

THE **MARSHALL**
CHRONICLES

JUNE 2009
VOLUME VIII, NUMBER 6

ANOTHER BLOW TO CAR CREDITORS

On May 27, 2009, the Seventh Circuit Court of Appeals dealt yet another blow to the already beleaguered car creditors. The case of *In re Thompson* was decided and is now the law of the land for the 7th Circuit. The case involved a typical scenario for many debtors. On April 5, 2003, Theodore Thompson, the debtor, purchased a 2003 Chevrolet Impala. He financed the Impala through a retail installment contract with General Motors Acceptance Corporation (GMAC). GMAC was granted a security interest in the car, and that security interest was properly perfected. Pursuant to the agreement for the purchase of the car, Thompson agreed to make 60 monthly payments in the amount of \$398.55 per month. Mr. Thompson began falling behind with his car payments and defaulted on his contract with GMAC in November, 2007. Under Illinois state law, upon the default, GMAC was entitled to repossess the car. GMAC did finally repossess the car sometime in February of 2008. Shortly thereafter, Thompson filed a chapter 13 bankruptcy case. At the time the petition was filed, the balance owed to GMAC was \$6,523.84 and the retail value of the car was \$6,625.00, which left a small equity cushion of approximately \$100.00.

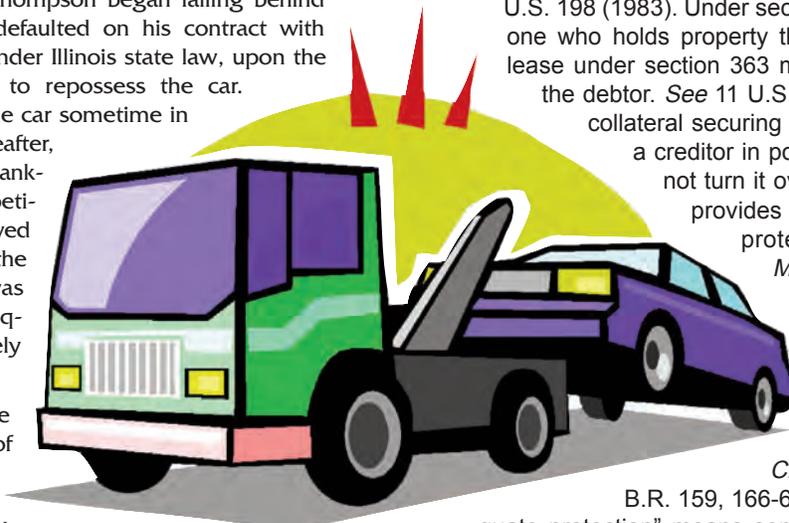
In an adversary proceeding, the Debtor asked for the return of the car. Judge Goldgar ultimately denied the request for turnover of the vehicle and held in favor of GMAC citing a lack of adequate protection offered by the Debtor. Traditionally, car creditors did not have to return the repossessed vehicle to the debtor upon the filing of the bankruptcy case until the debtor offered the creditor adequate protection. The majority of district courts in Illinois, as well as several district courts in other jurisdictions, have followed the precedent set forth in *In re Nash*, 228 B.R. 669 (Bankr. N.D. Ill. 1999) and *In re Spears*, 223 B.R. 159 (Bankr. N.D. Ill. 1998), which hold that a creditor need not return seized property to a debtor's estate absent adequate protection of its interests. These decisions reason that requiring immediate turnover would force

the creditor into an untenable position – having to turn over an asset in which the creditor has an interest without being adequately assured that its value will be retained. They further reason that since the purpose of the Bankruptcy Code's stay provision is to maintain the status quo, the car should be kept by the party that had possession immediately prior to the filing of the bankruptcy petition. Judge Goldgar affirmed this approach and reasoned in part:

Under section 541(a) of the Bankruptcy Code, Thompson's car is property of his bankruptcy estate even though GMAC has repossessed it. See *United States v. Whiting Pools, Inc.*, 462 U.S. 198 (1983). Under section 542(a) of the Code, someone who holds property that a debtor can use, sell, or lease under section 363 must turn that property over to the debtor. See 11 U.S.C. § 542(a). When property is collateral securing a debt of the debtor, however, a creditor in possession of the property need not turn it over unless and until the debtor provides the creditor with "adequate protection." See *Nash v. Ford Motor Credit Co.* (*In re Nash*), 228 B.R. 669, 673-74 (Bankr. N.D. Ill. 1999); *Coleman v. Grand Nat'l Bank* (*In re Coleman*), 229 B.R. 428, 432 (Bankr. N.D. Ill. 1999); *Spears v. Ford Motor Credit Co.* (*In re Spears*), 223 B.R. 159, 166-67 (Bankr. N.D. Ill. 1998). "Ade-

quate protection" means some form of assurance that the secured creditor will not "suffer a decline in the value of its interest in the estate's property" while the bankruptcy prevents the creditor from seizing and liquidating the collateral. *In re Addison Properties, L.P.*, 185 B.R. 766, 769 (Bankr. N.D. Ill. 1995); see also *United Sav. Ass'n of Tex. v. Timbers of Inwood Forest Assocs., Ltd.*, 484 U.S. 365, 370 (1988). If a creditor's interest is threatened with a decline in value, "the estate must take action to make up the decline." *In re Markos Gurnee P'ship*, 252 B.R. 712, 716 (Bankr. N.D. Ill. 1997), *aff'd sub nom. First Midwest Bank v. Steege*, No. 97 C 3571, 1998 WL 2595507, at *1 (N.D. Ill. May 21, 1998).

(Continued on page 2.)



Another Blow To Car Creditors

(Continued from page 1.)

Judge Goldgar's decision was challenged with a direct appeal to the 7th Circuit Court of Appeals. The appellate court overturned Judge Goldgar's decision and set new precedent for the 7th Circuit. The Court focused on the plain language of the statute. The pertinent parts of the decision follow:

GMAC "Exercised Control" Over Thompson's Vehicle

There is no debate that Thompson has an equitable interest in the Chevy, and, as such, it is property of his bankruptcy estate. See *United States v. Whiting Pools, Inc.*, 462 U.S. 198, 203 (1983) ("Section 541(a)(1) defines the 'estate' as 'comprised of all the following property, wherever located: (1)... all legal or equitable interests of the debtor in property as of the commencement of the case.' Although these statutes could be read to limit the estate to those 'interests of the debtor in property' at the time of the filing of the petition, we view them as a definition of what is included in the estate, rather than as a limitation."). GMAC contends, however, that it did not "exercise control" over the Chevy within the meaning of 11 U.S.C. § 362(a)(3). Rather, GMAC argues that it passively held the asset and that further action, such as selling the car, is required to satisfy the Code's definition of



"exercising control" over the asset. In support of this proposition, GMAC relies solely on *In re Spears*, 223 B.R. 159, 165 (Bankr. N.D. Ill. 1998), which simply reiterates the rationale expressed in *In re Young*, 193 B.R. 620, 624 (Bankr. D.D.C. 1996). These courts find that a creditor that retains possession of a lawfully seized vehicle does not take any action; instead, these courts reason that the creditor simply maintains the pre-bankruptcy status quo (creditor in possession of the asset), which is the purpose of the Code's automatic stay provision. They hold that the "Code restricts only obtaining possession of the property, rather than the passive act of simply continuing to possess it." *In re Young*, 193 B.R. at 624. This interpretation is at odds with the plain meaning of "exercising control." Webster's Dictionary defines "control" as, among other things, "to exercise restraining or directing influence over" or "to have power over." Merriam-Webster's Collegiate Dictionary (11th Ed. 2003). Holding onto an asset, refusing to return it, and otherwise prohibiting a debtor's beneficial use of an asset all fit within this definition, as well as within the commonsense meaning of the word. Moreover, to hold that "exercising control" over an asset encompasses only selling or otherwise destroying the asset would not be logical given the central purpose of reorganization bankruptcy. The primary goal of reorganization bankruptcy is to group *all* of the debtor's property together in his estate such that he may rehabilitate his credit and pay off his debts; this necessarily extends to all property, even property lawfully seized pre-petition. See *Whiting Pools, Inc.*, 462 U.S. at 203-04; see also *In re Yates*, 332 B.R. 1, 5 (BAP 10th Cir. 2005) ("As a practical matter, there is little difference between a creditor who obtains property of the estate before bankruptcy is filed, or after bankruptcy is filed. The ultimate result is the same—the estate will be deprived of possession of that property. This is precisely the result § 362 seeks to avoid."). An asset actively used by a debtor serves a greater purpose to both the debtor and his creditors than an asset sitting idle on a creditor's lot.

The Issue of "Adequate Protection" Does Not Stay a Creditor's Obligation to Return the Seized Asset to the Bankruptcy Estate

There is no debate that a debtor must provide a secured creditor with adequate protection of its interests in the seized asset if the creditor requests such protection. Under 11 U.S.C. § 363(e), "on request of an entity that has an interest in property used, sold, or leased, or proposed to be used, sold, or leased, by the trustee, the court, with or without a hearing, shall prohibit or condition such use, sale, or lease as is necessary to provide adequate protection of" the creditor's interest. The issue in controversy is: whether (1) the creditor must return the asset to the bankruptcy estate and then seek adequate protection in court; or, whether (2) the creditor may retain possession of the asset placing the onus on the debtor to bring an action for turnover before the bankruptcy court in a separately filed adversary proceeding.

Although our circuit has not ruled on this issue, several circuits have held that the creditor must first return the asset to the bankruptcy estate and then move to have its interests adequately

(Continued on page 3.)

THE MARSHALL CHRONICLES

The Editorial Staff: Cheryl Jones, HVB and Dave Latz.

Contents and Contributors:

Another Blow To Car Creditors, pg. 1	O. Anthony Olivadoti
Trustee Matters, pg. 3.....	Marilyn O. Marshall
NACTT Staff Symposium – Chicago, IL, May 27th And 28th, pg. 4	Kate Stefany, Sulethé Mason, Catherine Mendoza and Darlene Odom
Checks Received: Where Do They Go?, pg. 5.....	Rita Saunders and Juliana Dunklin
Workflow Modifications, pg. 5.....	Rosalind Lanier
Plugging Those Money Leaks, pg. 6	Staff Submission
The American Cancer Society Walk & Roll 2009, pg. 6	Rita Saunders
Between A Desktop And A Laptop, pg. 6	Staff Submission
July's Notable Events, pg. 6.....	Dave Latz
Tips For A Great Garage Sale, pg. 7	Staff Submission
Regarding Joy, pg. 7.....	Quotations from Pearl S. Buck and Oprah Winfrey
Thunderstorm Safety, pg. 7	Staff Submission
Trivia Quiz Answers: Fireworks, pg. 7	Staff Submission
Trivia Quiz: Fireworks, pg. 8	Staff Submission
Did You Know: U.S. Flag Trivia, 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, all in full color, on the Chapter 13 Trustee website at <http://www.chicago13.com/>.

Trustee Matters

New Payment Address for Chapter 13 Debtors!

The Office of The Chapter 13 Trustee, Marilyn O. Marshall, has been notifying debtor, debtor’s employers, debtor’s attorneys, creditors and the bankruptcy court that all Chapter 13 payments should be mailed to a new lockbox payment address. The effective date of this change is July 1, 2009.

If you have printed material that you distribute with the Trustee’s payment addresses, please change the payment address to the following immediately:

MARILYN O MARSHALL
 CHAPTER 13 TRUSTEE
 PO BOX 2031
 MEMPHIS TN 38101-2031



We have established a new banking relationship with SunTrust Bank. Since more than 130 Trustees currently bank with SunTrust, I do not foresee any interruption of services. We will continue to offer Electronic Funds Transfers.

An official notice with an effective date to mail payments and the new lockbox address has been mailed to our clients. Please note that the change is now official.

Also, please note: THE TRUSTEE’S OFFICE IS NOT MOVING. We will still be located at 224 S Michigan Ave Ste 800 • Chicago IL 60604-2503. However, we still do not accept payments at this address. If you have any concerns or questions regarding this change, please do not hesitate to contact our office.

Marilyn O. Marshall, Chapter 13 Trustee

Another Blow To Car Creditors

(Continued from page 2.)

protected. See *In re Yates*, 332 B.R. at 7; *In re Sharon*, 234 B.R. at 685; *In re Abrams*, 127 B.R. at 246; *In re Knaus*, 889 at 778. A plain reading of 11 U.S.C. § 363(e) and 542(a), the Supreme Court’s decision in *Whiting Pools*, 462 U.S. 198, and a myriad of policy considerations, support our sister circuits’ view. At oral argument, GMAC argued that all a creditor must do to comply with the stay provision is place the adequate protection issue before the bankruptcy court. GMAC is correct that it has the burden of requesting adequate protection for its interest either directly under 11 U.S.C. § 363(e) or by moving for relief from the stay under 11 U.S.C. § 362(d)(1). However, if a creditor is allowed to retain possession, then this burden is rendered meaningless—a creditor has no incentive to seek protection of an asset of which it already has possession. Thus, in order for the language of 11 U.S.C. § 363(e) to have meaning, Congress must have intended for the asset to be returned to the bankruptcy estate before the creditor seeks protection of its interest. A reading of 11 U.S.C. § 542(a) also indicates that turnover of a seized asset is compulsory. This provision states that a creditor in possession of an asset belonging to the bankruptcy estate “shall deliver to the trustee, and account for, such property or the value of such property, unless such property is of inconsequential value or benefit to the estate.” 11 U.S.C. § 542(a) (emphasis added).

The right of possession is incident to the automatic stay. A subjectively perceived lack of adequate protection is not an exception to the stay provision and does not defeat this right. *Id.* at 684. Instead, section 362(d) “works in tandem with § 542(a) to provide creditors with what amounts to an affirmative defense to the automatic stay.” *In re Yates*, 332 B.R. at 5. First, the creditor must return the asset to the bankruptcy estate. Then, if the debtor fails to show that he can adequately protect the creditor’s interest, the bankruptcy court is empowered to condition the right of the estate to keep possession of the asset on the provision of certain specified adequate protections to the creditor.



“[T]he basic legislative purpose underlying Chapter 13 is to provide debtors with a flexible means for repaying creditors.”). That is why a stay is imposed. It allows a debtor free use of his assets while the court works with both debtor and creditors to establish a rehabilitation and repayment plan. In theory, these assets will generate money that could contribute to paying down the debtor’s obligations. If a debtor’s car remains in the hands of a creditor, it could hamper the debtor from either attending or finding work, which is crucial for garnering the funds necessary to pay off his debts. Second, allowing the creditor to maintain possession of the asset until it subjectively feels that adequate protection is in place, or until the debtor moves for the asset’s return, unfairly tips the bargaining power in favor of the creditor. By negotiating a better security package for itself, the creditor can essentially remove the equitable powers of the bankruptcy court and place itself in a position above other secured creditors.

Now that this is the law in this circuit, we will have to wait and see how the new procedure plays out in real life practice. Debtors now have a tool to require a car creditor to give back cars regardless of their ability to pay for the car or even make their case work. This immediate injunctive relief happens automatically. Even so, the appeals court did also note that car creditors are not necessarily unprotected by having to return the car upon the filing of the chapter 13 case. The Court suggested that car creditors should merely file emergency motions with the bankruptcy court for relief from the stay to re-obtain their collateral. Most assuredly, the bankruptcy judges will soon have these types of motions presented before them and they will be in the best position to curb abuses and ensure that chapter 13 plans will succeed.

O. Anthony Olivadoti, Managing Attorney

The NACTT Staff Symposium – Chicago, IL, May 27th And 28th

My Very First Staff Symposium

Since my former trustee's office didn't participate in the Staff Symposia, I was very excited about being able to attend my first in Chicago.

I was not sure what to expect, so I was curious as well. I chose the skills type classes and was really impressed by how organized everything was. I met people from Mississippi, Indiana, California, Michigan and Ohio. Everyone was so nice and everyone wanted to talk to everyone. Listening to how two offices handle paying mortgages was very interesting and I am ready to see how our office will implement any new rules.

I was lucky enough to have Trustee Deb Miller from South Bend, who is "in the know" of new rules being worked on, give us a preview of what we may see in a year, since she was sitting in on one of my classes.

It was Glenn Stearns talk about the B22C that I enjoyed the most and felt I would take back to my day-to-day work place. Trustee Stearns had two other Trustees in the class that were there to listen but they were nice enough to contribute to the class by giving examples of what they see in their district and what they feel should be accepted and what shouldn't. It really added to the good base that I already had when it came to understanding the B22C.

I hope I get to attend next year and among other things, learn more about mortgages since that will be a hot topic again. I was really grateful for getting the opportunity this year. I would definitely express the importance to other offices about how well they are put together and how much you can learn.

Kate Stefany, Paralegal

What A Conference!

The ambience, the people, the training, and the food were an absolute joy! We've all heard the expression that "location is everything;" well, I couldn't agree more. The 2009 NACTT Symposium was held at the Intercontinental Hotel and Resort on North Michigan Avenue, the pulse of our great city. The hotel's historic architecture is breathtaking to say the least. The hotel's staff was welcoming, polite, and very attentive from the time we arrived on the premises, Tuesday, at the social gathering, until the time we departed, Thursday afternoon.

The Paralegals spent quality time together listening to live jazz music, enjoying tasty entrees and engaging in stimulating conversation while sipping on a variety of beverages. We mingled and socialized with our extended Chapter 13 family from various states.

On Wednesday, our day started with a scrumptious breakfast and training followed. As we separated and went to various training sessions, I attended the Leadership session, which was very informative, interesting, and beneficial. I must admit, the instructors held my attention throughout the entire session, especially with the interactive exercise. We all worked up an appetite that was greeted at lunch with a "Taste of Chicago."

Chicago style hot dogs, pizza, and nachos topped the menu. Yes, we pigged out! Comments about the food, the hotel, and freebies filled the room as we ate. Ms. Marshall gave a marvelous speech about all of the above as we continued to delve into our plates. The U.S. Trustee, William Neary, spoke and gave us assurance that training is a priority and a must and the NACTT Symposia will only get better!

I had the pleasure of meeting Sarita Dukes from Mississippi, James L. Henley Jr., Trustee, during the icebreaker. We were equally excited that she and others from

their office would be visiting our office on Thursday, after the conference.

The last day of the Symposium was fulfilling, no stone was left unturned and to top it off, a T-Shirt was given to those who completed and turned in their Survey. Afterward, I returned to the office and awaited our guests from Mr. Henley's office. David McLaurin, Gabriele Washington, Jackie Neal, and Sarita Dukes arrived with smiles on their faces and a camera in hand to capture their visit to our office. I gave them a tour and introduced them to the staff. They were very impressed with Ms. Marshall's decor and the striking view that we have of the lakefront. Each of them exclaimed that this would not be their last visit to our great city and in turn, hope we will get the chance to visit theirs. Gabriele followed up with an email, "Thank you, Ms. Marshall, we truly enjoyed our visit to Chicago and your office. Please enjoy the photos from our visit to Chi-Town. The Staff of James L. Henley Jr., Trustee."

Sulethé Mason, Paralegal

A Great Learning Experience!

Thanks, Ms. Marshall, for giving me the opportunity to attend this year's NACTT Staff Symposium. This is always a great time to get out of the office and mingle with other Trustee's offices across the nation.

This year, I chose to attend Mortgages I and II. The speakers were great, and they gave a little more in-depth of what some of the catch phrases are and acronyms that can be used in our personal life as well as in the office. For example, BPO – broker purchased opinion; this is a document that the banks use when going over mortgage applications. There are some offices that even don't address mortgages or even pay them. There are some where the mortgages are in the plan from inception. The thing that you have to know is, even though we do things so differently, it works well for that particular office. That is a good thing for everyone involved.

The conference is always a great learning experience.

Catherine Mendoza, Paralegal

2009 NACTT Staff Symposium A Success!

I enjoyed the opportunity of attending the NACTT Staff Symposium here in Chicago.

This was the first year the symposium began with a reception the evening before. A live quartet filled the beautiful banquet room with music, the hall was flanked by two buffet tables which offered a choice of all you could eat lamb chops, mini cheese burgers, nachos with all the fixings, while the other was spread with a variety of stir fry dishes cooked to order.

Throughout the entire two-day event, you could see the attention paid to each and every detail. Everything was very orderly and timely. An added treat were the vendors that were present handing out materials. We were able to get our very own copy of Dave Ramsey's book "Financial Peace" along with his new DVD and workbook.

It is always a pleasure to meet and talk with people from other offices, discussing the way their process works, and being glad that yours works the way it does. I enjoyed the mortgage classes as well as the leadership classes I attended; the facilitators were well prepared and offered tons of information. Bravo, and great job done to everyone who made this year's symposium a success.

Darlene Odom, Paralegal



Financial
Checks Received: Where Do They Go? (continued from May article)

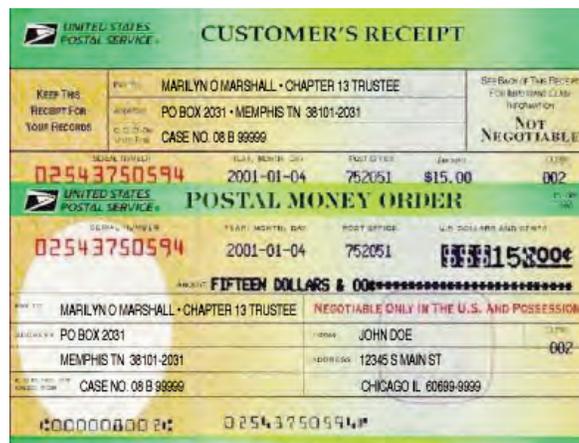
Last month we covered receipt checks received and how we deposit them into our Lockbox, and then enter and post them into CaseNET our bankruptcy case database. We also covered creditor disbursement returns and voided checks.

This month we will cover how we verify that all of these checks are posted to the correct bankruptcy case.

Our verification process starts with our Receipt Specialist who receives a copy of each deposit form that is going to our Lockbox. Each deposit form is matched against the Lockbox batch when it is received from the Bank. Any item not received within 7 to 10 days is referred to the Financial Manager. The Financial Manager investigates to determine why we have not received the item.

Some of the reasons why we may not receive an item back from the Lockbox are listed below, along with the steps that are taken to resend it to the Lockbox.

1. The item was not processed, and is still in the deposit envelope. The item was sent in a multiple item deposit. We resend the item to the Lockbox for deposit.
2. The Post Office returns our deposit envelope stamped as “Undeliverable” even though it has the correct address. This sometimes takes up to 30 days to receive. In the meantime, we may have taken action to obtain a replacement check from the sender, and request that a stop payment be placed on the original one. If not, we send the item returned by the Post Office, to the Lockbox for deposit.
3. The item has been lost. The Financial Manager requests that the person or entity that issued the check replace it and stop payment on the original one.



The next step in our verification process is handled by our Payroll Specialist. Our Payroll Specialist receives a copy of all checks, whether receipt, creditor disbursement return check, or Chapter 13 Trustee voided disbursement check.

Using the check copy along with reviewing our Filemaker Pro database “In House Receipts,” our Payroll Specialist reviews each item and verifies that it has been entered into our CaseNET database which reflects all bankruptcy case activity. She verifies the following:

1. That the check number is correct in CaseNET and the check is posted to the proper bankruptcy case.
2. That a creditor disbursement return check, or Chapter 13 voided disbursement check, is posted to the proper claim. Also that

the appropriate updates to the claim have been made; i.e., that allocation and/or disbursement of the claims has been turned off and claim docket has been made.

3. That checks that are received on closed or closed complete cases, or unidentified cases are placed in our Undesignated Receipts/Suspense Account for return to the maker.

After the item is verified, the Payroll Specialist enters her name in the “Verified By” field, and the date in the “Verified Date.”

All exceptions noted are reported to our Trustee using the In House Cash Receipts Exceptions Form found in the Filemaker Pro “In House Receipts” database. Our Trustee reviews and researches each item. If further review or action is needed, the Financial Manager researches the item and reports her findings to the Trustee. The Trustee takes the necessary steps to resolve the exception and the exception is then recorded by the Trustee as resolved.

Rita M. Saunders, Financial Manager and Juliana S. Dunklin, Payroll Specialist

Case Administration
Workflow Modifications

The case confirmation team consists of six people who are responsible for the petition entry, claims entry, attorney fee processing, verification of post-confirmation review and the filing of various motions. Although on the same team, each member did not perform the same task as the next person. Last month, the workflow was modified to bring some uniformity in regards to the distribution of the work. The claims process was modified, so that the claims could be distributed in the beginning of the day instead of the end. This change provided each person more time for processing. The volume of claims that we enter a week was basically cut in half by only entering the claim when the case is confirmed or the claim is filed as secured. This is definitely a plus when the normal average for claim loading was around a 1,000 records a week, which equated to the same number of claims that needed to be verified.

The work is currently being distributed manually, but the systems department is working on a way to automate that process. Once the automated process is complete, each team member will simply press a button to see what claims were assigned to them or to find which cases are ready for post confirmation review and which claims are ready for verification.

All changes take awhile to get adjusted to, but the overall feedback from the team has been good. They have adapted to the current process and are looking forward to the automation!

Rosalind Lanier, Case Analyst—Claims



Plugging Those Money Leaks

While the price of fuel and food continues to climb, you are probably looking for ways to stretch your budget even further. One of the easiest ways to help your immediate financial situation is to look for, and plug up, any money leaks you may have in your daily life. Money leaks are those small purchases or expenditures that get overlooked, but tend to add up each month. Here are some ideas to help control these little leaks.



Watch your ATM withdrawals. You may think you are budgeting wisely when you only take a small amount of cash each time you visit the ATM by rationalizing that you will only spend that much this month and no more. However, if you find that you run out of cash before you thought you would, causing you to return to the ATM over and over, by the end of the month, you may have withdrawn much more than you ever planned. Taking \$40 each visit can add up to hundreds of dollars if you do not keep track. Instead, plan on taking out a realistic amount and sticking to that much for the month. Do most of your spending on a debit card, and you will be in even more control of your money.

Eliminate any late payment fees. If you find yourself waiting to pay your bills with a paper check sent through the mail, you could eventually end up with some late fees. Whether you forget to pay by the due date or there is a delay in the mail, relying on this type of payment system can cause a money leak. Instead, use an online bill paying service. You can set up your payment right when you receive your bill, requesting a payment date closer to your due date. This way you know your bill will be paid, but you don't have to hold your payment until closer to the due date. Even better, set up automatic withdrawals for your bills, and you won't have to even think about them each month.

Save money each month on your car insurance. Most auto insurance carriers offer discounts if you pay your bill in advance for six months. The savings can be up to 20 percent of your bill. While you do have to cough up a larger payment all at once, you'll enjoy five more months payment free until your next renewal period. You will also be sure not to miss any payment due dates and can eliminate most service fees for your account.

Ditch those bank fees. Unless you have some special circumstances, you should be able to have both checking and savings accounts that do not require any fees. Many banks offer free checking accounts with just a small deposit. You can avoid any add-on charges by making sure that you maintain a small cushion in your bank account. Banks will often charge you for overdraft fees even when they cover the purchase amount. By leaving a small cushion, you can avoid those changes. You should also be aware of how long it takes for your bank to process deposits, so you aren't left with an empty account waiting for a deposit to clear. Some banks offer ATM fee refunds if you use a competitor bank's ATM, saving you those fees as well.

Reevaluate your subscriptions. While it is always nice to kick back and enjoy a magazine, those subscriptions can really add up. These money leaks become more significant if you find that you are not actually reading all the magazines that come in your mailbox. If you are several months behind on your reading, you would be better off cancelling your subscriptions and pocketing the cash. Most likely, you won't even notice the difference.

The American Cancer Society Walk & Roll 2009



The Office of the Chapter 13 Trustee Team collected \$1,450 in contributions for the American Cancer Society's 2009 Walk & Roll. We thank all those who have supported this worthy cause.

To date, this year's Chicago ACS Walk & Roll event has collected \$668,863 (just over 83.6%) of their \$800,000 goal.

You can continue to contribute to this year's event through August 28, 2009.

Rita M. Saunders, Team Coordinator

Between A Desktop And A Laptop

If you're looking for a space-saving computer system, but don't want the small size of a laptop, consider a minicomputer. This new trend in computing systems takes up little desktop space, as small an area as 7 inches by 7 inches. They have full sized hard drives and lots of memory, giving you enough power and space to hold your applications, photos, music, and all your files. But they also give you the option of using a screen and keyboard larger than you will find in a laptop. Because they can be hard to upgrade, be sure to know which features you want before you buy a minicomputer. Prices for these systems are competitive with regular desktop models, but you will need to purchase the monitor and keyboard separately. For those who have space at a premium, this may be the perfect solution for you.



July's Notable Events

July is **National Recreation and Parks Month**.

July is also **National Hot Dog Month**.

International Literacy Day on July 2nd.

Independence Day on July 4th.

Chocolate Day on July 7th.

Lunar Eclipse on July 7th.

Happy Birthday to **Enrique Orejel** on July 12th!

Gruntled Workers Day on July 13th.

Happy Birthday to **Kate Stefany** on July 17th!

National Ice Cream Day on July 19th.

Happy 11th Anniversary to **Carlos Lagunas** on July 20th!

Hot Enough For Ya Day on June 23rd.

Cousins Day on July 24th.

Happy Birthday to **Monica Gonzalez** on July 27th!



Tips For A Great Garage Sale

Is your closet fuller than your wallet? Do you have bags of old clothes crammed under the beds? Are you tripping over the junk that's been accumulating around your home? Summer is the perfect time to get rid of it all! A garage sale is a great way to clean up the clutter and make some extra cash at the same time. To help you prepare for a great garage sale, here are some ideas to make the day as easy (and profitable) as possible.



🚲 Prepare ahead of time. Before the big day, designate a collection area in your home. It can be a large cardboard box or a whole spare bedroom. This will keep you from forgetting to put items out. Practical household goods such as appliances, dishes, furniture, tools, and the like are good sellers. Items of clothing, especially children's clothing, sell well if they are clean and still in good condition.

🗑️ Organize as much as possible. The more you organize and sort your items for sale, the better. Have one box for books and perhaps a small table for kitchen items. Clothing can be displayed hanging on a rack or spread out on a blanket on the ground. Make sure everything is clean and include original packaging if you still have it. Labeling your displays will make for better sales as well.

👛 Price your items fairly. Keep in mind, however, that some people will want to bargain, so don't make your prices too low to begin with. To save time, only individually price large items. Price groups of items all the same price. For example, price all books 50 cents and all toys \$1.00. Lower your prices toward the end of the day. Some people will return to see if items they were interested in earlier have been discounted. If you don't lower your prices at the end of the day, you may not sell them at all.

🔧 Have all the basics handy. Keep plenty of change available. Most everyone will come with \$5.00, \$10.00, and \$20.00 bills. You should have a calculator, a measuring tape, and an extension cord if possible to try out electrical appliances. Have grocery store sacks and newspaper for wrapping fragile items. Consider wearing a hip pack to hold your money, rather than leaving it in an unattended box on a table.

👪 Get some help. It's a good idea to have a friend, neighbor, or relative help. You do need the occasional bathroom break. If you have kids, they can join in on the fun. Setting up a lemonade and cookie stand or selling hot coffee and doughnuts can be a great way for them to make a little extra money as well.



Regarding Joy

"The secret of joy in work is contained in one word--excellence. To know how to do something well is to enjoy it." *Pearl S. Buck*

"I define joy as a sustained sense of well-being and internal peace – a connection to what matters." *Oprah Winfrey*

Thunderstorm Safety

The warm days of summer can bring thunderstorms. Lightning is one of nature's most powerful and unpredictable killers. Almost any outdoor activity – from golfing, swimming, or boating, to bike riding or mowing the lawn – can be dangerous when lightning is near. When the sky begins to rumble, be sure to remember these tips from the National Weather Service:



Listen Carefully

Once you can hear thunder, you are close enough to the storm to be struck by lightning. Go to safe shelter immediately. Counting the seconds between thunder and lightning is not a reliable means of determining distances. Check weather reports before you head out for any length of time.

Find Shelter

If you are caught in a storm, look for a sturdy building or car. Avoid small sheds and solitary trees. If you are waiting out the storm in a car, keep the windows up and the doors shut. If you cannot find shelter nearby, look for a low spot away from any trees, fences, or metal poles. If you are in the woods, stay near shorter trees. However, be aware of the danger of flash floods. Move to higher ground if you are in an area that begins to flood or is threatened with flooding. Most flash flood deaths occur in cars. Abandon your car if water is rising. If you are caught in an area without shelter, squat low to the ground and stay on the balls of your feet. Put your hands on your knees and place your head between them. You are trying to make yourself the smallest target possible. Never lie flat on the ground—that makes for a larger target.

Take Care Indoors

You also need to be careful during storms when you are indoors. Do not take a bath or shower during a thunderstorm. Unplug everything electrical and turn off the air conditioner, to help prevent damage from power surges. Avoid using the telephone. If the storm becomes severe, listen to a battery-operated radio for weather updates.

Trivia Quiz Answers: Fireworks

1. 1966.
2. Red.
3. The centennial anniversary of the Statue of Liberty.
4. Kentucky at the opening of the Kentucky Derby.
5. The Chinese in the 9th century.
6. Taiwan.
7. A girandole.
8. Christmas.
9. Tinkerbell.
10. Bottlerockets.

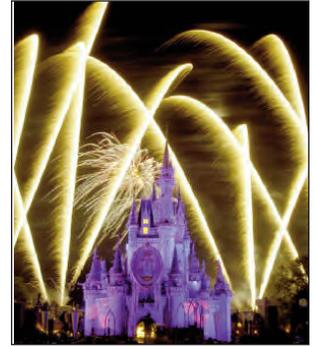
Trivia Quiz: Fireworks

test your Independence Day knowledge with this trivia quiz. Just remember, that fireworks can cause serious injury. Play it safe this year and watch a fireworks display instead of staging your own. (You can find the answers on page 7.)

1. What year did Cherry Bombs and M-80s become illegal in the U.S.?
2. What color smoke balls are prohibited in California?
3. A huge fireworks display was given on July 4th, 1986. What was the special occasion?



4. Where is the world's largest fireworks display held every year?
5. Who invented fireworks?
6. Who is largest purchaser of American made fireworks?
7. What do you call a cluster of fireworks that revolve?
8. In Brazil, what holiday is celebrated with fireworks?
9. What Disney character always sets off the "Fantasy in the Sky" fireworks display at Disney's Magic Kingdom?
10. What type of fireworks cause the most injuries every year?



**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: U.S. Flag Trivia

- ★ Betsy Ross was reportedly able to create a 5-pointed star from a single sheet of paper with one cut.
- ☆ The first U.S. flag had 13 stars, representing the 13 original colonies. The second flag had 15 stars, as more states entered the union. Often states came in groups, so there were no U.S. flags with 14, 16, 17, 18, 19, 22, 39, 40, 41, 42, or 47 stars.
- ★ Gold fringe is allowed on U.S. flags, but should be limited to flags that are to be flown indoors.
- ★ New U.S. flags can be introduced only on the Fourth of July.



- ☆ No U.S. flag ever becomes obsolete. Each of the 27 flags is still a legal U.S. flag and may be flown at any time.
- ★ If you are supposed to fly a flag at half-mast, and your flag isn't able to be moved up and down a pole, you should place a black ribbon on the flag instead.
- ★ A person who is an expert in the history of flags is called a vexillologist.
- ☆ Flagpole sitting was a craze started in Baltimore, Maryland, in 1929. "Shipwreck" Kelly became famous for setting several flagpole-sitting records. He sat for 49 days on one flagpole and once estimated that he spent a total of over 20,000 hours sitting on flagpoles.



**The
Star-Spangled
Banner**