

Meet Chief Judge Eugene R. Wedoff

The Bankruptcy Court of the Northern District of Illinois recently appointed the Honorable Eugene R. Wedoff as Chief Judge. We count ourselves lucky, as he is a wealth of knowledge and an asset to the bankruptcy community.

Judge Wedoff is a graduate of the University of Chicago and the University of Chicago Law School. He ultimately became a partner with the Chicago law firm, Jenner & Block. Judge Wedoff received his fourteen-year judicial appointment to the Bankruptcy Court on September 16, 1987, and was recently reappointed to serve until the year 2015. He has been awarded the National Conference of Bankruptcy Judges' Excellence in Education Award and the American Bankruptcy Institute's Special Award for Work on Consumer Bankruptcy Legislation. He is also a Fellow of the American College of Bankruptcy. Additionally, he is the respected author of various legislative analyses, most notably, *An Updated Analysis of the Consumer Bankruptcy Provisions of H.R. 833 Bankruptcy Reform Act of 1999*. Our office had the good fortune to speak with Judge Wedoff recently and explore his views on several issues of importance to the bankruptcy community.

As the newly appointed Chief Judge of the Bankruptcy Court for the Northern District of Illinois, Judge Wedoff is faced with several challenges. We asked him what his biggest challenges were. Currently, Judge Wedoff must deal

with the administrative hurdle of providing coverage while three judge positions are open and during a time of record bankruptcy filings. He also stated that the imminent transition to electronic case filing poses its own special set of trials. Lastly, if passed, the pending bankruptcy legislation will drastically change the way the court administers cases.

Judge Wedoff also shared his perceptions of the role of the Chapter 13 Trustee. Judge Wedoff made the point that in a Chapter 13 bankruptcy, the Trustee is not the trustee of the estate, as some people think, but is trustee only of the payments that the trustee receives under the debtor's plan. He also stated the Trustee's main duties encom-

passed a responsibility to the bankruptcy system, ensuring that all requirements for plan confirmation have been met and that the debtor's schedules (including the calculation of disposable income) are accurate. The judge further noted that some Chapter 13 Trustees have taken on Debtor education. He pointed out that even though debtor education is not a statutory responsibility, it has often been helpful in enabling debtors to achieve financial independence.

Judge Wedoff is a staunch proponent and the author of our district's Model Chapter 13 Plan. We discussed the plan's successes, which he said should be measured against the goals it sets out to achieve.

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Chief Judge Eugene R. Wedoff

Meet Judge Wedoff *(continued from page 1)*

The original goals of the Chapter 13 Model Plan were:

- to set out clearly the rights and responsibilities of all of the parties affected by the plan—debtors, creditors, and the trustee;
- to present, in a uniform manner, the basic information needed to determine whether the plan is in a position to be confirmed;
- to provide an internal check for feasibility;
- to provide for treatment of claims consistent with the provisions of the Bankruptcy Code;
- to allow for changes to any of the model provisions, as long as clear notice of proposed changes is given.

He believes that the Model Plan has been effective on each of those points. Judge Wedoff also pointed to the fact that mortgage arrearages and secured claim valuations are resolved at the time of confirmation, under the plan, eliminating many post-confirmation problems.

If you want Judge Wedoff to become impassioned about a subject just mention the pending bankruptcy reform legislation. He notes that the stated purpose of the reform, according to its sponsors, is to force the wealthy to pay whatever debt they can afford in Chapter 13, rather than obtaining an immediate discharge in Chapter 7. Unfortunately, he thinks it is very unlikely that the pending legis-

lation will actually achieve this. In his opinion, the wealthier filers would be able to continue to afford competent representation, which would allow them to continue to qualify for Chapter 7. For those with more modest means, however, the legislation presents substantial problems:

A substantial increase in administrative work for debtor attorneys, resulting in higher fees and may ultimately discourage attorneys from practicing in bankruptcy;

The complexity of the changes would make it much harder for a Pro Se debtor to file bankruptcy;

Chapter 13 Bankruptcies would become less effective because strip downs of secured claims would be substantially limited. The result would be fewer funds left over to make a plan successful;

Debtors may be required to submit tax forms and file a new plan each year creating more work for Debtor attorneys and Trustees.

Finally, Judge Wedoff has long been known as a champion of technology. We asked him what role he thought technology would play in the future of bankruptcy law. He stated that the prospect of electronic case filing will have an enormous impact on the bankruptcy community since cases and claims can be filed from anywhere in the world, at any time of day. There will be a huge increase in the amount of information available to interested parties. He also foresees improved noticing and better record keeping. However, he has some concern about the fact technology may make it less necessary for all parties to actually appear in the courtroom. He feels that without all parties in the same room the important element of human interaction may be lost.

With his recent appointment as Chief Judge of the Bankruptcy Court for the Northern District of Illinois, we look forward to further insights on bankruptcy and a continued positive impact on the bankruptcy community. We are fortunate to have a judge that is as knowledgeable and concerned with bankruptcy matters as Judge Wedoff.

Nicole Robertson

THE MARSHALL CHRONICLES	
The Editorial Staff: Amanu Nwaomah, Cheryl Jones, Shanika Thomas, Santricia Teat, Karen Barron, Nicole Robertson, Joanne Coshonis, Robin Dirksen and Dave Latz	
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Trustee Matters
State Of The
Trusteeship Address



Whether in peace or in war, whether our economy is in a recession or not, and whether or not the civilized world faces unprecedented dangers, both President Bush’s and former President Clinton’s State of the Union Addresses stated that the state of our Union has never been stronger.

In reviewing the past, remembering the present and outlining directions for the future, I borrow from both Bush and Clinton and am proud to state our Trusteeship “has never been stronger.” The criteria for evaluation are based on leadership, employees, customers, and the bankruptcy community. We begin the new fiscal year with 7,571 active cases. We currently employ 36 full time employees. Our receipts totaled \$44,894,049.00 and we disbursed \$40,911,531.68 to creditors.

I recognize the dedication and hard work of the employees of the Trusteeship. I am grateful to all who have helped in weathering the changes. We have encouraging prospects for the future and the ways in which we are moving forward toward our shared goals help all to feel included in the processes. I have adopted a compensation philosophy to remain competitive with the market. With the review completed this year by Organizational Diagnostics, the salary levels recommended were slightly above average or “market “ pay levels (2% to 5%.) Our compensation philosophy will encourage valuable employees to remain with the Trusteeship. Yet at the same time, each newcomer will be trained extensively, not only in actual task performance but also on the function, purpose, and even language of Chapter 13 bankruptcy. My goal is to minimize a high turnover rate where it is costly and time consuming to the Trusteeship. Each employee will be judged according to his or her merit. A sound performance appraisal system will be utilized. Across the board increases will remain a part of the past and the merit pool will now be used to award increases to salary.

We will continue to address the need for conversation and communication to reinforce our shared values and mission. We need conversation to stay abreast of one another and honor one another. Over the past year, we have continuously enlarged our celebration of the contributions and achievements of our Trusteeship through our monthly-published newsletter, through our monthly staff meeting, through employee recognition events, through social events with other Trusteeships and with the U. S. Trustees office, through the judges liaison committee meetings and

through debtor attorney’s gatherings. We will embark upon a training program this fiscal year for attorneys, setting out what it takes to get a Chapter 13 case confirmed in order to eliminate questions from the “bar” regarding processes and practices in this Trusteeship. Our commitment to increase communication will continue.

Currently, we appear before Judges Martin (1951), Doyle (1468), Black (2418) and Squires (1734). Our attorney rotation schedule has given the staff attorneys a broader perspective of the bankruptcy judiciary. Additionally, the number of cases per judge varies. I am pleased with the results and will continue the attorney rotation schedule.

In following the objective of the UST’s office, we have become more involved in identifying and addressing civil abuse matters. We will continue to support and enforce the Bankruptcy Civil Enforcement Program. We begin FY 2003 having objected to fees in 8 cases filed by 3 different petition preparers. We have asked for and been awarded sanctions in five cases totaling \$8,000.00.

We will meet the challenge of the Bankruptcy Reform Act whenever or if it is passed. In order to prepare us, it is our hope to implement a debtor education program that focuses on budgeting and financial literacy. We will strive to establish a debtor education program and outline to be funded in the FY 2004 budget. We will have installed in our reception area during the year 2003 a bankruptcy info-video, which answers debtors most frequently asked questions while in bankruptcy. We will strive to have information on bankruptcy placed on our customer service lines when callers have to be placed on hold. We will meet the challenges of tomorrow today.

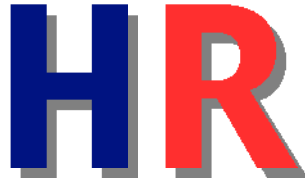
We close this fiscal year and begin a new one with great enthusiasm and eagerness to face the challenges ahead. I am pleased.

Summary
End of Fiscal Year 2002

Receipts	\$44,894,049.00
Disbursements	\$40,911,531.68
Number of Cases at the Beginning of Year	7,342
Number of Cases Filed in FY 2002	5,307
Number of Cases Completed	1,008
Number of Cases Dismissed.	3,645
Number of Cases Converted to other Chapter	611
Number of Cases Converted from other Chapter	4
Number of Hardship Discharges	3
Number of Adjustments.	33
Total Cases at End of Year	7,571
Number of Full Time Employees	36
Operating Expenses	\$2,775,459.24
Trustee Fee at End of Year	7%

Marilyn O. Marshall, Standing Trustee

**HUMAN RESOURCES
Information Time
Paid Leave**



We're into the last quarter of the year and October through December are usually pretty popular months for employees to plan their vacation leave. The holidays during these months seem to draw a high number of leave requests. In order to ensure that we have adequate staffing levels, managers are required to monitor leave requests even more closely during this period.

Our current vacation policy requires that employees follow these guidelines:

- ☞ Do not submit a leave request to your manager unless you have already accrued the appropriate number of leave hours.
- ☞ If you have not complied with our 5-day consecutive leave policy, your manager will deny your leave requests until you do. You must accrue the entire five days of leave prior to submitting your request for vacation. Any leave taken prior to your compliance with this policy will be unpaid. (Note: This policy was implemented and effective July 1, 2002. The Trustee is granting an extension past December 31, 2002, for those employees who have yet to meet this requirement.)
- ☞ You may carry forward no more than eighty (80) hours of leave in the next calendar year. Leave accrued in excess of eighty hours is forfeited on January 1st, so plan ahead.



If you're unsure if you met the requirements of our 5-day leave policy, see me.

Benefit Renewals

We have finalized Humana's administrative requirements and are changing our dental benefit carrier from MetLife to Humana effective November 1, 2002. Your MetLife dental benefits will be in effect until October 31, 2002. We are maintaining Life and Short Term Disability benefits with MetLife.



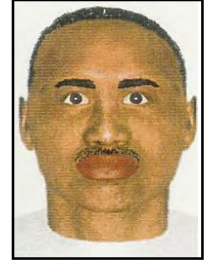
Our vision coverage with Vision Services Plan is renewed for another calendar year through September 30, 2003.

I'd be happy to answer any questions you may have regarding your health benefits.



Employee Safety

In the last month, two women were sexually assaulted in the vicinity of our office building in the afternoon on two different days. The days are getting shorter and it's getting darker earlier. Women, **PLEASE BE CAREFUL**, cautious and alert when walking in the area. Try to walk in groups whenever possible and have your keys ready in your hand if you're on your way to your car. Some garages also have staff attendants who will escort you to your vehicle.



For a description of the assailant, review the suspect composite posted on the Café Pro Se bulletin board.

Robin Dirksen

November Birthdays, and Other Notable Events

- All Staff Meeting** on November 1st.
- Happy 4th Anniversary to **Lavone Kizer-Merritt** on November 2nd!
- Happy Birthday to **Laura Mendoza** on November 3rd!
- Election Day** on November 5th.
- Happy 2nd Anniversary to **Graciela Cardona** on November 6th!
- Happy 4th Anniversary to **Mark Caffarini** on November 9th!
- Happy 2nd Anniversary to **Tanto Hidyoningrat** on November 9th!
- Veterans Day** on November 11th.
- Happy 2nd Anniversary to **Cheryl Jones** on November 20th!
- Happy Birthday to **Estela Garcia** on November 28th!
- Thanksgiving Day** on November 28th.



**U.S. TRUSTEE TRAINING
ROCKFORD, ILLINOIS
NOVEMBER 6TH & 7TH, 2002
ANNOUNCEMENT**

MARILYN MARSHALL'S STAFF WILL BE COLLECTING MONEY FOR THE BOX LUNCH (\$10.76) OUTSIDE THE MEETING ROOM (WALLINGTON CENTER I) AT THE CLOCK TOWER HOTEL ON WEDNESDAY, NOVEMBER 6. CASH IS PREFERRED. IF PAYING BY CHECK, PLEASE MAKE IT PAYABLE TO MARILYN O. MARSHALL. TRUSTEES PAYING FOR THEIR STAFF SHOULD SUBMIT ONE CHECK.

FINANCIAL • COMPTROLLER The Annual Audit Begins!

Lately, we read or hear about fraud and misstated financial statements. If you're like me, you wonder how this could happen to such a degree and not get caught until so late in the game. You also hear about people who suffer financial repercussions when the numbers start to unravel. Those who intentionally make efforts to deceive, those who cover things up, those who are afraid to speak out, and those who don't care enough to follow proper procedures that would catch these errors affect all investors, employees, vendors, and family members of those people.

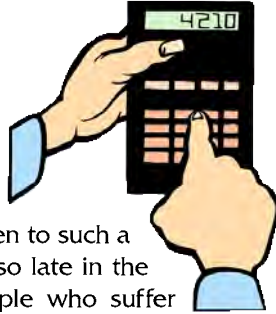
One thing that prevents fraud is an audit. A Chapter 13 Trustee office undergoes an audit annually. Our office has already sent some information to our auditors and we are in the process of preparing even more reports for the audit.

The requested information is quite comprehensive. One piece of information entails a job function matrix. This matrix lists various tasks and which job titles have access and authority to perform these tasks. This is done to insure that the segregation of duties is maintained.

Another required document is a questionnaire, which is approximately 20 pages in length. It inquires about procedures, compliance, controls, systems information, case tracking, banking and bonding, methods for receipts and disbursements, and how our office monitors various types of information, just to list some of the types of questions.

We also supply our auditors with confirmation letters. First, the letters are sent to our banks, insurance vendors, creditors, and debtors. These are letters written by our office requesting that the parties verify disbursements and receipts, cash balances and signers, and insurance coverage information. Once completed, the letters are reviewed and sent directly to our auditors in pre-paid postage envelopes. This provides our auditors with a great external source to verify our records. If there are discrepancies, then our auditors scrutinize things more closely.

The auditors also request that we supply them with various changes in policies, 401(k) documents, updated job descriptions, authorizations for fixed asset purchases, an outstanding check list, various other reports relating to banking, an expense fund general ledger, reconciliation of information in our books, and detailed lists of specific categories of financial information. These are just some of the requests for information!



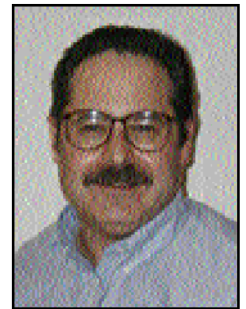
With this much information prepared before the auditors arrive here, and other documents gathered for their review upon arrival, the audit will definitely yield an insight into our financial handling of the funds our office is entrusted to administer. It is very hard to imagine that fraud could be perpetrated with this much monitoring.

The auditors will be on site in early December. This will give them a chance to interact with the staff and inquire about questions they may have after reviewing the information they have already received.

A good auditor will notice things that don't appear correct and then delve even deeper into why that is occurring. Auditors also make recommendations for improvements in various areas that they review. The auditors will finalize the audit with a management letter. Our office hopes that the audit will go very well this year. We are working hard to prepare the year-end information.

DonnaLynn Zimmerman

The Employee Of The Month For July: Mark Caffarini



July's employee of the month was Mark Caffarini. He started with the Office of the Chapter 13 Trustee on November 9th, 1998. When Mark joined the office, he could not have come at a more turbulent time. However, Mark pursued by plugging away at his job and not running away from hard work. Mark was voted employee of the month for a combination of reasons. He is viewed as a dedicated employee, problem finder and solver, he is funny and everyone agrees he goes beyond the call of duty. Always willing to pitch in when needed is one of his best traits. Mark works in our Financial Department and his most notable task is the debtor discharges. He is a new uncle of twins, Matthew and Conner, and he also adores angels.

Signed Patti, Rita, Santricia, Denise and Juliana.

Thanksgiving Day comes, by statute, once a year; to the honest man it comes as frequently as the heart of gratitude will allow.

—Edward Sandford Martin

Let us be thankful for the fools. But for them the rest of us could not succeed.

—Mark Twain

As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.

—John Fitzgerald Kennedy

CASE ADMINISTRATION – CLAIMS Reflections Of The Way We Are



Our fiscal year ended on 9-30-02. What a year!! I thought it would be interesting to provide you with some statistics on the volume of documents handled last year.

- ★ Our office received 5,307 new cases,
- ★ added 39,344 new creditor claim records to our system,
- ★ processed 4,492 attorney fee orders,
- ★ conducted 4,630 §341 meetings, and
- ★ confirmed 2,758 cases.

In reviewing this data, I started to think about all the work that goes into just processing one case and the contribution made from each department. Lets take a look, shall we?

- ✓ Team A – picks the petition up from court, creates a folder, adds the case to the system and files all documents in the folder.
- ✓ Team B – enters the plan, schedules and claims then verifies the information processed.
- ✓ Team C – reviews the documents filed in preparation for the §341 meeting and confirmation hearing.
- ✓ Team D – conducts the §341 creditor meeting.
- ✓ Team E – processes the amended documents, orders and prepares the packets for the confirmation hearing.
- ✓ Team F – reviews the final plan, orders and claims before disbursements.
- ✓ Team G – records the receipts, payroll orders, and reviews the monthly disbursements.
- ✓ Team H – audits all eligible cases prior to discharge.
- ✓ Team I – programs and maintains the computer software/hardware that allows our office to do all this work!

Oh, let's not forget Team J who makes sure we get properly compensated for all this work.

The next time you are feeling a little overwhelmed, maybe you can find some comfort in knowing that we are all on the same team, working toward the same goal of making sure that each case is administered properly during the life of its plan.

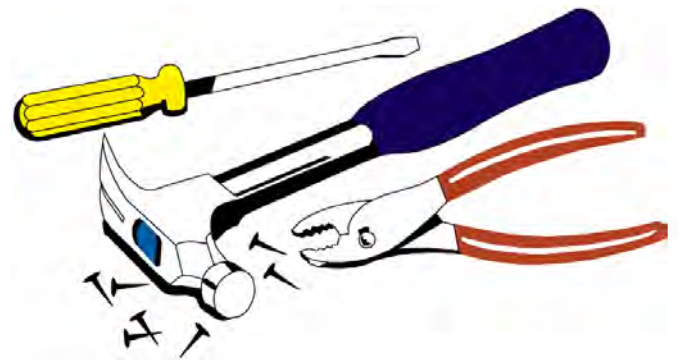
Regardless of what team you are on, please give yourself a well-deserved pat on the back as we go into our new fiscal year and know that you are doing a great job.

Rosalind Lanier

INFORMATION SERVICES

Working To Provide The Tools You Need To Get It Done!

Check out what's been happening in the Systems Department: Cliff Tarrance and Sandra Pillar have been facilitating meetings to get staff input on the new CashFlow module. The CashFlow module is a central set of programming codes in CaseNET that handles money flowing into and out of cases. Some of the areas that will use this code are allocation (moving money from cases to claims on the Monday of disbursement week), determining case payoff amounts and determining claim payoff amounts. When the CashFlow module is in place, there will be a breaking point before making disbursements to unsecured creditors. When the 100% creditors have been paid in full, a case will be flagged for a mid-case audit. Payments to unsecured creditors will be made only after a mid-case audit has been completed. This new CashFlow module will simplify disbursements on pot plans, making them easier to understand and maintain.



October 1st marked the beginning of fiscal year 2003. All financial transactions posted in CaseNET are now being posted to general ledger accounts. This brings our office one step closer to having a full general ledger in CaseNET. We are still entering transactions into a QuickBooks general ledger and running parallel systems.

Darlene Odom continues to work with creditors to clean up their disbursement addresses. She provides them with a report of the addresses and account numbers in our system and they instruct her as to which addresses can be merged or deleted. She has the ability to "freeze" addresses on CaseNET, so that additional addresses are not entered and you must select the address from one already in the system.

Dave Latz wears many hats. This month the hat has looked like that of a contractor as Dave helps out with the remodeling in our office. He's been moving computer equipment, furniture, supplies and anything else that needs to be done to lessen the disruption to our staff as the office gets a new look.

Sandra Pillar

Christopher Columbus: Honorable Explorer

Every year we take time from our busy schedules to celebrate Columbus Day as a way of honoring one of the world's most respected explorers. We spend the day paying homage to the gallant adventurer that discovered America!

Christopher Columbus was born in 1451. He was an esteemed navigator that had a vision for the future. He was a man driven by the prospect of discovery. His early years were filled with many voyages that provided him a wealth of information about sailing and navigation. In late 1481, Columbus set sail to the Portuguese fortress of El Mina on the Guinea coast of Africa. Like any great sailor, Columbus was able to learn about local winds and ocean currents from the area's sailors. It may have been in these waters off the coast of Africa that Columbus found out about the Canary Current. Knowledge of a fast moving river of water in the ocean could very well have been the thing that made Columbus believe a Trans Atlantic crossing to India would be possible.

Christopher Columbus was a noble adventurer and explorer whose greatest desire was to find a westward passage to Asia. After petitioning the English, Portuguese, and Italians for funding without success, Columbus was able to persuade Queen Isabella and King Ferdinand of Spain to sponsor his courageous voyage.

Columbus assembled a crew of noble and seafaring adventurers. On three separate ships – the Niña, the Pinta and the Santa María – the crew set out on August 3, 1492, and began what would be a harrowing voyage across the Atlantic. After three months, the three battered little ships landed in the Americas. Columbus had discovered America.

Columbus brought many wonderful gifts to the natives. The local inhabitants were thrilled to trade with the Europeans that had landed on their shore. They had never seen some of the astounding things that Columbus presented them.

After returning to Spain, Columbus regaled Queen Isabella and King Ferdinand with stories of his great discoveries. In the spirit of exploration, he made four more trips to the Americas. With each trip, he located more islands and made more discoveries.



Nicole Robertson

Christopher Columbus: Despicable Loser

On October 14th this year, we took the day off work in celebration of Christopher Columbus, the man most Americans are told discovered our nation. Though our interest in this man may extend only so far as knowing which weekend in October will have an extra day attached to the end, let us truly take a look at this intrepid explorer.

Christopher Columbus was a braggart, a boot-licker, a thief, and a liar; maybe that's why I admire the man so much. Some people say history is written by the winners, but they never met Chris! A born loser, few men in history were able to achieve as much as he did without the over-rated values of honesty and integrity.

Even back while petitioning for approval of his Atlantic voyage, Columbus had his eye on the prize. Cautioning kings and heads of state on the importance of serendipitously crashing into foreign land masses, Chris asked for so little; merely one-tenth of all riches from the Indies and the rank of Admiral of the Ocean, Viceroy and Governor of the Indies. However, only King Ferdinand and Queen Isabella of Spain were foolish, er, wise enough to accept Columbus' proposition.

Provided with 3 ships (the Niña, the Pinta and the Santa María), Columbus set sail for the Indies and only missed by about 10,000 miles.

However, not to be daunted by trifling matters like geography, Chris got lost in the Caribbean and declared the first island he landed on to be the Indies and the current residents to be Indians. The natives were not amused. Yet Columbus, the constant diplomat and entrepreneur, made the best of the situation by bartering with the occupants. The natives traded their gold, precious jewelry, and fine crafts in exchange for worthless trinkets, slavery, and syphilis. For anyone who thinks that's an unfair trade, I say two words to you: caveat emptor.

Columbus, feeling the need to brag to someone who understood his language, eventually packed his ships with gold and supple native women and headed back to Spain. On arrival, Chris spun a terrific tale of heroism and discovery, leaving out the occasional rape and genocidal act for the sake of brevity. Ferdinand and Isabella were duped, er, inspired by Columbus' story and allowed him to make four more voyages to the Indies. Columbus managed to get lost and crash into a different island each time. Meanwhile, a troublesome little explorer by the name of Amerigo Vespucci crept by and found a slightly larger landmass to the north which he stuck his name on and called America.

Kyle Issleb

Newsletter F Y I s

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

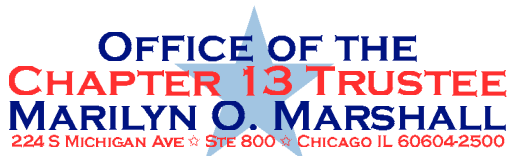
- ✓ e-mailing us at newsletter@chi13.com
- ✓ dropping your submission or idea in the anonymous newsletter folder located in the mail room, or
- ✓ leaving them with Amanu

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

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

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

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



Thanksgiving Trivia Quiz

Thanksgiving is just around the corner. There is more to this holiday than turkey and pumpkin pie. Test your Thanksgiving knowledge with this trivia quiz!

1. How many people were on board the Mayflower?
2. How many babies were born on the Mayflower?
3. How many days was the Mayflower at sea?
4. What was the first department store to hold a Thanksgiving parade?
5. In what year did the first Macy's Thanksgiving parade occur?
6. What was the name of the Wampanoag chief who was invited to the Pilgrims' Thanksgiving feast?

7. What does the term "cornucopia" mean?
8. What was the original name for the pilgrims?
9. True or False: The pilgrims took beer with them on their voyage on the Mayflower.
10. True or False: The pilgrims ate turkey at their Thanksgiving feast.

Answers

1. 102 passengers.
2. One, a boy who was named Oceanus.
3. 66 days.
4. Gimbel's in Philadelphia.
5. 1924.
6. Massasoit.
7. Horn of plenty.
8. Puritans.
9. True.
10. False.