

The Region 11 Rockford Retreat

November 6th and 7th marked another milestone in the ongoing resolution by the United States Trustee's office to broaden education and uniformity in the Chapter 13 community. The Chapter 13 Trustees and their staffs, serving Region 11, met in Rockford for a series of seminars designed to build camaraderie among the participating Chapter 13 offices.

The session opened with an introduction by Ira Bodenstein, US Trustee, welcoming the Region 11 Trustees. Mr. Bodenstein then led into a discussion about the status of the pending Bankruptcy Reform legislation. The bill seems to be on the fast track through Congress but keeps facing delays because of conflicts with the non-dischargability of abortion protest litigation. The future of the bill is still on everyone's minds.

Next we heard from our gracious hostess Lydia Meyer from Rockford. Ms. Meyer discussed the merits of having a model plan for those Trustees in Wisconsin who do not have the Model Plan as we do here in Chicago. Ms. Meyer pointed out that even though the Model Plan has not been gleefully accepted by everyone, it has been crucial in building uniformity in the region. It has taken a huge burden off the Trustees by limiting the need to interpret free-written plans, which many times contain contradictory terms and are extremely burdensome to administer.

A substantial part of our retreat focused on the UST's "Civil Enforcement" initiative. The UST has recently stepped up their focus on civil enforcement of social security fraud, petition preparer fraud and general fraud found in the bankruptcy process. This effort, lead by our local fraud expert Sandra Rasnak, has been taking hold in this region at a crucial period while bankruptcy filings are on the rise. We discussed meth-

ods to verify legitimate forms of identification, as well as methods to discern petitions that seem to have been prepared with less than full disclosure.

With the aid of the UST, the Chapter 13 Trustees in this region have uncovered an increase in individuals and petition preparers using false social security documents when filing bankruptcy petitions. Because of this fraudulent activity, innocent people are having their credit destroyed and are suffering negative consequences in obtaining credit. Non-legitimate bankruptcy petition preparers are also appearing more frequently bilking unknowing debtors out of their hard earned funds in various schemes aimed at delaying foreclosure actions.

Sandra Rasnak noted that she believes it essential that we coordinate our civil enforcement efforts. Ms. Rasnak said, "What really brought that point home was the list Marilyn O. Marshall's office compiled of identified petition preparers. Some of the people identified by both offices were the same individuals being pursued, such as Mark Loveless. The Mark Loveless situation is also the best example of why we need to coordinate our efforts and be in consistent communication. We were both pursuing Loveless, but unaware of each other's activities. Obviously, we duplicated efforts and we could have ended up working at cross purposes. Clearly, there is a great deal of work that we all must do to combat system abuse. Thus, we need to coordinate our efforts so that we can work smarter and better." These fraudulent activities cost the bankruptcy system, debtors and creditors substantial sums of money without providing any benefit.

In the next part of the seminar, great insight was given by the Honorable Judge John Squires from Chicago and the Honorable Judge

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Margaret McGarrity into the view of the Chapter 13 process from the bench. It was fascinating to see the different perspectives from the two Judges in procedure alone. Judge Squires sits in Chicago where there is a presentment rule, so every matter is presented to the Court resulting in a long Court call. Judge McGarrity, on the other hand, utilizes a negative notice process where by only those matters that are contested will ever be heard. Though differing in procedures, both Judges agreed that Chapter 13s play a significant role in their courtrooms, and they both enjoy presiding over the cases and working with the Chapter 13 bars.

Day two of our seminars started out with a demonstration by the Clerk of the Bankruptcy Court, Ken Gardner, of the soon to be implemented Electronic Case Filing software. Soon this district will be live on ECF that is being implemented throughout the country. ECF is a web-based software program which allows documents to be filed with the Clerk's office electronically thereby eliminating the need for paper. Mr. Gardner showed us how easy it was to access the system and how we would be provided data for our administrative systems, getting information faster and easier. Overall, ECF seems to be a quicker and more efficient method of data sharing between the Chapter 13

Trustees and the Clerk's office that should result in increased efficiency in case management. William Chatterton, Standing Chapter 13 Trustee in Madison, has been using the system for some time now and his office supports ECF and looks forward to the continuing technological advances that it can provide.

Next up on our agenda was an update by Martha Hollowell from the Chief Standing Trustee's Executive Office. Ms. Hollowell introduced the audience to some insights on how statistical data is compiled and compared in monitoring national bankruptcy filing trends and data. In our region we have both large Trusteeships and smaller Trusteeships. Though differing in numbers of cases, many of the same issues and factors are considered in administering cases. Therefore, the executive office reviews these factors in great detail.

Marilyn O. Marshall and Chip Wilkes from the UST's office grabbed the audience's attention when they presented a segment on the art of communicating effectively. Shortly after being appointed, Ms. Marshall developed a monthly newsletter as a means of communicating information both internally to employees as well as externally to the Bankruptcy community. She views the newsletter as a crucial tool in sharing pertinent information with people doing business with her office. A newsletter gives outsiders an insight to the operation of the Trusteeship and helps disseminate policies the Trusteeship follows in administering cases. The newsletter also provides internal employees with a source of information to see what is happening in the Trusteeship outside of their department. Mr. Wilkes added to the discussion by providing different tools used to avoid miscommunications.

The second day wrapped up with a review of new case law affecting the Chapter 13 practice presented by Glen Sterns, Chapter 13 Trustee in Lisle, and his senior attorney Jerry Mylander. The largest new case affecting the practice here is the Till decision that was recently handed down by the 7th Circuit Court of Appeals. The Till decision has greatly influenced Chapter 13 plans by redefining the interest rate that can be paid to car creditors to maintain vehicles in a Chapter 13 case. The case was dissected by Mr. Sterns and Mr. Mylander in great detail to discern the implications of the decision and the arguable loopholes in the logic applied by the Majority in the decision. The Till decision has lead to an increase in objections to Chapter 13 plans by car creditors.

A panel consisting of Tom Vaughn, Standing Trustee Chicago, Tom King, Standing Trustee Oshkosh, and Mark Wheeler, attorney for Tom Vaughn, presented the last topic of discussion. This discussion dealt with the differences

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The Editorial Staff: Amanu Nwaomah, Cheryl Jones, Shanika Thomas, Santricia Teat, Karen Barron, Nicole Robertson, Joanne Coshonis, Robin Dirksen and Dave Latz	
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Trustee Matters

Tell Them, Tell Them You Told Them, Then, Tell Them Again

The above phrase is the lesson learned in Speech 101 at Northeast University my freshman year. Several articles have been written on the purpose and preparation for the audit, so now I must tell you again. The auditors are scheduled to be in the office on December 2, 2002. The positive side of the auditors' visit is to find something that I couldn't find on my own.



The training in Rockford was excellent. The topics, the sessions, and the social hours allowed the UST's office and the Chapter 13 Trustees the opportunity to exchange ideas and to get acquainted. Mr. Bodenstein wore a button, which was given to him by a Chapter 13 Trustee, that says: "I am a friend of Chapter 13." He wore that button well. We are looking forward to next year's session.

The construction is 99% complete and the office has a new look. It's amazing what a fresh coat of paint and new carpet can do. Please work together to keep the office looking its best. I'll set a date in December for "Scrub and Grub Day. You'll scrub and I will provide the grub.

The Managers and Team leaders will go through a refresher course on "How to Evaluate your Employees" prior to starting the performance evaluations. Although the schedule is not completed, it is our goal to have all evaluations completed before December 15, 2002.

I would like to take this opportunity to wish you and your families a Happy Thanksgiving. See you on December 2, 2002, when the auditors arrive.

Marilyn O. Marshall, Standing Trustee

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in fees charged by debtor's attorneys within the region and what services were being provided. In Chicago there have been great strides made in developing an understanding among the debtor's bar. In particular, what amount of fees are reasonable and what type of services would be expected in order to charge such a fee without having to break down actual time expenditures were discussed

Overall, the seminar was a great forum to compare and contrast the processes and procedures utilized in the administration of Chapter 13 cases within a single region. Though we all deal with the same body of laws, local custom can dictate how that law is interpreted and the procedures followed by each individual office. Overall, Ira Bodenstein, U.S. Trustee, was very pleased with the retreat. He felt it was productive to get the Region 11 Trustees together to discuss issues outside the normal business hours. It was also helpful for the Chapter 13 Trustees to share ideas and information among themselves. Mr. Bodenstein said, "I was energized by the enthusiasm of the attendees. The dialogue between the Trustees, their staffs, and my office, both in the formal sessions and the social hour, was great. I also think the presentation by Ken Gardner and his staff on ECF was very helpful in allaying fears that our concerns are not being addressed. All in all, it was a successful event that should be done annually." Assistant U.S. Trustee Sandra Rasnak commented, "I think the program went very well. What I took away from the meeting is a need for all our offices to work together in developing systems designed to enhance communication and to better detect fraud and abuse."

This type of meeting and series of discussions is enlightening for the Trusteeships because it provides a platform where ideas can be exchanged and cooperation fostered. We look forward to these conferences and furthering communication and cooperation among the Trusteeships in the future.

Anthony Olivadoti



Food Donation Basics

This is the time of year that many people donate food to food drives. Use this list of most-needed items next time you prepare a food donation.

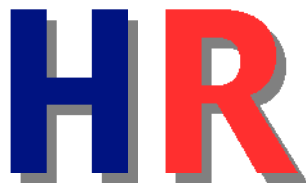
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|-------------|------------------------|---------------------------------------|
| Rice | Canned soups and stews | Canned beans and vegetables |
| Pasta | Peanut butter | Hot or cold cereals |
| Canned tuna | Canned milk | Extras like coffee, tea, & condiments |



If you have non-food items to donate, ask if the agency will accept those as well. Many people are in need of tooth care products, hygiene items, diapers, pet food, and basics such as cleaning supplies, toilet paper, and laun-

HUMAN RESOURCES
“Flex Funds”

Flexible Spending Account Program



With the costs of healthcare continually rising, a Section 125 plan is an economic way to offset premium increases and other expenses related with these rising costs. The tax savings that occur when participants utilize the flexible spending account program can save them hundreds of dollars a year on their taxes.

Our current flexible spending account plan year ends on December 31, 2002. In order for us to complete a successful transition into the 2003 plan year, we're asking that employees consider becoming new participants in the plan or re-enrolling in the plan by determining the amounts they want to set aside for unreimbursed medical expenses and/or qualifying dependent care expenses.

Each employee has been given an enrollment form to complete. If you do not wish to participate, complete the following information and the declination signature box at the bottom of the form:

- Name
- SS#
- Occupation
- Date Employed

New participants should see the Human Resources Administrator for a benefit package that will contain information regarding the program, a worksheet to help you determine your unreimbursed expenses, and an enrollment form.

Current plan participants who are re-enrolling must fill in all of the information on the enrollment form, including the amounts you want deducted from your check each pay period for unreimbursed medical and child care/dependent expenses. You also need to complete the authorization signature box.

All forms from participating **and** non-participating employees must be returned no later than Wednesday, December 11. Thank you.

Robin Dirksen

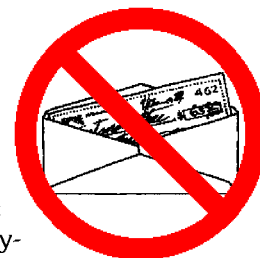
EACH DAY OFFERS US THE GIFT OF BEING A SPECIAL OCCASION IF WE CAN SIMPLY LEARN THAT AS WELL AS GIVING, IT IS BLESSED TO RECEIVE WITH GRACE AND A GRATEFUL HEART.

— Sarah Ban Breathnach

NOT WHAT WE SAY ABOUT OUR BLESSINGS, BUT HOW WE USE THEM, IS THE TRUE MEASURE OF OUR THANKSGIVING.

— W.T. Purkiser

FINANCIAL – RECEIPTS
NO Personal Checks!



For years it has been stated that our office does not accept personal checks. It is said in §341 meetings, in court, and it's even printed on the pre-addressed payment envelopes provided to debtors.

For years, we've stated it and for years people have continued to send them in anyway. Many of those personal checks have slipped through and a great many have been returned unpaid. Those unpaid checks have cost the Trusteeship time and money.

In the last few months, our office became much more diligent about personal checks. Every time a debtor mailed his payment to the office in the form of a personal check, it was returned to them for reissue in the form of a money order or cashier's check. Every time one slipped through our lockbox, the debtor received a letter notifying them that we *absolutely* would not be accepting personal checks in the very near future.

Well, the future is now.

LaSalle Bank will now be examining every single check received. If the payment is in the form of a personal check, it will not be deposited. The check will now be forwarded to our office, voided, and then returned to the debtor for reissue in the form of a money order or a cashier's check.

This improvement should save the Trusteeship the bank fees charged for returned checks. It will also save us the time spent adjusting returned receipts and having to hold disbursements to creditors because of unavailable funds.

Nicole Robertson

December Birthdays, and Other Notable Events

Hanukkah Begins on November 30th.

All Staff Meeting on December 6th.

Happy 3rd Anniversary to **Jay Tribou** on December 6th!

Pearl Harbor Day on December 7th.

Happy 12th Anniversary to **Lisa Purnick** on December 10th!

Happy Birthday to **Cheryl Jones** on December 12th!

Happy Birthday to **Patti Brower** on December 18th!

Winter Begins on December 22nd.

Christmas Day on December 25th.

Happy Birthday to **Carlos Lagunas** on December 31st!

New Year's Eve on December 31st.



FINANCIAL • COMPTROLLER

Banking, Bonding & Insurance

A summary of the Banking, Bonding and Insurance presentation from the U. S. Trustee Chapter 13 Regional Meeting for Region 11 held November 6 and 7, 2002

The U. S. Trustee Chapter 13 Regional Meeting held in Rockford, Illinois for Region 11, our region, on November 6th and 7th contained a segment on banking, bonding and insurance. This was presented by Bob Wakefield, an analyst at the Office of the U.S. Trustee, Chicago, and Martha S. Hollowell, from the Chief Standing Trustee, Executive Branch. This session was extremely helpful in gaining knowledge in both broad and in-depth dimensions.

Bob Wakefield gave credit to Nicole Robertson, of our office, for providing him with many gems of useful information on insurance and bonding. Bob discussed the pros and cons of an aggregate bond. The cost on an aggregate bond is generally lower than on a traditional bond, though it could go higher if one or more offices experience a large loss. Even though several offices “band together” to get an aggregate bond, one office is not responsible for the losses of another office.

Martha Hollowell stated that in some bond policies there is “odd language.” If a claim is filed, the policy may ask the policy holder for dollars up front, until the claim is settled. Her wise suggestion was that we should look at and read the policy!

There was discussion about employee dishonesty insurance and obtaining coverage for the employees at the same level as the Trustee’s insurance level. The suggestion was to assess your risk before making changes to the insurance. The way to do this is to rate employees and their access to manipulate information, and how many different processes they impact. Another insurance consideration was adding software vendors to the Trusteeship coverage. In some instances, large software vendors already have this coverage, while the smaller vendors may not have this, thus the suggestion for insurance should be considered. Other insurance to be considered was hackers’ insurance, when an unauthorized party manages to break into the Trusteeship’s software program and cause damage or manipulate data. Computer fraud insurance is expensive.

Another notable issue with insurance was that commercial crime insurance does not cover temporary labor or temporary accountants. Employee benefit insurance was dis-

cussed in conjunction with COBRA, the ability of a former insured party to continue being insured for personal benefits. If this expiration date is not monitored and the person remains on the policy longer than allowed by law, then the employer becomes liable for claims, not the insurance company. This is a reminder to check on how long people on COBRA have been on COBRA. There may be a rider in the general liability policy that insures when COBRA is monitored incorrectly or not at all. It was suggested that we review our policies to see what they contain.

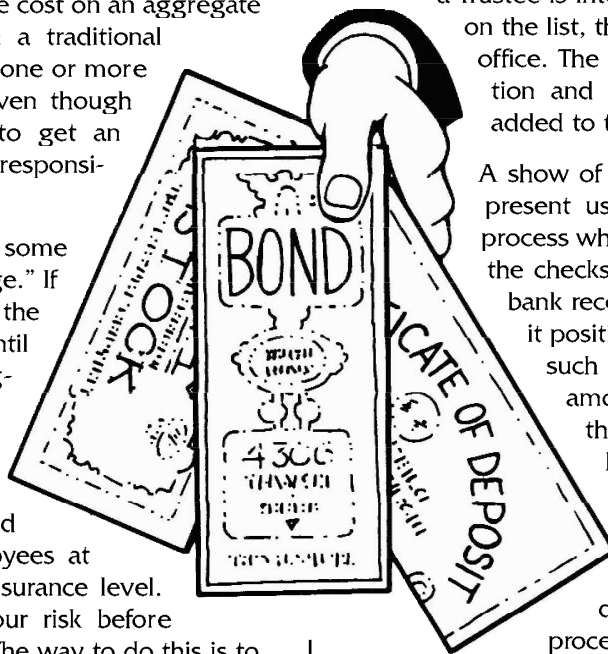
The other topic discussed in this segment was investing and banking. We were presented with a list of authorized depositories. Many of these institutions have agreed to pledge authorized securities as collateral. Of course, a Trustee may deposit funds into a financial institution, up to the limit of \$100,00, the amount of the FDIC insurance. If a Trustee is interested in another bank which is not on the list, they should contact the U.S. Trustee’s office. The bank would have to file an application and bond with the U.S. Trustee to be added to the list of acceptable institutions.

A show of hands revealed that all Trusteeships present used positive pay. Positive pay is a process where the account holder sends a list of the checks it is issuing to the bank. When the bank receives a check drawn on the account, it positively matches the check information, such as the account number, date and amount with the check presented, thus the name “positive pay.” This method helps catch forged and counterfeit checks, which is very helpful to the trusteeships.

One of the Trusteeships in attendance uses reverse positive pay. This process involves the bank calling to let the account holder know which checks are being presented and asks the account holder to approve the checks before the bank pays them. This is used for expense accounts.

Another issue involving banking was how soon to void a check if it remains uncashed. Currently our checks are voided after 90 days if not presented. A bank which many Trusteeships use, the National Bank of Commerce, has suggested to its customers that it have “void after 30 days” for certain checks, such as debtor refund checks. There was a discussion regarding the risk of fraud and stop payments. Another fraud issue, unauthorized electronic funds transfers, was mentioned as something to watch for.

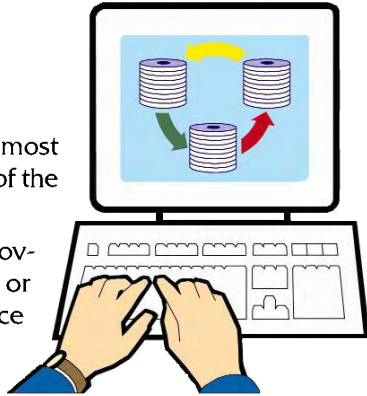
DonnaLynn Zimmerman



INFORMATION SERVICES Better Safe Than Sorry

Data backup is one of the most important responsibilities of the Systems department.

As part of our disaster recovery plan, we backup, or make a copy of, all office data every single night. This includes the



CaseNET data file (our Chapter 13 administration software), all the file servers (like Rama) and each individual's computer. We copy the data to magnetic media (disks and tapes) that are then stored in a fire-resistant safe in the locked computer room. We take the most current copy of the media off-site every night. So, if the Santa Fe building is completely leveled, we can rebuild the data processing functions of the office from the data that has been saved.

The CaseNET server application contains its own backup program. We have it set to run a backup every night at 8:00 pm. The CaseNET data file is currently 4.6 GB. That's huge! Dave, in our Systems department, logs on to the server machine every night after the backup is complete and compacts the backup copy of the data file down to about 8 MB. The next morning, he copies the compacted data file to two different Jaz cartridges (a special type of removable hard drive). One is for on-site storage and the other is for off-site storage. Dave stores that off-site drive in a fire-resistant cabinet in his home.

Each office computer is backed up every night using a program called Retrospect Remote. This program can backup computers over a network and store the data directly on a hard drive. We currently have six of these hard drives in our rotation and Dave carries one home every night.

And, last but not least, Trantor (the computer that stores our file servers) has its own Retrospect backup program. It backs up to one of 10 sets of digital tape, with the most current one ending up at Dave's house.

So, rest assured. Your data is safe with us. *Sandra Pillar*

EMPLOYEE BIO: Cliff Tarrance

Nickname: Nick.

Birthdate: I was too young to date.

Birthplace: Earth.

Family: Yes.

Position: Programmer/Analyst.

Years with the office: 4 or 3 years, depending on the point of view.

Favorite Food: Za.

Favorite Movie/TV Program: "Paper Moon" is nearly a perfect movie .

Favorite Color: Pantone 102 CVU.

Favorite Expression: The furrowed brow.

Favorite Smell: Cedar.

Favorite Childhood memory: Vague.

If you could meet one person in the world dead or alive who would it be? Harpo Marx.

What's most important in life? Comfortable shoes.

Is the glass half full or half empty? Sometimes.

What's guaranteed to make you smile? A joke that's only moderately amusing.

First thing you do in the morning when you wake? Visualize whirled peas.

My friends would describe me as: A friend.

A perfect day for me would be: Unexpected.

Most embarrassing moment: This one.

Proudest moment: This one.

In 5 years I see myself: Living in the present moment.



Beating The Winter Blahs

Do you feel sluggish, have an increased appetite, weight gain, and a craving for carbohydrates? You may be suffering from the winter blahs. While you are waiting for the sun to break through, consider these suggestions to help chase those blahs away.

Spend as much time outdoors as possible and get plenty of exercise. Vary your routine each day. Get enough rest and avoid caffeine. Try to include laughter in your day and make time for friends and family.



Happy Thanksgiving

Here are some shared responses from our office about this special time of year...

I plan to visit my Grandmother and bring a half of a turkey with some trimmings. The other half of the turkey will go to my mother-in-law, with my husband delivering it. It will be a very small celebration. Mostly it's just trying to bring in the holiday and make the day special for my grandmother.
— DonnaLynn Zimmerman

My fondest Thanksgiving Day memory was on November 27, 1980. The whole family was at my parent's house (that would include all six of my brothers and my two sisters). We were watching the Thanksgiving Day NFL football game between the Chicago Bears and Detroit Lions. After a particularly exciting game, the two teams went to overtime to decide the game. Dave Williams of the Bears took the overtime kickoff on the five-yard line and 95 yards later he scored a touchdown completing the fastest overtime game in NFL history (21 seconds).

The whole family went absolutely nuts, with all of us jumping up and down and slappin' fives and any other celebration you could imagine. I was afraid we were gonna put a hole through the floor to the basement! Man, that was fun!
— Dave Latz

My funniest memory of Thanksgiving has to be the year when my mom put this giant, unwrapped turkey in a roasting pan and then put it in the laundry tub to defrost. My dad ran a load of laundry and never noticed the turkey. So the turkey floated around in soapy washing machine water for a while before my mom saw it. We had about 15 people coming for dinner and had no choice but to secretly rinse it off really good, cook it, and serve it. The guests raved that year that it was the best turkey ever!
— Nicole Robertson

The traditional Thanksgiving celebration for my family was going to my great grandmother's or great aunt's house, since they had the biggest houses. The whole family would come over; family members that were only seen at family reunions would come for the feast. Everyone would contribute a dish and of course the oldest member of the family would bless the food, which was my great grandmother. These times were also my fondest of this celebration because in 1993 both my great grandmother and great aunt passed away and the traditional Thanksgiving passed with them. So, this year I will be preparing my very first Thanksgiving dinner, some cornish hens or little chick-

ens (whatever you choose to call them), collard greens, corn bread, dressing and what is dressing without the cranberry sauce.
— Shanika Thomas

And what are they thankful for this year...

My husband, my family and my health.

— Nicole Robertson

Living another year to celebrate Thanksgiving!

— Denise Giddings

That I am able to realize the blessings in my life and have the renewed opportunity to return His praise in my daily walk.
— Amanu Nwaomah

That my family is in fairly good health, with some exceptions for the older family members, that I have a comfortable home and with a caring family, that I live in a wonderful country, that I have a job that I enjoy doing with wonderful co-workers, and that God has been bountiful to me.
— DonnaLynn Zimmerman



Thanksgiving Riddles, Jokes And Groaners

Q: If April showers bring May flowers, what do May flowers bring?

A: *Pilgrims.*

Q: Which side of the turkey has the most feathers?

A: *The outside.*

Q: Why do turkeys always go, "Gobble, Gobble?"

A: *Because they never learned good table manners.*

Q: What has feathers and webbed feet?

A: *A turkey wearing scuba gear.*

Q: What happened when the turkey got into a fight?

A: *He got the stuffing knocked out of him.*

Q: Why didn't the turkey want any lunch?

A: *He was already stuffed.*

Q: Why did the turkey cross the road?

A: *It was the chicken's day off.*

Newsletter F Y I s

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

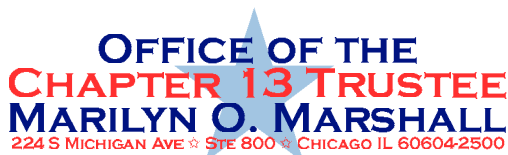
- ✓ e-mailing us at newsletter@chi13.com
- ✓ dropping your submission or idea in the anonymous newsletter folder located in the mail room, or
- ✓ leaving them with Amanu

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

- ✓ type-written and
- ✓ submitted by the 2nd Wednesday of the month via e-mail, a Word document or an ASCII file.

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

You may also view this edition of the Chronicle and previous issues on the Chapter 13 Trustee website at <http://www.chicago13.com/>.



Did You Know? Cold Weather Facts

Ever heard that it can be too cold to snow? This isn't really true. As long as there is moisture in the air, it can snow, no matter what the temperature. But it is true that the colder it gets, in general, the less moisture there is. So heavier snowfalls are most often associated with temperatures just below the freezing mark.

The record for the most snowfall in a twenty four hour period is 75.8 inches in Silver Lake, Colorado, on April 14, 1921. (That's almost 6 1/2 feet!)

The most snowfall from a single storm was recorded in Mt. Shasta, California. From February 13 to 19, 1959, it snowed 189 inches, or 15 feet, 9 inches!

Not taking into account wind chill, the coldest temperature ever recorded on earth (weather related) is -128.6 degrees F.

The temperature at the South Pole in the winter averages about -76 degrees F.

About 70 percent of winter storm related deaths occur in automobiles. The other 30 percent are attributed to hypothermia and heart attacks from such activities as snow shoveling. Among deaths from hypothermia, 50 percent are to people over the age of 60 and over 75 percent are to men. Almost 20 percent of hypothermia deaths happen in the home.

