sept. 30, 2005	8,057	-323	-3.9%
Sept. 30, 2006	7,362	-695	-8.6%
Sept. 30, 2007	7,450	88	1.2%
Sept. 30, 2008	7,863	413	5.6%
Sept. 30, 2009	8,349	486	6.2%
Sept. 30, 2010	9,668	1,319	15.8%
Sept. 30, 2011	11,166	1,498	15.5%
Sept. 30, 2012	13,708	2,542	22.8%
Sept. 30, 2013	15,267	1,559	11.4%
Jun. 30, 2014	14,848	-419	-2.8%

Dan Lyons, Controller

Trustee Matters: Announcements

Trustee Fee Percentage Fee Changes

Effective October 1, 2014, a new USTP policy will take effect allowing Standing Trustees to begin to collect percentage fees upon receipt of payment rather than at the time of disbursement in all cases. Our Case Administration Software provider is Bankruptcy Software Specialists (BSS). We have not been notified as



to when our system will be converted to accommodate the changes to the collection of fees. There were other pilot trusteeships that have converted and have not experienced any problems. The change results in a timing of collection of the Trustee fee. Instead of taking a fee at disbursement, whenever a payment is received, the trustee fee will be taken on the receipt. However, we will continue to collect the fee and transfer the fee once a month. Currently, our fee has been reduced to 2.5%. Our Budget for 2015 was submitted using 4.0 as the percentage fee. This Budget has not been approved yet.

If you have any questions, regarding the policy changes, please do not hesitate to contact me. Based upon the feedback and questions, if a meeting is needed, I will notify you prior to the October Disbursements, which will still be the 3rd Friday of each month.

NACTT Staff Symposium Seminars for 2015 Announced

March 5 and 6, 2015

Classes: Thursday and Friday

Reception: Wednesday, March 4, 2015

Savannah, Georgia

Marriott Savannah Riverfront 100 General McIntosh Boulevard

Savannah, GA 31401

Room Rate: \$164 per night;

Registration Deadline: February 4, 2015 Hotel Reservation Deadline: February 4, 2015

April 29 and 30, 2015

Classes: Wednesday and Thursday Reception: Tuesday, April 28, 2015

San Antonio, Texas

San Antonio Marriott Rivercenter

101 Bowie Street San Antonio, TX 78205 Room Rate: \$189 per night;

Registration Deadline: March 28, 2015 Hotel Reservation Deadline: March 28, 2015

Notice of Construction in the Office of the Chapter 13 Trustee

We are upgrading our cabling in the office, which should impact our computer service and telephone service. New cabling is being installed



throughout the office. The project started July 31, 2014 and is scheduled to complete September 17, 2014. The reception area is closed July 31, 2014 and will reopen on August 11, 2014. We are excited about the upgrade and the construction makeover.

Marilyn O. Marshall, Trustee

Internet Tidbit

Can background noise increase your creativity? Researchers at the University of Illinois found that the ambient noise typically found in a coffee shop increased the creative thought process of study subjects more than work-



ing in a quiet room. This is great if you have the opportunity to work in a coffee shop, but what if you are stuck at home or in a quiet office? Well, now you can bring those sounds to your own work environment. The website Coffitivity.com offers a free ambient coffee shop soundtrack to give you just the right level of background noise. You can get the soundtrack on your computer or download the app to take it with you.

August's Notable Events

National Mustard Day on August 2nd.

Happy 1st Anniversary to **Lau**ren **Tobiason** on August 12th!

Happy 1st Anniversary to **Brett Meyer** on August 12th!

International Left-Handers Day

on August 13th.

Happy Birthday to **Stewart Chapman** on August 15th!

Happy Birthday to **Terry Gal-lagher** on August 15th!

Happy Birthday to **Dan Lyons** on August 21st!

Founders Day on August 25th. **National Dog Day** on August 26th.

Office Construction July 31st - September 17th.

Legal: Not So Automatic Stay

The often sought after automatic stay isn't so automatic all the time and doesn't stay everything. In a non-serial filed case, section 362 of the bankruptcy code says that upon filing of a case, all creditors are stayed from collecting from the bankrupt debtor. This means that creditors



cannot begin or continue to try and collect pre-petition debts from the debtor or try to get to his or her property. As is common with almost any rule in law, there are usually exceptions that can be found. Judge Cassling just issued an opinion dealing with alleged stay violations in the case of In re Dawn Marie Sori 12 B 01108. The issue in the case was whether the creditor violated the bankruptcy stay by pursuing criminal actions against the debtor while in an open and pending chapter 13 case. The Illinois Department of Employment Security (IDES) determined that the debtor owed the state for fraudulently obtained unemployment benefits. When the debtor failed to repay the benefits. IDES filed a criminal complaint against the debtor and had her arrested. The twist is the debtor had a confirmed bankruptcy case pending when the IDES decided to pursue the criminal action for non-payment of her fraudulently obtained unemployment benefits. Because of the action taken by the IDES, the debtor and her attorney asked the Court to hold IDES in contempt for violating the automatic stay. Judge Cassling denied the debtor's motion because the IDES was excepted from the automatic stay under 11 USC §362(b)(1) and (b)(4).

According to the opinion, "In order to recover damages under §362(k)(1) for violation of the automatic stay, a debtor must establish, by a preponderance of the evidence, that: (1) a bankruptcy petition was filed; (2) the Debtor is an individual under the automatic stay provision; (3) the creditor had notice of the petition; (4) the creditor's actions were in willful violation of the stay; and (5) the debtor suffered damages. In re Gossett, 369 B.R. 362, 375 (Bankr. N.D. III. 2007)." At first blush, the debtor seems to have a good argument. However, as mentioned there are exceptions to the imposition of the automatic stay.

One of the exceptions to the stay is found in §362(b)(1). This section excepts "the commencement or continuation of a criminal action or proceeding against the debtor." The Court acknowledged that other courts disagree on whether §362(b)(1) is an absolute exception to the stay or that a stay violation can exist in instances of bad-faith criminal prosecutions to collect pre-petition debts. Addi-

tionally, the Court looked at another exception to the automatic stay found in §362(b)(4). Section 362(b)(4) excepts from the stay the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police and regulatory powers.

Judge Cassling ultimately agreed with the majority and held that the language in 362(b)(1) is unambiguous and that the IDES's actions in pursuing the criminal matter are excepted from the automatic stay. The opinion went further to find that the exception under §362(b)(4) also applied. The Court noted, "The criminal proceeding brought against the Debtor here is precisely the type of action contemplated by this exception because it is meant to protect the integrity of the unemployment insurance system by deterring the filing of false claims for unemployment benefits."

It is clear from Judge Cassling's opinion that filing bankruptcy does not and should not stop criminal actions against debtors committing crimes. Debtors should always keep in mind that crime never pays. The full opinion can be found at:

http://www.ilnb.uscourts.gov/sites/default/files/opinions/33538 Sori%20stay%20violation-sanctions.pdf.

O. Anthony Olivadoti, Managing Attorney

Take a Walk

New research from the George Washington University School of Public Health has shown that the simple act of taking a walk after a meal could reduce the risk of developing type 2 diabetes in older people. A walk after eating reduces spikes in blood sugar that follow a meal.



Exercising is a great way to combat the development of many diseases. This study shows that it might be beneficial to spread out the time you spend exercising instead of having one burst of activity—as long as that exercise is timed correctly. Instead of sitting and watching television after eating, which researchers found was the worst thing you can do, older people can get the most bang from their exercising buck by heading outdoors. In the study, it was found that three short walks after meals were as effective as one 45-minute daily walk.

The research showed that the benefits of this type of exercise were especially helpful for those in their 70s and 80s. Often people in this age range find long periods of exercise too difficult. It may be easier to incorporate intermittent physical activity in this way. Older people also are less able to control blood sugar after meals. The effects of taking short walks after eating were significant in reducing blood sugar for up to three hours after a meal. So, next time you get up from the dinner table, tie on your shoes and take a jaunt around your neighborhood instead of crashing in front of the TV.

Information Services: New TNG Feature: Viewing Document History

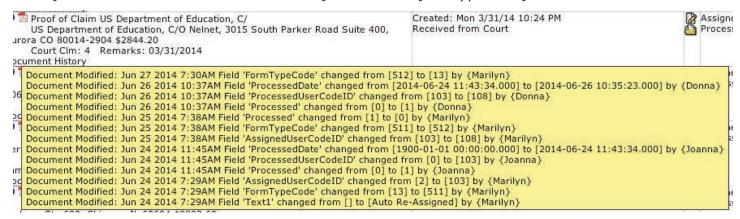
As of July 17, 2014, a new feature has been added to TNG. The feature will allow users to view the history of specific documents. Here is an example:

Proof of Claim 4, US Department of Education

From the documents tab, you will see "Document History" beneath a document if the history is available.

Document History

Hover your mouse over the words "Document History" and the history will appear in a yellow box.



The history is listed in reverse date order. From the first entry at the bottom, you can see that on 6/24, Ms. Marshall assigned the claim to Joanna.

You can see that the AssignedUserCodeID changed from 2 (System Event) to 103 (Joanna.)

The form type code also changed from "Proof of Claim" (form type 13) to "Proof of Claim to be processed" (form type 511.) On 6/24 at 11:45 AM, Joanna processed the claim, you can see that "Processed" changed from 0 to 1 and the processed user was set to 103 and the processed date was stamped.

The next morning on 6/25, Ms. Marshall assigned the claim to Donna to be verified.

You can see that the AssignedUserCodelD changed from 103 (Joanna) to 108 (Donna.)

The form type code also changed from "Proof of Claim to be processed" (form type 511) to "Proof of Claim to be verified" (form type 512.)

On 6/26 at 10:37, Donna verified the claim, you can see that "Processed" changed from 0 to 1 and the processed user was set to 108 and the processed date was stamped.

The following morning on 6/27, Ms. Marshall changed the form type back to "Proof of Claim" (form type 13). So now when you look at the documents tab you see the form type says "Proof of Claim" and the "processed by" says Donna.

The example above is just one example of a document in which the history will be available. The following tables are other examples of form types that go through workflow and their codes:

Form Type Code	Form Type Description
13	Proof of Claim
511	Proof of Claim (To Be Processed)
512	Proof of Claim (To Be Verified)
0.0041.000	Landau and the state of the sta

Form Type Code	Form Type Description
18	Order Compensation
619	Order Compensation (To Be Processed)
620	Order Compensation (To Be Verified)

Form Type Code	Form Type Description
120	Voluntary Petition (Chapter 13a)
850	Voluntary Petition (Chapter 13a) (To Be Processed)
851	Voluntary Petition (Chapter 13a) (To Be Verified)

Please be reminded that the history viewed in this way will only be available on the current audit database. Any history that has been archived will have to be viewed by someone who has access to audit history and can go back to previous data filed. The audit database was last archived on June 21, 2014.

Sandra Pillar, IT Analyst

Legal: Getting Your Required Documents to the Correct Place

Email this Document Type

Tax Returns
Payment Advices
DSO

To this Email Address

taxreturns@chi13.com payadvices@chi13.com dso@chi13.com

Sample Subject Line

"Tax returns 12 B 12345 Smith PSH"
"Payadvices 12 B 12345 Smith PSH"
"DSO 12 B 12345 Smith PSH"

Debtor Attorney Reminder

To ensure that your documents are processed efficiently, check that the subject line does not contain any additional spaces or letters. These errors may cause your documents to be imported incorrectly. When sending required documents, use the email addresses listed above to send PDF's of Tax Returns/Tax Transcripts, Payment Advices, and DSO Affidavits of Compliance to our office. Include the case number, debtor last name, and the appropriate Judge's initials in the subject line of your email. The Judge's initials are as follows: "TAB" for Judge Barnes, "ABG" for Judge Goldgar, "PSH" for Judge Hollis, and "ERW" for Judge Wedoff. Remember that Tax Recap's, W2 statements and Account Transcripts cannot be used to satisfy the required documents for taxes. Submitting the required sixty days of Pay Advices and the last four years of tax returns or tax transcripts in a timely manner will assist us in preparing the case for the 341 meeting as well as for the confirmation hearing. Be sure that the DSO Affidavit of compliance is signed by the debtor and filled in correctly and completely.



Darlene Odom, Case Analyst

Recipe of the Month: Pineapple Surprise

Ingredients:

- 1 box yellow cake mix
- 1 large can of crushed pineapple
- 1 large can of sliced peaches

Combine fruit and juices in a 9" x 11" baking pan. Spread raw cake mix evenly over fruit mixture. Pour the melted butter on top of cake mixture.

Bake at 350 degrees for 45 minutes - 1 hour until cake mix is fully cooked.

Cool and Serve.

Happy Eating!

Donna Eubanks, Case Administrator

Trivia Quiz Answers: Sean Connery

(4) Dr. No. ⑤ Never Say Never Again.	 Robin Hood. Seven films.
② Edinburgh, Scotland. ③ 59 years old.	(8) The Mr. Universe competition.
Doodtland A (f)	(b) The Koyal Mavy.(c) Skiing.

Making a Clean Break



There is never a better time to give your belongings a good going-over than when you are moving. Packing and unpacking can be a big hassle, but this process is a perfect opportunity to get rid of the clutter and unwanted items in your life. So, the first step when getting ready to pack should be a thorough house cleaning.

Go through every room of your home and discard any broken items. If it can be fixed, either fix it yourself or take it to a repair shop. If it cannot be fixed or is too expensive to repair, simply throw it away. Next, remove all those items you don't want or don't use anymore. You can give them to friends or a charitable organization, or you may decide to have a garage sale to raise some extra cash for all those moving expenses. Another option is to haul your things to a consignment shop. This is an especially wise move for any big ticket items you may have, like stereo equipment, exercise gear, designer clothing, or sporting equipment.

Remember that hazardous wastes, including motor oil, gasoline, leftover paint, car wax, antifreeze, batteries, some household and lawn chemicals, and other products labeled toxic, flammable, or corrosive, must be disposed of properly. Most communities have designated drop-off facilities for such wastes.

What Are You Afraid Of?

Fear is defined by dictionary.com as "a distressing emotion arroused by impending danger, evil, pain, etc., whether the threat is real or imagine." The following is what ilicits a fear response in individuals in this office:

The following is what ilicits a fear response in individuals in this office:

Donna Vultures If you're attacked, you

Johna Vultures Ir you're attacked, you

have no defense.

Rebecca Geese I almost got attacked by

one on the jogging trail.

Aaron The Dark I had an aquarium in my

room when I was younger. I kept the light

on at all times.

Anthony O. Closed or Small Spaces

Charlie Running Out of Beer

Brittany Hitting a Deer

Cynthia Being Financially Unstable in my

Twilight Years

Paul Needles

Joanna Snakes My mom was chased by

one years ago.

Laura Heights

Anthony S. Being in Closed Places

Chloe Not Being Happy

Matt Sharp Objects

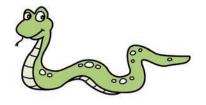
Katrina Snakes

Brett Drowning

Suethé Centipedes

Cheryl Pigeons They're just so ugly and fat. They also fly right to-

wards you.



Compiled by Barbara Walters (a.k.a. Cheryl Jones, Case Administrator)

How Salty Are You?

Cutting excess salt in your diet is more than just being careful with the salt shaker at the table. In fact, only 6% of your daily sodium intake comes from salting your food when eating. About 5% comes from cooking



and 12% from natural sources. The real problem is with processed and prepared foods, which account for over 77% of your daily sodium consumption. This means that even when you are careful about the amount of salt you add to your food, it may already be full of sodium to begin with.

While sodium is essential to proper body functioning, too much can tax your kidneys, heart, and blood vessels. How much do you need on a daily basis? Experts recommend no more than 2,400 milligrams (mg) a day. If you have any existing conditions, such as kidney disease, cirrhosis, high blood pressure, or congestive heart failure, you should limit your sodium intake to about 1,500 mg each day. Be sure to talk to your doctor to find the right level for you.

How do you know how much sodium you are getting? One teaspoon of table salt has 2,325 mg of sodium. A tablespoon of soy sauce has about 900 mg. Even a cup of milk contains about 100 mg of sodium. Your best bet is to read the labels on the food you eat. Every food label will list the amount of sodium the product contains. Salt also comes in various forms. Monosodium glutamate (MSG), baking soda, baking powder, sodium nitrate, and sodium nitrite all contain sodium.

To cut sodium easily in your diet, try to eat fewer processed foods. Cook using more fresh meats and vegetables. You should also reduce the amount of salt you add when you cook. Don't forget that foods like salad dressings, sauces, gravies, and many condiments contain large amounts of salt. There are many low-sodium products available if you are still looking for convenience foods.

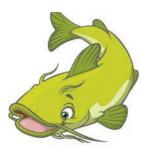
If you are afraid that your food will taste bland, take heart. There are many ways to increase the flavor of your food without adding salt. Use more fresh or dried herbs and spices. Fruit juices and the zest from citrus fruits can also add flavor, as can natural aromatics. Garlic, onions, and celery are great flavor enhancers, too.

Finally, you can reduce your desire for salt naturally over time. Decrease your use of salt gradually, and you will find that your taste buds adjust to the change. After a few weeks of cutting your salt intake, you will no longer miss it, and you will enjoy the taste of the food itself even more.

Did You Know? Catfish Trivia

- August is National Catfish Month.
 The Catfish Capital of the World is Belzoni, Mississippi.
- Each year in Paris, Tennessee, an event called the "World's Biggest Fish Fry" feeds hungry visitors about 12,500 pounds of catfish over six days.
- The largest catfish ever caught in the U.S. weighed 130 pounds and was caught on the Missouri River in 2010.
- There are more than 2,200 species of catfish, comprising about 8 percent of the total number of fishes in the world.
- All catfish have "naked" skin (lacking scales).

- The whiskers on a catfish are called barbels and are organs of taste and feel. All North American catfish have four pairs of barbels around the mouth.
- Catfish are found on every continent except Antarctica.
- Mississippi is one of the largest producers of catfish in the United States, with over 91,000 acres of catfish farming pools. The state produces about 72 percent of the catfish produced nationally.





The Marshall Chronicles is now available in full color, both in print and on-line at www.chicago13.com

Trivia Quiz: Sean Connery

On August 25, Sean Connery will celebrate his birthday as he turns 84. Enjoy this trivia quiz in honor of the anniversary of his birth. (*The answers are on page 6.*)

- ① In 2000, what did Sean Connery receive from Britain's Queen Elizabeth?
- 2 Where was Sean Connery born?
- 3 How old was he when he was voted the Sexiest Man Alive by People Magazine?
- 4 What was the first James Bond movie he starred in?
- (5) What was the last James Bond movie he starred in?
- (6) What branch of the British military did Sean Connery serve in, just as his character James Bond did?

- Although other James Bond films featured scenes with this sport, Sean Connery's films never showed him doing what?
- In 1953, Sean Connery entered this contest, finishing third in the tall man's division. What competition was it?
- Both Sean and his son, actor Jason Connery, played this character in separate productions. What classic character was it?
- ① In how many films did Sean Connery portray James Bond?

