



THE

MARSHALL

CHRONICLES

JULY 2007
VOLUME VI, NUMBER 7

The Budget Process

Every year our office, as well as the other 190 Chapter 13 Trustee offices around the country, files our annual budget with the Executive Office For United States Trustees (EOUST). The EOUST is a branch of the Department of Justice that oversees the U.S. Trustee program. The budget is filed and reviewed to "ensure that it contains only actual and necessary expenses." Upon final review, the EOUST will process the annual Orders Fixing Compensation and Percentage Fee for each Chapter 13 Trustee.

There are three major components to completing the budget forms that are supplied by the EOUST. There is a section to estimate the cases handled (stats). A financial section determines the dollar amount of debtor receipts, refunds and disbursements that we are expecting to have. This section will ultimately determine the Percentage Fee that our office will charge. The third section, Operating Expenses, is where we estimate the amount of the expenses it will cost to run the office and administer the cases. The largest operating expenses are Salaries, Payroll Taxes and Employee Benefits.

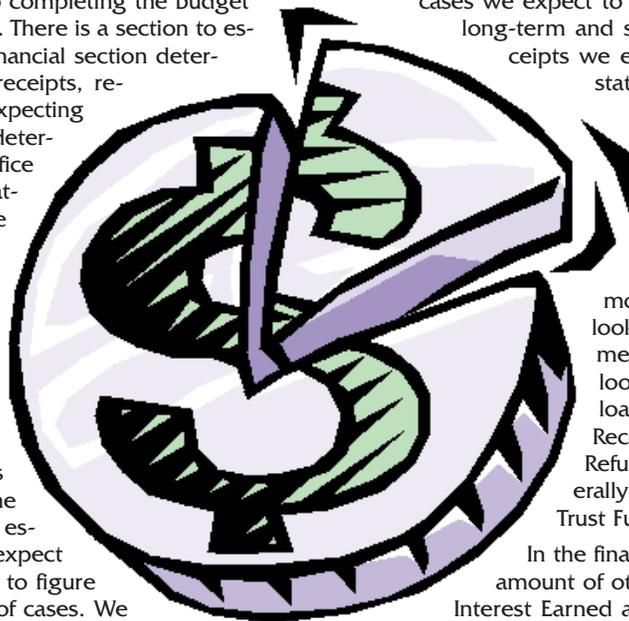
The budget is not prepared by doing one section and then moving to another. Since all three sections relate to each other, I will discuss the sections as they relate. First, I will discuss the cases handled (stats). We are not just estimating the number of cases that we expect to administer per year; we also need to figure out how we will get to that number of cases. We need to estimate the number of new cases filed, cases reopened, converted cases, dismissals, cases closed and other miscellaneous adjustments to cases. These numbers are estimated by looking at long-term and short-term trends of our office and other Chapter 13 offices, as well as outside economic numbers. Many of the other numbers are in direct correlation to the new cases filed, for example past long-term trends show that a certain percentage of new cases filed are converted to Chapter 7 cases. Some of these long-term trends have changed since the

enactment of BAPCPA. Therefore, we look at the cases pre-BAPCPA, post-BAPCPA and with no regard to BAPCPA to determine a trend. The budget form just brings us from the number of cases at the beginning of the year to the cases at the end of the year, but in calculating this we figure these numbers on a monthly basis. We need to know how many cases we have on a monthly basis to figure out other parts of the budget.

Next I will discuss the financial section. Based on the number of cases we expect to handle on a monthly basis, we look at long-term and short-term trends to determine the receipts we expect to collect per case. As with the stats, BAPCPA has had some major effects on these trends and must be taken into account. A major factor to consider in order to determine the amount of receipts based upon case numbers is to look at the percentage of plans that contain current mortgages and the dollar amount of those current mortgage payments. Another trend to look at is the average monthly plan payments without the current mortgage. We look at these trends and the monthly caseload to calculate the estimated Trust Fund Receipts (Debtor receipts) per year. Funds Refunded and Trust Disbursements are generally a straightforward calculation based on Trust Funds Receipts.

In the financial section we would also budget the amount of other revenue received, which consist of Interest Earned and Revenue from Percentage Fees. Interest Earned is calculated by figuring out the amount of excess funds we will have to invest and the interest rate expected in the upcoming fiscal year. The fiscal year for Chapter 13 offices runs from October 1 through September 30. The Revenue from Percentage Fees will be calculated after completing the third section of the report. Basically, this number is determined by figuring out the Operating Expenses and then determining the percentage of Trust Disbursements that are needed to cover these expenses.

(Continued on page 2.)



The Budget Process

(Continued from page 1.)



The third and probably the most time consuming section of the budget is estimating Operating Expenses. By far the biggest portion (over 70%) of Operating Expenses is spent on Employee Expenses, which comprises Salaries, Payroll Taxes and Employee Benefits. After looking at the projected caseload, it is determined whether we will have any change in the employee head count for the upcoming year, either up or down. If we are projecting to increase, we figure at what salary level and at what point in the fiscal year we will increase. If we are staying at the same number of employees, we calculate the amount of increase in salaries for each employee. We are given the percentage that salaries are allowed to go up in our budget packet based upon the economy, and then, we can either calculate a lump sum increase and put it into the budget or as we do, attempt to figure the increase each employee might get and budget it that way. We still go through the performance appraisal evaluation process and award increases based on merit. What we determine in the budget process is an estimate and can change per specific employee after the evaluations. Calculating Payroll Taxes is a straight mathematical process derived from the new salaries. Employee Benefits such as med-

ical, dental, and vision are budgeted by getting renewal information from our benefit providers and calculating the new costs.

The second biggest expenditure is Office Rent and Utilities (over 18%). Because of the nature of leases this is more of a long-term item. Leases are negotiated for multiple year increments and long-term trends in case load and employee head count must be considered when determining the square footage leased. When we are in the middle of a lease cycle the budget is prepared by using the new annual lease amount and calculating the anticipated utility and other related expenditures. If we are at a renewal period, the long-term needs of the office have to be assessed and a determination is made whether we need more, less or the same office space in the future. If it is determined we need to change locations, we also have to figure out what additional costs are involved in such a move.

The other 19 line items that comprise the rest of the Operating Expenses consist of items of two types: Those that are relatively the same every year and rise by the rate of inflation, or those that we decide to increase or decrease based on projected Debtor Disbursements and the amount of Fee we need to charge. Those in the first category consist of Bookkeeping and Accounting Services, Audit Services, Noticing (we don't do this), Telephone, Postage, Office Supplies, Bond Premiums, Publications and On-Line Services, and Maintenance and Service Agreements. For these we look at any reason they may increase or decrease more than the rate of inflation (i.e., change in case load or employee head count) and adjust for that reason and by inflation. Another expense that would fall into this type of expense is Debtor Education. But, because this is the first year we will budget this expense, it falls into the second category.

The rest of the Operating Expenses consist of Computer Services, Consulting Services, Training, Travel, Equipment/Furniture Rental, Equipment/Furniture Purchases, Leasehold Improvements and Other Expenses. As I said before, we decide how much money is left before we budget for these items, but not completely. Some portions of these items are recurring and necessary every year, so we will put them into the budget first and see what is left to spend. Then there are years it is completely necessary to expend money for something no matter what the budgeted receipts might appear to be (i.e., the computer equipment needs replacement). But, if there is a necessity to lower Operating Expenses in order to keep the Percentage Fee down, then this is the first area to look at cutting.

The budget needs to be submitted by July 1st and becomes effective on October 1st. So we are looking at trends and predicting future trends at least a full 90 days before the start of the fiscal year. Very often these trends change in that period of time or during the fiscal year itself. So what do we do if this happens and we need to increase or decrease the Percentage Fee? Thankfully, there is a process in place for this called the Amended Budget. When this becomes necessary, we could go through all of the same processes already discussed and come up with new predictions in any category that may have changed and if necessary change the Percentage Fee to be collected. We generally do this once about six months into the fiscal year. The best-case scenario is that we have a minimal amount of changes when we do this and change the Percentage Fee by a small amount. The amended budget is also approved by the EOUST.

Dan Lyons

THE MARSHALL CHRONICLES	
The Editorial Staff: Cheryl Jones, HVB and Dave Latz.	
Contents and Contributors:	
The Budget Process, pg. 1	Dan Lyons
Trustee Matters, pg. 3	Marilyn O. Marshall
Welcome Aboard!, pg. 4	Curtis James III, intro by Rosalind Lanier
How To Calculate Tax Liability On The B22C Form, pg. 4	Kevin R. Van Hout, Legal Helpers, intro by Anthony Olivadoti
What Will It Cost Me?...The Results...So Far, pg. 4	Anthony Olivadoti
Data Storm!, pg. 5	Sandra Pillar
Internet Tidbit, pg. 5	Staff Submission
20 Questions For: Juliana Dunklin, pg. 5	Juliana Dunklin
August Events, pg. 5	Dave Latz
Back To School, pg. 6	Staff Submission
Changing Seasons, pg. 6	Staff Submission
How To Deal With Debt Collectors, pg. 6	Staff Submission
The Dog Days Of Summer, pg. 7	Jerry Wilson
Good Intentions, pg. 7	Staff Submission
I'm Here To Help, pg. 7	Cliff Tarrance
Trivia Quiz: Konnichiwa, pg. 8	Staff Submission
Did You Know? Eclipses, pg. 8	Staff Submission
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 ,	
✓ dropping your submission or idea in the anonymous newsletter folder located in the mail room, or	
✓ leaving them with Dave Latz.	
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, on the Chapter 13 Trustee website at http://www.chicago13.com/ .	

Trustee Matters

It's That Time Of Year Again: Performance Evaluations



I have communicated to the Controller and Managers that all staff evaluations should be completed by September 14, 2007. The Controller will distribute the packets after the Monthly Managers Meeting to each Manager. Evaluations are done once a year as close as possible to the granting of merit-based increases. Since we included the merit increase in the total salary increase for FY 2008, then the total evaluation process must be concluded before October 1, 2007.

Performance appraisal are conducted for two primary purposes: (a) developmental – to identify areas of performance deficiency that might be improved through training; and (b) evaluative – to gather data for making personnel decisions about promotions, pay raises, discipline, or termination. We have adopted and will continue to use the Performance Appraisal System recommended by Organization Diagnostics.

Studies have shown that managers dislike performance evaluations for the following reasons: Enormous amount of time required to complete paperwork, performance is hard to measure, lack of knowledge about how to complete forms, strong desire to be liked by employees, inadequate forms to evaluate, supervisor not evaluated on how well appraisals are conducted, perceptions that evaluation does not improve performance, discomfort with providing face-to-face feedback during the appraisal interview, and feelings of conflicting roles. Through training and understanding of the purpose, reason and guidelines for performance evaluations, we have overcome most if not all of the above.

I review all of the performance evaluations submitted by the managers and have concluded that the managers take their roles as evaluators seriously. I am confident we have a systematic, fair mechanism in place for evaluating performance. Moreover, the status reports submitted each week tells me how each department is performing in terms of quantity and quality of work. Depending on whether or not you are support staff, professional staff, team leaders or supervisory/managerial staff, all of you will be evaluated using all of some of the dimensions explained. Following is a list of the dimensions with explanations to help you understand what the evaluators will be reviewing and why.

DIMENSIONS	JUSTIFICATIONS FOR INCLUSION AS A DIMENSION
Quantity of Work	Efficient use of time to generate a sufficient amount of output is critical in the fast paced Chapter 13 environment. Hence, not only the amount of output, but the amount in relation to the pace and time spent is assessed.
Quality of Work	Accuracy and correctness of output in the detail oriented Chapter 13 office is imperative. However, it is understood that given the uniqueness of each case, errors will occur. While mistakes should be avoided, the ability to learn from them is also desirable.
Job Knowledge	Recognizing that knowledge of the overall Chapter 13 process facilitates performance, the ability to know how to do one's job as well as a basic understanding of others' jobs is critical. Further, the ability to "catch on" and learn tasks in a reasonable time frame is also expected.
Work Initiatives	Staff members need to recognize what needs to be done and exert the internal motivation necessary to accomplish projects and meet deadlines. Employees who stay focused on work and intently avoid wasting time ought be rewarded.
Working with Other Staff	Very few Chapter 13 staff members work in isolation from peers or external stakeholders. Therefore, the ability to work with others and stay focused on organizational objectives is recognized.
Office Citizenship	Incidents such as turnover, vacations, computer failures, and new judge appointments often necessitate an alteration in "normal" jobs. Hence, it is important to reward individuals for recognizing the need and going beyond their normal job descriptions.
Reasoning Competence	As many decisions in Chapter 13 are "non routine," employees must be skilled at making sound judgment calls using careful analysis/evaluation of alternatives.
Reporting Behaviors	Tardiness and absenteeism are the most common dysfunctional employee behaviors. This appraisal system provides a mechanism for documenting poor reporting behaviors and associated policy violations.
Acceptance of Job Instruction	As many questions arise in Chapter 13 work, employees should seek to answer such questions themselves through sources other than the supervisor. However, when given supervisory instructions, the staff members need to comply.
Work Prioritization	Most employees are charged with performing multiple tasks, some of which may be more important at a given time than others. Although all tasks need to be performed, it is important to prioritize to ensure efficient flow of work.
Compliance	Provides an opportunity to document other policy and rule violations.
Communication Skills	Chapter 13 employees must be skilled communicators, altering styles for the variety of stakeholders with whom they interact.
Flexibility	Change and stress are constant in Chapter 13 offices. Employees who recognize opportunities for improvement and enthusiastically embrace change are desirable.
Problem Solving	Persistence in the face of difficult tasks or problems is mandatory. Employees need to recognize problems and persevere to see problems through to appropriate conclusions instead of ignoring them and letting them escalate.
Autonomy	Employees must have the ability and motivation to work independently without close monitoring and supervision. However, they must simultaneously recognize their boundaries of empowerment and limits of authority.

As Trustee, I want to be sure the process is fair and serves the purposes for which it is intended. I am always looking for ways to acknowledge staff members for **excellent performance, outstanding attitudes and superior cooperation**. Make it your goal as a member of the Office of the Chapter 13 Trustee to excel.

Marilyn O. Marshall, Standing Trustee

**Case Administration
Welcome Aboard!**

I'll call this a two-peat article – last month we introduced to you three new Case Administrators and now we would like to introduce you to the new Administrative Clerk, Curtis James. Curtis previously worked for another Chapter 13 Trustee, so he already has some exposure to the bankruptcy process. In addition to his Administrative Clerk duties, he will be cross-trained on the claims and petition entry process. Curtis is little more subdued than our last clerk, but I'm sure he has something that he would like you to know about him. Read on...



Hello, my name is Curtis James III. I was born in Chicago and grew up in the Hyde Park neighborhood. At first I may seem quiet but once you get to know me... wait, actually I'm still kind of quiet once you get to know me. But anyway, I attended De La Salle Institute for high school and went on to earn a Bachelors Degree in Mathematics at the University of Illinois, Urbana-Champaign. Previously, I worked at the Tom Vaughn Chapter 13 Trustee Office where I

held many positions including mail room clerk, case administrator and assistant to the Trustee. I find it amazing how two offices can do the same thing so differently. I look forward to utilizing the skills I obtained at Mr. Vaughn's office and the new challenges that will come with working here.

I enjoy sleeping in on weekends and playing golf in the afternoon after I have slept in. I'm also a big sports fan and try to go to as many White Sox and Bulls games as I can. Unfortunately, I don't know anyone with Bears season tickets they're willing to part with. I look forward to continuing to work with everyone and thank you for being so welcoming.

*Curtis James III,
with introduction by Rosalind Lanier*

**Legal
How To Calculate Tax Liability
On The B22C Form**

A form B22C must be filled out in every Chapter 13 case. The B22C form is used in part to calculate a debtor's current monthly income. Line 30 of that form deals with a line item deduction for income tax. Some recent Court decisions seem to indicate that the deduction in line 30 is for "actual" tax that is incurred by the debtor, not a historical figure based on past taxes paid. I asked debtor's attorney Kevin Van Hout to explain how he arrives at the debtors' income tax liability. Here is his response:



We use a two-step process to calculate the tax deduction for Line 30 of the CMI.

Step One, divide the "actual tax liability" shown on the prior year's federal tax return by 12 in order to obtain the average monthly actual federal tax liability.

Step Two, use the sum of the year-to-date deductions for OASDI, Medicare, and state taxes from pay advices to calculate the monthly average.

Then, add together the average monthly actual federal tax liability (Step One) and the monthly average of OASDI, Medicare, and state taxes (Step Two) for Line 30 of the CMI.

This process accounts for debtors who receive large federal tax refunds because the "actual tax liability" is the measure of federal taxes owed in the previous year. Because OASDI and Medicare are not refunded, the year-to-date deductions are accurate. Similarly, almost all debtors do not receive a sizeable state income tax refund, so the year-to-date deductions for state taxes are also usually accurate.

*Kevin R. Van Hout, Legal Helpers
with introduction by Anthony Olivadoti*

What Will It Cost Me?...The Results...So Far

Shortly after the publishing of last month's newsletter, the 7th Circuit Court of Appeals issued a decision in the matter of Wright v. Santander Consumer USA (In re Wright, — F.3d —, 2007 WL 1892502, 7th Cir.(Ill.), Jul 03, 2007 (NO. 07-1483)).



On July 3, 2007, in an opinion by Judge Easterbrook, the Court affirmed Judge Goldgar in his initial ruling. In summation, debtors cannot surrender a 910 vehicle in "full satisfaction" of the entire debt owed on the car.

The Court reasoned: "Like the bankruptcy court, we think that, by knocking out §506, the hanging paragraph leaves the parties to their contractual entitlements. True enough, §506(a) divides claims into secured and unsecured components. ...Yet it is a mistake to assume, as the majority of bankruptcy courts have done, that §506 is the only source of authority for a deficiency judgment when the collateral is insufficient. The Supreme Court held in *Butner v. United States*, 440 U.S. 48 (1979), that state law determines rights and obligations when the Code does not supply a federal rule. See also, e.g., *Travelers Casualty & Surety Co. v. Pacific Gas & Electric Co.*, 127 S. Ct. 1199 (2007); *Raleigh v. Illinois Dep't of Revenue*, 530 U.S. 15 (2000). The contract between the Wrights and their lender is explicit: If the debt is not paid, the collateral may be seized and sold. Creditor "must account to Buyer for any surplus. Buyer shall be liable for any deficiency." In other words, the contract creates an ordinary secured loan with recourse against the borrower."

Thus, the law of the land in the 7th Circuit is that debtors who want to keep their 910 car in a Chapter 13 case must pay the entire balance of the claim. On the other hand, if they want to surrender the car, the car creditor is allowed an unsecured deficiency claim balance after the car is sold.

On a following note, two days after the Wright decision was decided, the 10th Circuit BAP published a decision, in the Quick case (In re Quick, — B.R. —, 2007 WL 1941749, 10th Cir.BAP (Okla.), Jul 05, 2007 (NO. BAP NO.07-025, BKR.NO.01-11031 M, BKR.NO.06-10729 M, BAP NO.07-026)) that also dealt with the surrender of a 910 car. The BAP decided the issue of surrendering a 910 car and decided that a debtor could surrender a 910 car in "full satisfaction" of the car creditors claim. We now have a split in the circuits as this ruling is completely opposite to the Wright decision.

Anthony Olivadoti

**Information Services
Data Storm!**



**Trustee Marshall's
Data Will Soon Be
Accessible At National Data Center Website!**

The National Data Center (NDC) was established by Chapter 13 Trustees as an internet source for Chapter 13 case and claims data. Our office will soon be joining the 175 Chapter 13 Trustees from across the country that provide their data to NDC. The National Data Center posts the trustee data to its website www.13datacenter.com so that information is accessible to their clients. Subscribers include creditors, servicers, debt buyers and lawyers; anyone who is a party-in-interest to a Chapter 13 case. NDC provides this service free of charge to debtors.

I created programs in CaseNET to export case, claim, creditor, payment, and receipt information and format it in a way that NDC can automatically receive and import into their system.

Beginning in August, we will be running these programs every night and exporting data on all of our open cases. Since we have such a huge number of records, Cliff modified CaseNET's job module to allow the programs to be executed directly on the server. This cut the run time of the job from over ten hours to about 3.5 hours! Cliff has also been automating the process to "zip" the files (this compacts the data to save space) and to "ftp" (this stands for File Transfer Protocol) which is how the zipped file is actually transmitted. So every night the CaseNET job will export the data, zip the files and transmit the zipped file to NDC.

Our office website will continue to be up and running in its current format. Becoming an NDC trusteeship allows our clients more access to our Chapter 13 information. Our debtors will also see a benefit because they are not currently given a login to our website, but they will be able to log into the NDC website to look at their case data.

Sandra Pillar



Internet Tidbit

Getting ready to leave home for a vacation can be stressful as you try to remember everything you need to do and bring. This time, before you head out, visit dontforgetyourtoothbrush.com.

They offer checklist that you can print out for everything from a beach holiday to a camping trip to an overseas vacation. First you'll find a planning list with things to do in the weeks before your trip. Then you can access packing lists with all the items you might need on your vacation. Finally, you can request email reminders to help keep you on track.



**20 Questions For:
Juliana Dunklin**



Office Title: Payroll Specialist

If you could have named yourself, how would your name appear on your birth certificate? Reba Rozelle Jones.

If you could build a house anywhere in the U.S., where would it be? In Atlanta, Georgia.

When you were a kid, what profession or job did you want to have when you grew up? A teacher.

If they made a movie about your life, what current actor/actress would play you? Angela Bassett. I think she is phenomenal.

What is your least favorite household chore? Laundry, laundry, laundry!

What are your favorite books? Autobiographies and mysteries.

If you could bring anything back from your childhood, excluding people, what would it be? My Baby Alive Doll.

When you were growing up what was your favorite...

Hair style/haircut? Wearing a bob.

Cartoon? The SuperFriends.

Cereal? Cap'n Crunch.

Sport? Volleyball.

Subject in school? My favorite subject in school was reading and typing.

Author? Judy Blume.

Singing group? The Jackson 5, as a little girl.

Video game? Ms Pac Man

Family outing? Sunday evening dinners at my grandmother's house after church, in Atlanta, Georgia.

Movie? Grease,

If you wanted to be cool: You had to have designer jeans.

I always wanted: To have a lot of sisters and brothers. But I have one big brother who is the greatest and I love him to death.

Now that I'm older I wish: Well, I don't wish for anything. I just want to always be humble. I appreciate my health and my family and I try to think about my actions and what comes out of my mouth before reacting and speaking. And I always tell my husband and family that I love them daily.

**August Birthdays,
Anniversaries, And
Other Notable Events**



All Staff Meeting on August 3rd.

Coast Guard Day on August 4th.

NACTT Annual Seminar, August 5th–9th.

National Night Out on August 7th.

Happy Birthday to **Lavone Kizer-Merritt** on August 14th!

National Relaxation Day on August 15th.

"Black Cow" Root Beer Float Day on August 19th.

National Aviation Day on August 19th.

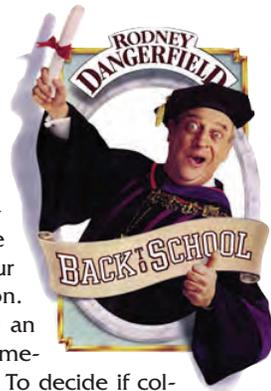
Happy Birthday to **Dan Lyons** on August 21st!

Happy Birthday to **Joanne Coshonis** on August 24th!

Lunar Eclipse on August 28th.

Back To School

Are you looking for a change? It may be time to head back to school! Whether you've never attended college, or started and never got that degree, you may find that you now need a degree to advance your career. Experts agree that one of the keys to bettering yourself and your family's future is higher education. Holders of a bachelor's degree earn an average of 50 percent more than someone with just a high school diploma. To decide if college is right for you, take these points into consideration.



Take a Test

Many colleges and universities offer career placement tests to help you discover your talents and interests. You may find that you really only need a two-year certificate, rather than a four-year program, to meet your goals. You can also get advice from a guidance counselor or librarian about careers that are projected to be in high demand in the future. One test you may be able to skip, however, is the SAT. Many colleges have modified their admissions criteria and offer alternative admissions tests. If you have never completed high school, you will need to get your GED before taking any admissions tests.

Look Around

Surprisingly, 40 percent of American college students are 25 years of age or older. Many colleges and universities offer programs specifically designed for working adults. You may find that you only need to attend classes one or two nights a week. Often, classes are scheduled to allow you to complete more courses in a shorter amount of time than traditional college degree programs. Some colleges offer on-site, low-cost day care and other services for parents. You may be able to take some of your classes by email, video, or correspondence courses. Many colleges grant college credit for your life experiences, giving you a head start on your education.

Save a Buck or Two

You may think that you don't have enough money in your budget for college. Explore the numerous financial aid opportunities available to you. Scholarships and federal grants are designed to help you afford an education, and they don't have any age restrictions. Be sure to get information on all the programs you qualify for from the student financial services office. You can also call 1-800-4-FED-AID for more information on government student aid programs. Many students are pleasantly surprised to discover all the funds that are available to them.



Changing Seasons

“Sunshine is delicious, rain is refreshing, wind braces us up, snow is exhilarating; there is really no such thing as bad weather, only different kinds of good weather.”

– John Ruskin

How to Deal With Debt Collectors

It happens to lots of people. You get a little behind on some bills and the inevitable calls begin. As consumer debt reaches record highs, debt collection techniques have become more aggressive. If you find yourself on the receiving end of a debt collection call, remember that you do have rights to protect you from harassment. Third-party collection agencies must practice under the rules of the Fair Debt Collection Practices Act (FDCPA). These rules, which apply to personal, family, and household debts, are enforced to protect you and to set limits on the collection agency to prohibit harassment and misrepresentation. These rules include the following:



- Calls from collectors cannot be made before 8:00 a.m. or after 9:00 p.m.
- Collectors are not permitted to use obscene or threatening language. They also may not use threats of violence or harm.
- Collectors may not make any false statements, including misrepresenting themselves as attorneys or government representatives, falsely accusing you of a crime, threatening you with arrest, or misrepresenting the amount of the debt.
- Collectors may not threaten you with seizure of your property or wages or legal actions such as a lawsuit, unless such action is legally permitted and they actually intend to do so.
- They may not call you at your place of employment if you inform them that your employer does not approve of these types of calls.
- Collectors may only contact other people about your debt in order to find out where you live, what your phone number is, and where you work. They may not reveal that you owe money, and they cannot contact those people more than once.
- A collection agency must provide you with written notice of the amount you owe, whom you owe, and what action to take if you feel the information is incorrect. This written notice must be provided within five days of the initial contact.
- If you dispute the debt in writing, the collection agency cannot contact you within 30 days of sending their written notice. They are required to provide proof of their claim and cannot contact you again until that has been completed.

What do you do if you are dealing with an unscrupulous debt collector? You can file a complaint with your state Attorney General's office and the Federal Trade Commission (ftc.gov or 1-877-FTC-HELP). You also have the right to sue a collector in state or federal court within one year from the date of the violation. You could be awarded money for damages suffered, plus up to \$1,000, along with court costs and attorney's fees.

The Dog Days Of Summer

Everyone knows that the “dog days of summer” occur during the hottest and muggiest part of the season. Webster defines “dog days” as...



1: The period between early July and early September when the hot sultry weather of summer usually occurs in the northern hemisphere.

2: A period of stagnation or inactivity.

But where does the term come from? Why do we call the hot, sultry days of summer “dog days?”

In ancient times, when the night sky was un-obscured by artificial lights and smog, different groups of peoples in different parts of the world drew images in the sky by “connecting the dots” of stars. The images drawn were dependent upon the culture: The Chinese saw different images than the Native Americans, who saw different pictures than the Europeans. These star pictures are now called constellations, and the constellations that are now mapped out in the sky come from our European ancestors.

They saw images of bears (Ursa Major and Ursa Minor), twins (Gemini), a bull (Taurus), and others, including dogs (Canis Major and Canis Minor).

The brightest of the stars in Canis Major (the big dog) is Sirius, which also happens to be the brightest star in the night sky. In fact, it is so bright that the ancient Romans thought that the earth received heat from it. Look for it in the southern sky (viewed from northern latitudes) during January.

In the summer, however, Sirius, the “dog star,” rises and sets with the sun. During late July, Sirius is in conjunction with the sun, and the ancients believed that its heat added to the heat of the sun, creating a stretch of hot and sultry weather. They named this period of time, from 20 days before the conjunction to 20 days after, “dog days” after the dog star.

The conjunction of Sirius with the sun varies somewhat with latitude. And the “precession of the equinoxes” (a gradual drifting of the constellations over time) means that the constellations today are not in exactly the same place in the sky as they were in ancient Rome. Today, dog days occur during the period between July 3 and August 11. Although it is certainly the warmest period of the summer, the heat is not due to the added radiation from a far-away star, regardless of its brightness. No, the heat of summer is a direct result of the earth’s tilt.

Copyright © 1999, 2000 by Jerry Wilson

Good Intentions:

“Let your intentions be good – embodied in good thoughts, cheerful words, and unselfish deeds – and the world will be to you a bright and happy place in which to work and play and serve.” – Grenville Kleiser



I’m Here To Help

A lot of you are probably wondering what changes you could make in your behavior to be less annoying to me. It’s an excellent question, and I thank you for asking.



Let’s start with the spitting. You could knock that off right away, and that would be a great beginning. I could understand if you have some sort of temporary medical condition or the occasional severe allergy attack, but even then one ought to use some discretion with regard to targets and trajectories. A lot of you seem to just erupt without warning, wherever you happen to be standing or walking. You do understand that other people have to use the sidewalk after you, right? And for those of you who spit from the EI platform, you do know that people are walking on the street below right at this very moment, yes?

Speaking of walking on the street, a great many of you seem seriously challenged in that realm. Perhaps more of you are British than I ever realized. Here in the colonies, you might notice, the customary practice with our motorcars is to drive on the right-hand side of the road. That convention is every bit as useful when walking on the sidewalk. If you would be good enough to bear to the right, you might see a reduction in head-on collisions with other pedestrians. Jolly good!

To all of you visiting our town with your extended families or tour groups, we’re delighted to have you here, whether you’ve come from Liverpool or Louisville. One small request: do you think you could break your group down into smaller units? You see the way you’re blocking the entire width of the sidewalk as you gambol along at one-quarter mile per decade? That’s kind of annoying. Maybe you could get on one of those tour buses instead.

I can’t pretend that everyone who annoys me is from out of town. Every day’s commute brings me together with some of our fair metropolis’s most annoying citizens. I give you exhibits (a) through (d):

- (a) The train operator was kind enough to hold the train a few extra seconds as a reward for your impressive, breathless, vault up the stairs. Don’t ruin the moment by holding the doors open for your less motivated friend plodding up a minute or so behind you.
- (b) Okay, so you’re going to have to stand on this trip. We all feel your pain. Now step all the way in to the center of the train car. You’re not getting off for eleven more stops, so don’t block the doors.
- (c) I understand you feel you must have a snack to tide you over till you get home, but a four-course Chinese take-out dinner? Someone’s going to end up wearing that bowl of hot and sour soup, and it had better not be me.
- (d) Use this as your script for future cell-phone conversations while in transit: “Hey, I’m on the noisy train. I’ll call you back in about 20 minutes okay? Bye.”

Finally, I offer one more tip for you if you happen to be the person who fills the coffee urns at my morning caffeine station. Do not put Hazelnut coffee in the container labeled French Roast. I’m a forgiving man, but don’t mess with my java. *Cliff Tarrance*



Trivia Quiz: Konnichiwa

August is Learn Japanese Month. Test how much you know about the Land of the Rising Sun with this trivia quiz. (And by the way, konnichiwa means hello.)

1. True or False: Women are not allowed inside a sumo ring for any reason.
2. What is the main religion in Japan?
3. What item is purchased daily in Japan more than in any other country of the world?
4. What side of the road do the Japanese drive on?
5. How many islands comprise the country of Japan?



6. True or False: The capital of Japan, Tokyo, is the largest metropolis in the world.
7. In Japan, what does "shinkansen" mean?
8. What is the legal drinking age in Japan?
9. What is the Japanese word for Japan?
10. On what island is Japan's highest mountain, Mt. Fuji, located?



The Answers:

- | | |
|----------------|----------------------|
| 1. True. | 6. True. |
| 2. Shintoism. | 7. The bullet train. |
| 3. Newspapers. | 8. 20. |
| 4. The left. | 9. Nihon. |
| 5. Over 3,000. | 10. Honshu. |

**OFFICE OF THE
CHAPTER 13 TRUSTEE
MARILYN O. MARSHALL**
224 S MICHIGAN AVE ☆ STE 800 ☆ CHICAGO IL 60604-2500

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

Did You know? Eclipses

On August 28, 2007, there will be a total lunar eclipse, the first central total eclipse since 2000. It will be visible in all of North America, the islands of the Pacific Ocean, New Zealand, eastern Australia, and eastern Asia.

- The word "eclipse" is Greek for "abandonment." The ancient Greeks believed that the sun was leaving the earth during an eclipse.
- There is a maximum of five possible solar eclipses in a year.
- There are at least two solar eclipses per year somewhere on earth.
- An observer at a particular location will see, on average, one lunar eclipse per year, one partial solar eclipse every two years, and only one total solar eclipse every 410 years.

- During a total solar eclipse, the sun is totally darkened on average for about 2.5 minutes. The longest recorded duration was 7.5 minutes.
- Local temperatures will drop 20 degrees or more near totality.
- A total solar eclipse can only be seen in areas that lie in the path of totality, which is about 170 miles wide.
- Partial solar eclipses can be seen up to 3,000 miles from the track of totality.



**Lunar Eclipse
September 26, 1996**