

# Social Security Income In Current Monthly Income

Recently there have been times when a debtor has proposed to exclude his Social Security income (SSI) from the total income picture by disclosing it as income but making a reduction on schedule J by the amount of the SSI benefit received. The effect then is to not commit that source of income to the disposable monthly income (DMI) and to leave the use of those monies entirely within the discretion of the debtor to the detriment of his creditors. I understand that SSI is specifically excluded from the definition of and calculation of current monthly income (CMI) as provided in § 101(10A), but I was thinking about what was the purpose of Social Security benefits in the first instance.

I assume that there should be something in the original SSI legislation that evidences Congressional intent that there should be some minimal income available for the elderly and disabled, to provide for their basic subsistence. It would follow that a debtor's SSI should first be used for or allocated to those basic life needs, like food, shelter and clothing. To the extent that the debtors have income from sources other than SSI, that income would then be available as the source of funding for the chapter 13 plan. If a debtor failed to propose to use those other incomes to pay creditors back as much as possible but, rather, proposed to simply keep that money to do with as desired, that would not represent good faith, would it?

One of the early decisions under the BAPCPA justified the exclusion thus, "[t]he exclusion of Social Security benefits from disposable income might appear counter intuitive at first. However, because creditors had no right to seize these benefits pre-petition, their exclusion from disposable income post petition is not a drastic change in a creditor's position. Decisions regarding credit advances could not, or perhaps

should not, have been based on the existence of Social Security income. As a result, their exclusion leaves creditors in no worse a position than existed pre-petition..." *In re Devil-liers*, 358 B.R. 849, 866 (Bankr. E.D. La. 2007). For some debtors, Social Security is their only income so it is important that 42 USC § 407(a) protects Social Security income from "the operation of any bankruptcy or insolvency law." However, for other debtors, Social Security is just one small part of many other forms of income that may also include wages, pensions, and annuities. There was no limit placed on the exclusion of SSI regardless of the role it plays in a debtor's overall income or budget picture.

Notwithstanding the statutory protections afforded to Social Security by § 407, prior to the passage of BAPCPA, courts typically included Social Security benefits in the calculation of

disposable income. See *Baud v. Carroll*, 634 F.3d 327, 347 (6th Cir. 2010); *In re Bassett*, 413 B.R. 778, 786 (Bankr. D. Mont. 2009); *In re Spurlin*, 350 B.R. 716, 722 (Bankr. W.D. La. 2006); *In re Rigales*, 290 B.R. 401, 403 (Bankr. D.N.M. 2003); *In re Murphy*, 226 B.R. 601, 605 (Bankr. M.D. Tenn. 1998); *Hagel v. Drummond (In re Hagel)*, 184 B.R. 793, 796 (9th Cir. BAP 1995); *In re*

*Cornelius*, 195 B.R. 831, 835 (Bankr. N.D.N.Y. 1995); *In re Morse*, 164 B.R. 651 (Bankr. E.D. Wash. 1994) (looking at Chapter 13 requirements in the context of a § 707(b) dismissal); *In re Schnabel*, 153 B.R. 809, 817 (Bankr. N.D. Ill. 1993); *In re Sassower*, 76 B.R. 957, 960 (Bankr. S.D.N.Y. 1987) ("Social Security payments have been treated as regular income"); see also, Daniel L. Skoler, *The Status of Protection of Social Security Benefits in Bankruptcy Cases*, 67 Am. Bankr. L.J. 585, 589-590 (Fall, 1993) ("However, even



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exempt income or property such as Social Security payments,....must be taken into account in determining how much income should be allowed for reasonable support and how much the debtor has available to pay creditors.”); *contra In re Brady*, 86 B.R. 616 (W.D. Mo. 1987). Though the disposable income requirement of § 1325(b) is both permissive as indicated by the use of the word “may” and is also not implicated unless the Trustee or an unsecured claimant objects, recent courts have found that it nonetheless trumps the mandatory good faith requirement of § 1325(a)(3). In other words, merely plugging the dollar amounts in the correct spots on the means test gives rise to essentially a *per se* good faith satisfaction of any issue involving excess income or the reasonableness or necessity of certain expenditures.

The *Thompson* BAP opinion in the 8th Circuit (439 B.R. 140, 8th Cir. BAP 2010), held that it was not bad faith for the debtors to decline to utilize their Social Security income toward their Chapter 13 plan payments. The debtor in that case proposed to use some, but not all, of the Social Security ben-

efits received to make plan payments of \$1,155 and pay an estimated 11% to unsecured creditors. The means test showed a monthly disposable income of negative \$1,245 but there was excess income of \$2,560. That holding was based in part on the earlier 8th Circuit opinion *In re Carpenter*, 614 F.3d 930 (8th Cir. 2010), which held that past and future Social Security proceeds are excluded from the estate. In the case of *In re Cranmer*, the Tenth Circuit held that income from Social Security payments need not be included in projected disposable income and that debtor’s proposal of a Chapter 13 plan that excludes Social Security income is not bad faith. In that case an above-median-income debtor who received Social Security payments filed for Chapter 13 protection. On debtor’s means test, debtor did not include the Social Security income because Section 101(10A)(B) of the Bankruptcy Code excludes such payments from current monthly income. On Schedule I, however, debtor included the Social Security payments as monthly income, but excluded these payments as exempt on Schedule J, monthly expenses. Debtor proposed a plan that did not include the income earned from Social Security in the calculation of plan payments. Debtor’s plan thus allowed debtor to retain this income, rather than committing it to the repayment of creditors. The Trustee objected to plan confirmation, arguing that, although Social Security payments are excluded from the Code’s definition of current monthly income, such payments should not be excluded from the calculation of projected disposable income as a requirement of good faith. The bankruptcy court denied confirmation of debtor’s plan but the court was reversed on appeal.

A very recent 9th Circuit BAP decision, *Welsh*, took care of the “basic life needs” argument in that circuit in holding “[w]e reject the reasoning of the cases that say that, because Social Security payments are intended to provide for a recipient’s basic needs, a debtor must use the benefit payments to provide for those basic needs, thereby freeing up other, non-exempt income, for plan payments. *E.g.*, *In re Hall*, 442 B.R. 754 (Bankr.D.Idaho 2010). This approach simply does by indirection what the Code says cannot be done, which is to include Social Security benefit payments in a debtor’s disposable income calculation.” *In re David Welsh*, 12-60009, 9th Cir., (3/25/2013).

Other courts have held that the failure to commit Social Security income to repaying creditors may be considered as one



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### THE MARSHALL CHRONICLES

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- ✓ 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.

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of many factors under a totality of the circumstances analysis of good faith. In *In re Upton*, 363 B.R. 528, 534-535 (Bankr. S.D. Ohio 2007), the Sixth Circuit included the debtor's income and surplus as factors in determining good faith in a Chapter 13 case, so the failure to include Social Security income can be considered. The court required the debtors to present evidence of good faith to rebut the inference of bad faith arising from projected savings or surplus accruing during the life of the Chapter 13 plan of over \$32,000. In *Westing*, No. 09-03594-TLM, 2010 WL 2774829 (Bankr. D. Idaho July 13, 2010), while recognizing that although the plain language of the Code precludes inclusion of Social Security benefits in calculating "projected disposable income" under § 1325(b), it does not necessarily prohibit consideration of those benefits for purposes of determining whether a plan has been proposed in good faith. The *Westing* court held that satisfaction of § 1325(b)'s mechanical requirements does not completely insulate a debtor from a more subjective good faith analysis under § 1325(a)(3). In *re Green*, Case No. 09-44481-13, 2010 Bankr. LEXIS 945, (W.D. Mo. Feb. 1, 2010) This court held that the good faith requirement of § 1325(a) (3) operates independent of disposable income requirement of § 1325(b), unconstrained by § 101(10A) (B)'s exclusion of Social Security benefits. See also, *In re Bartolini*, 434 B.R. 285, 297 (Bankr. N.D.N.Y. 2010) (dicta, as the Chapter 13 Trustee had not raised good faith in the objections); *In re Herrmann*, 2011 WL 576753 at \*7-8, 11 (Bankr. D.S.C. Feb. 9, 2011); *In re Mains*, 451 B.R. 428, 434, 436-37 (Bankr. N.D. Mich. 2011); *In re Thomas*, 443 B.R. 213, 217-19 (Bankr. N.D. Ga. 2010); *In re Ward*, 359 B.R. 741, 745 (Bankr. W.D. Mo. 2007) (in what the court acknowledged was dicta, good faith test still applied, and courts should determine "whether the debtor has unfairly manipulated the Code."); *In re Mains*, 451 B.R. 428 (W.D. Mich.), *aff'd in part, rev. in part*, *Mains v. Foley*, 2012 U.S. Dist.(W.D. Mich. Feb. 24, 2012).

The court in *In re Allawas*, C/A 07-06058-HB, 2008 WL 6069662, at \*6 (Bankr. D.S.C. 2008) (Burris, J.) considered whether Social Security income could be taken into account in the good faith analysis under § 1325(a) (3). *Allawas* involved a single debtor with below median income whose primary income was from Social Security. The debtor proposed to make payments on a Harley Davidson motorcycle through her Chapter 13 plan by using her exempt Social Security disability income, and the Trustee objected. The debtor and the Trustee stipulated that the debtor met the projected disposable income test of § 1325(b) (1) (B). The debtor argued that the exempt nature of Social Security income allowed her use of the funds in her discretion under the definition of disposable income without consideration by the bankruptcy court. The Trustee argued that a greater dividend

could be paid to creditors if the expense for the motorcycle was prohibited, and therefore, such a use by the debtor was evidence of a lack of good faith. The court found the debtor's use of Social Security income to retain the motorcycle while pro-

posing only a 1% repayment to general unsecured creditors to be a factor indicating a lack of good faith in proposing the plan. Examining the totality of the circumstances, the court held that the debtor had failed to meet her burden of demonstrating that the plan was proposed in good faith. In so ruling, the *Allawas* court stated that:

"[t]o clarify, this decision does not find that actual excess income, arguably resulting from excluded Social Security income, must be counted toward a debtor's current monthly income and thus towards his or her projected disposable income for the purpose of determining payments to unsecured creditors. The point is rather that a Chapter 13 debtor seeking the extreme relief of bankruptcy must also pass the good faith test of § 1325(a) (3)." It seems that this logic would be in line with the overall reasoning behind the passage of BAPCPA – to require debtors to repay creditors what they could.

There is also a question of whether SSI gets included on a motion to modify the plan under § 1329. That presents an interesting issue. At least one court has held that on a motion to modify, Social Security income can be considered. See *In re Hall*, 442 B.R. 754 (Bankr. D. Idaho 2010) That court held that the debtor wife's SSDI benefits could be considered in connection with a modification of a Chapter 13 confirmed plan because disposable income requirements for confirmation under § 1325(b) did not apply to a proposed modified plan because § 1325(b) was not expressly listed in § 1329(b) (1). [The holding in *Hall* is part of a larger controversy involving the criteria bankruptcy court should use in deciding motions to modify.] So, the parties dance. The debtor excludes the SSI from the payments required under the plan, which is not considered bad faith, and right after the case is confirmed the Trustee moves to modify the plan to use all the SSI and increase the payout to unsecured creditors.

That leaves the Trustees, the courts, and the Bankruptcy bar with the job of taking the Social Security benefit exclusion's 'plain meaning' and applying it to all the diverse factual variations that arise in the endlessly creative enterprise known as life. We will see as time goes on whether the Supreme Court will resolve this issue as well.

Jay Tribou, Staff Attorney



## Legal Fish!

From April 3rd through 5th, staff from numerous trusteeships converged on the great city of Seattle for the NACTT Staff Symposium. Hundreds of attendees gathered at the Renaissance Seattle Hotel, in the heart of downtown, to share ideas, to learn, and to network.

The festivities started off the evening of Wednesday the third. After checking in and getting my conference packet, I attended the wine-and-cheese reception, getting acquainted with my fellow attendees.

The next day, it was down to business! I elected to participate in the “leadership” classes. The first session taught me about the “FISH! Philosophy,” which focuses on our attitude, our mindset, and how those elements lead to effective leadership. The name referenced Seattle itself – when Seattle’s fishmongers were merely carting their catch to the market, nobody paid much attention – but when they started throwing the fish, engaging passers-by, and having fun with their job, not only did they make more money, but they became one of the city’s defining institutions. This session can be summed-up in the great words of songwriter Jimmy Buffett: “It takes as much time to be a nice guy as it does to be a jerk.”

Once we had a philosophical foundation for leadership, sessions two and three spoke to the mechanics of being an effective leader. Session two was called, straightforwardly, “Leadership.” From the generic “ordering-around” to the more



cerebral “Vulcan” style, we learned that behavior and interaction with others are key elements when trying to steer people’s values, assumptions, and beliefs. To steer the energy of others – but most of all, to get them to direct their own energy to a common goal – is what makes for a successful leader.

With some excellent insight into leadership, the sessions began to turn to leadership as it related to our offices, and how to lead, even when you’re not necessarily the one in charge. It was made clear that concerning yourself with others’ needs, and building relationships, bring both external and internal rewards for you and your coworkers.

Steering away from the conceptual and the abstract, the subsequent sessions dealt with time management and workflow methodology. An effective leader, after all, has habits that others would want to emulate. It’s critical that a leader be in control of his or her tasks. This can be as easy as writing down your goals and preparing a list – and acting on that list, of course. An effective leader also knows how to strengthen their strong points and to minimize their weaker.

It was clear from all of these sessions and all of this new information that being a good leader involves a multitude of skills, and it takes effort to cultivate them. It doesn’t happen overnight, but these three days were certainly a great place from which to start.

*Aaron Bowles, Case Analyst*

## Is Ditching Your Landline A Good Idea?

In 2006, almost 10 percent of households had gotten rid of their home phone landlines. Within five years, that number doubled. But if you have been thinking about getting rid of your landline, you may want to give it a second thought. Cell phones seem ubiquitous, but there are certain circumstances that could make it impossible to use your cell phone.

For example, after Hurricane Sandy last fall, 25 percent of the cell phone towers from North Carolina to New Hampshire were out of service. In addition, because payphones in major cities have mostly been removed or have fallen into disrepair, there were no phone booths for these people to turn to. Much of the landline telephone network in this country relies on buried underground copper wire. Because of this, in the aftermaths of storms, landlines have proven to be more reliable than cell phones.

It can also be a safety issue. If you have to dial 911, but are unable to speak or give your address, an operator can quickly tell your location if you call from a landline. Cell phones usually do not give your location that quickly or accurately. Home security companies also rely on landlines when the alarm in your home is triggered.

You should also consider that each person in your family must have a cell phone if you leave your home with yours. Having only a cell phone means that when you leave your home, the only phone goes with you. If you have children that are home without you, they would not have access to a phone in case they needed to get in touch with you or had an emergency.

Finally, everyone knows that dropped calls happen fairly often even with the best cell phone service. If you are in a strong coverage area in your home, you may be able to depend on your cell phone. But if your service is at all spotty in any area of your home, you may find it frustrating to struggle with reception in your own home.



## The Budget vs. Expenses Comparison

When drawing up a personal budget, it is important to be mindful of the differences between your idealized personal expenses and the actual personal expenses that your budget expresses exist. Be sure that you are not delusional in thinking that your cash expenses are "not that high" or that you do not spend that much money in light of your documented budget stating otherwise. You need to think about small items that you may purchase throughout the week as well as your larger fixed expenses. If you have adequate income to meet your expenses in terms of your fixed costs (for example mortgage payments) and your necessities (food, etc.), then you have planned your budget correctly. If the opposite is true, it is time to examine some of the variables in your personal budget.

The first factor to ensure a balanced budget is to make certain that your personal income is capable of covering your life costs and necessary money expenses. If this is not the case, you need more income to cover these key items. There is no point in budgeting if you do not have the money to provide paper on which to write the facts and figures, so make sure that you have enough financial capacity to demonstrate the responsibility of paying the necessary bills and procuring the necessary items with which to function as a human being.

Once this has been established, you can now move on to your budget in an official sense. Make sure you are aware of your expenses and how to counteract your expenses by drawing up an effective budget to allocate your cash. Your budget should exhibit all of your expenses, even the unknown ones such as emergencies and unforeseen circumstances, so that you are visually aware of where you stand financially at all times by simply taking a look at the documented information. From that point, you are able to see where you went wrong with your fiscal planning and what can be done in the future to prevent any mistakes.

Assuming you did not make any budget mistakes, you are not able to process the personal expenses aspect of your budget in an area beyond known costs and fixed costs. This is where the comparison of budget to actual expenses comes heavily into play because you are not comparing what is left with what is desired. For example, if you want to install a backyard swimming pool and you notice that your budget has you coming up with about a hundred dollars extra per month after all known and fixed expenses you may deduct that it is not such a good idea. This will also allow you to see whether you are in a position to gain a personal loan or pay day advance.

These types of comparisons are important because they allow you to see, literally, into the future of your fiscal situation and create a climate of financial responsibility that will last a lifetime if implemented correctly. Although drawing up a budget may not be the most exciting task, it really can help you become more financially organized.

By: Elfira Irani, Article Source: <http://www.articlebiz.com/>



## Financial The Two Most Common Errors With Pre-Confirmed Dismissed And Converted Cases



When completing the final report on pre-confirmed dismissed and converted cases, there are disbursements that I have to make sure were paid correctly. These two areas deal with paying the adequate protection and paying the Attorney Fee Order.

When paying adequate protection, the most common error is that they need one more month's payment or that they have received one month's extra payment. Adequate protection payments start one month after the bankruptcy case was filed and receive monthly payments all the way through the conversion, the dismissal or confirmation of the plan.

The second common error is when the debtor attorney was not paid correctly. If the attorney fee order is granted before or on the day of conversion or dismissal, then the attorney should receive the funds that are on hand after adequate protection was paid. If the attorney fee order was granted after the conversion or dismissal, then the attorney is not required to receive any funds and the claim gets loaded with a no check code.

*Kristen Kehl, Closing Audit Specialist*

## May's Notable Events

**May Day** on May 1st.

Happy Birthday to **Maude Tetteh** on May 1st!

**All Staff Meeting** on May 3rd.

**Firefighters' Day** on May 4th.

Happy 1st Anniversary to **Suszie McKinney** on May 7th!

**Eat What You Want Day** on May 11th.

**Mother's Day** on May 12th.

Happy Birthday to **Anthony Olivadoti** on May 13th!

Happy 2nd Anniversary to **Kristen Kehl** on May 16th!

**Sea Monkey Day** on May 16th.

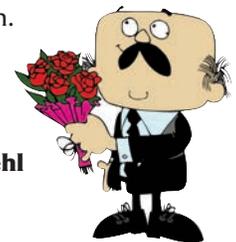
Happy 2nd Anniversary to **Aaron Bowles** on May 16th!

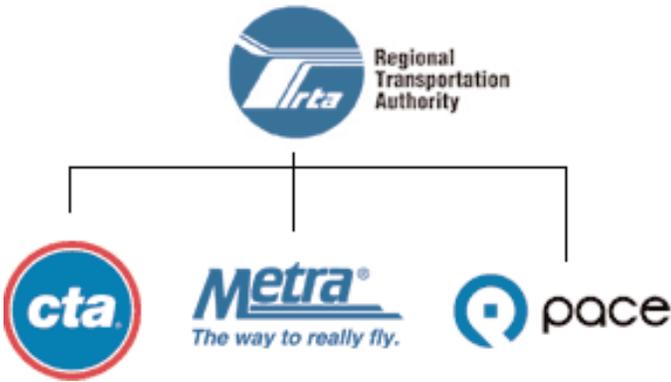
Happy 26th Anniversary to **Sandra Pillar** on May 18th!

**Museum Day** on May 18th.

Happy 18th Anniversary to **Anthony Olivadoti** on May 22nd!

**Memorial Day** on May 27th (the office will be closed).





**Case Administration  
Beam Me To Work, Scotty!**

If you can't get to work, you can't do your work. While some people might live two miles away and while others live 50 miles away, you still want to get to work on time, at your scheduled hour. There are a few of our staff who drive to work, but for the most part people take public transportation (Metra, CTA, RTA, and Pace) because traffic on the expressways is too congested. Probably more than ninety percent of the time public transportation is on time and for the most part convenient. Chicago is one of the best cities for public transportation in the U.S.

But, due to the crazy weather in Chicago, for example, February blizzards and April floods, and other issues, such as mechanical problems, public transportation might be late. When one of those issues arises, even if you get out of your house at a normal hour and to public transportation on time, you can still be late.

Even so, at least until Star Trek's transporter system becomes a reality, most of us will continue taking public transportation and hope it won't be late.

*Carlos Lagunas, Case Administrator*

**By The Numbers:  
Mother's Day**

- ❁ Americans spend over \$670 million on Mother's Day cards each year.
- ❁ Flowers account for almost 70 percent of all Mother's Day gifts.
- ❁ There are over two billion mothers in the world.
- ❁ The average person will spend \$152 on gifts. Total spending exceeds \$18.5 billion annually.
- ❁ One-quarter of Mother's Day shoppers buy their gifts online. *Source: IPSOS-Insight, National Retail Federation*



**20 Questions For:  
Tricia Hundley**



*Office Title:* Receipts Specialist

*If you could have named yourself, how would your name appear on your birth certificate?* I am content with the name I was given.

*If you could build a house anywhere in the U.S., where would it be?* California, somewhere in wine country.

*When you were a kid, what profession or job did you want to have when you grew up?* Police Officer.

*If they made a movie about your life, what current actor/actress would play you?* Tina Fey.

*What is your least favorite household chore?* Doing the dishes.

*What are your favorite books?* Cook books! I love finding new things to cook, bake and eat.

*If you could bring anything back from your childhood, excluding people, what would it be?* Nap time.

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

*Hair style/haircut?* Apparently perms, because I seem to remember having several as a child.

*Cartoon?* Scooby Doo.

*Cereal?* Lucky Charms – they're magically delicious!

*Sport?* Baseball.

*Subject in school?* History.

*Author?* The authors of the Nancy Drew mystery series.

*Singing group?* Def Leppard.

*Video game?* I didn't really play video games much, but I did love Pacman.

*Family outing?* Weekends in Lake of the Ozarks.

*Movie?* Batman.

*If you wanted to be cool:* You wore over-sized clothing.

*I always wanted:* To live in a big city.

*Now that I'm older I wish:* I could run without pain, like when I was a kid.

**Trivia Quiz Answers:  
Picture This!**

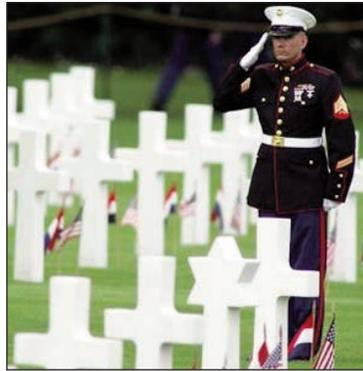


- ① Rear Window.
- ② A kite.
- ③ A camera obscura.
- ④ His cigar.
- ⑤ Iwo Jima.
- ⑥ International Standards Organization.
- ⑦ Fort Peck Dam.
- ⑧ Yosemite.

## A Very Short History Of Memorial Day

This year Memorial Day is being celebrated on Monday, May 27th.

Memorial Day commemorates the men and women who died while serving in the American armed forces.



Originally known as Decoration Day, it was a day to honor those who died in the Civil War by decorating their graves.

The original proclamation was issued on May 5, 1868, by General John Logan of the Grand Army of the Republic, an organization of former military personnel.

During the first Decoration Day, General James Garfield spoke at Arlington National Cemetery, after which about 5,000 people decorated the graves of 20,000 soldiers from the Union and Confederate armies who were buried in the cemetery. Today, Memorial Day is observed at Arlington National Cemetery with a ceremony whereby a small American flag is placed on each grave.

Although the first Decoration Day was held in May 1868, it wouldn't be until 1971 that Memorial Day became an official federal holiday that now falls on the last Monday in May.

It wasn't until after World War I that observances began to honor those who had died in all of America's wars and not just the Civil War.

The difference between Memorial Day and Veterans Day, November 11 each year, is that Memorial Day honors the dead and Veterans Day recognizes the living while also honoring the dead. Several Southern states have a special day for honoring the Confederate dead of the Civil War. Seems that even in honoring our nation's military dead, we can't agree on how or when to honor and recognize them.

*By Jim Frimmer, Mission Valley, CA*

## Money Tip

Gas prices can creep up as the weekend approaches when demand increases. You will find the lowest prices of the week at midday on Tuesday and on Wednesday morning. While other factors can cause gas prices to rise or fall, these days give you the best shot to find lower prices.



## It's Never Too Late To Help Your Heart



A new study shows that a heart-healthy diet can offer benefits even to those who have established heart disease. Researchers at McMaster University in Hamilton, Ontario, Canada, found that older people with heart disease who ate the most fruits, vegetables, fish, and nuts had a much lower risk of having another heart attack or stroke than those with an unhealthy diet. Their overall risk of dying was also lower.

Many people who have had a heart attack think that medication alone will help prevent another one. While taking medication is important, a healthy diet offers significant benefits as well. The study showed that a heart-healthy diet offered up to a 35 percent lower risk of heart or stroke-related death over those who were taking medication alone.

While it has long been known that a healthy diet helps your heart, this study is noteworthy because it is the first international, major study to show that this type of diet offers benefits for those on medication for existing heart disease. It helps address the concern many older people have that it might be too late for them to improve their heart health. This study shows that changing your diet at even a later age can have a significant impact.

## What To Do When Your Flight Is Cancelled



Weather delays, national emergencies, striking workers, and mechanical problems can all lead to flight delays or cancellations. While there sometimes is nothing you can do, there are some things to try if your flight is cancelled.

Your best bet to staying informed is to sign up ahead of time for email, text, or phone alerts from your airline. You can also check the airline's Twitter account. For example, Delta Airlines created a Twitter account, @DeltaAssist, to handle customer service issues. Customers often get a quicker response through this channel than traditional customer service telephone lines, as airlines do not want a flood of negative retweets.

If it is unavoidable that your flight is cancelled, you may be entitled to some compensation. The Department of Transportation doesn't require airlines to offer any compensation, but often an individual airline's policy may work in your favor. Some airlines will offer money, hotel rooms, or discounts off future travel if the delay is caused by a maintenance issue. If you have to take alternative transportation because the airline cannot reasonably accommodate you on another flight, you may also get a partial or full refund.

**Did You Know?  
Garden Trivia**

- \* The onion is actually classified as a lily botanically. Asparagus is also a member of the lily family.
- \* Ever heard the phrase cool as a cucumber? Well, it is true! The inside of a cucumber on the vine can be up to 20 degrees cooler than the outside on a warm day.
- \* Hydrangeas produce different colored flowers based on the pH level of the soil. A single plant can produce flowers ranging from pink to purple to blue by changing the chemical make-up of the soil around the plant.



- \* The daisy was originally called the “day’s eye” because the yellow center resembled the sun. Eventually, the name changed to daisy.
- \* Leaf lettuce has been around since the time of the ancient Greeks, but heading lettuce did not appear until the late 1500s.
- \* The most popular home grown vegetables, in order of popularity, are tomatoes, peppers, cucumbers, onions, beans, lettuce, and carrots.
- \* Most members of the nightshade family are poisonous, but this group also includes some edible plants, such as the tomato, potato, and eggplant.



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**CHAPTER 13 TRUSTEE**  
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**Trivia Quiz: Picture This!**

May is National Photo Month. To celebrate, take this trivia quiz to test your photographic memory. *(The answers can be found on page 6.)*



- ① Which Alfred Hitchcock film featured a photographer who used his camera to look into the lives of his neighbors?
- ② In 1905, the U.S. Army took the first aerial photographs. What kind of aircraft was used?
- ③ The forerunner to the camera was a darkened box that admitted light through a convex lens. What was this instrument called?

- ④ Photographer Yousef Karsh pulled what out of Winston Churchill’s mouth before taking his famous photograph of Churchill?
- ⑤ In 1945, an iconic photograph was taken by Joe Rosenthal depicting five U.S. Marines and a U.S. Navy corpsman raising the American flag where?
- ⑥ What does ISO stand for?
- ⑦ What image was on the very first issue of Life Magazine in 1936?
- ⑧ What national park in California was Ansel Adams famous for photographing?

