

What's New With The §341 Hearing?

Last year there were approximately 15,232 Chapter 13 petitions filed with the U.S. Bankruptcy Court in the Northern District of Illinois, Eastern Division. After filing, the court distributes petitions amongst the three presiding trustees. The distribution process was revised last year to establish equity in the caseloads that each trustee administers. Prior to the revision, if the debtor had a previous filing, the case would then be reassigned to the trustee that administered the prior filing. The new procedure assigns cases at random, regardless of who administered the last case. If the debtor resides in DuPage, Will or Lake County the case will be assigned to Glenn Stearns' office.

§341 Noticing:

Originally each trustee was responsible for setting the §341 and confirmation (CFM) hearing dates and sending out notices to all parties listed in the case. The Bankruptcy Court took over the §341 noticing process a few years ago.

The criteria that is used to determine if a case is eligible for a §341/CFM date was modified so that the Bankruptcy Court could meet their statutory obligation to set a §341/CFM hearing on all petitions filed within the established time allowed. Prior to June 16, 2003, a hearing date would not be assigned to a case until the plan was on file, but under the new procedure a hearing date will be assigned as long as the petition is filed with the creditor matrix.

§341 dates are selected for each petition based on a pre-defined schedule provided by each trustee to the court. The schedule takes into consideration office staffing, individual requests from debtors' attorneys and the volume of new cases that are being filed. The petitions are usually received by the trustee's office the day after the case is filed and the §341 notice is mailed within three days of the filing.

For meetings scheduled with insufficient documents, we will conduct an abbreviated meeting for notifying the debtor or attorney of the required plan or schedules that need to be filed with the court. A motion to dismiss will still be filed for failing to submit the required plan or schedules in the time allowed by the bankruptcy code.

§341 Meeting:

A pre-meeting review is conducted by each staff attorney once the petition, plan and schedule information has been processed. The pre-meeting notes provide

the hearing officer with an outline of any discrepancies or documents that need to be clarified or amended prior to the confirmation hearing. In addition to verifying that the petition information is correct, the income information must be verified from recent supporting documents. The hearing officer will also ask a series of questions which determine if the debtor committed any fraudulent acts prior to the filing of the case.



Hearing officer Rosalind Lanier, attorney Nicole Lawson, and her client, L.T. Bryant Sr., about to begin a §341 meeting.

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(continued from page 1)



Telephone Meetings:

Occasionally we receive a request to conduct a §341 hearing via telephone because the debtor is physically unable to attend the meeting in person. To accommodate these requests the following criteria must be met prior to the scheduled meeting date:

- ★ A letter signed by the debtor's physician, which certifies that the debtor is physically unable to attend the meeting.
- ★ The attorney must arrange for notary service representative to be with the debtor on the day of the meeting to witness oath taken by the debtor.
- ★ The notary must verify the debtor identification and supply the trustee with a notarized document that states that the debtor's identity was confirmed. This document must be delivered to the trustee's office within 5 business days of the meeting.

Identification:

The U.S. Trustee's Office mandates that the debtor's identity and social security number be verified prior to conducting the meeting. To help facilitate this requirement, and make sure the debtor has the necessary documents

on the day of the meeting, our office mails a Debtor Welcome Letter to each debtor listing the forms of acceptable ID. To verify identification, we can only accept a government issued identification and the social security card is needed to confirm the accuracy of the numbers listed on the petition.

Continuation Policy:

While we recognize that there may be unavoidable circumstances that prevent one or all of the required parties from attending the §341 meeting, we must monitor and follow strict guidelines when deciding to grant a request to continue a meeting. If a meeting is continued and no one appears the second time, then a request must be made to the court to have the meeting re-noticed by the debtor or debtor's attorney.

Translators:

For meetings that may need a third party to translate information to the debtor, we require that the individual be at least 18 years or older and have photo identification.

The majority of debtors that appear at the §341 hearings are somewhat nervous and apprehensive about what will occur at the meeting. Our continued goals are to provide clarification to the debtor on what is needed to maintain their plan to a successful completion and to advise the attorney of any issues that may delay the confirmation process.

Rosalind Lanier

THE MARSHALL CHRONICLES	
The Editorial Staff: Kimberly Eisenberg, Cheryl Jones, Angela Hope-Davis, Joanne Coshonis, Kyle Issleb, Robin Dirksen and Dave Latz	
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August Birthdays, And Other Notable Events



- All Staff Meeting** on August 1st.
- Happy Birthday to **Brandon Vaughn** on August 3rd!
- Coast Guard Day** on August 4th.
- Happy Birthday to **Kimberly Eisenberg** on August 5th!
- National Pamper Yourself Day** on August 6th.
- Happy Birthday to **Christel Roberts** on August 10th!
- Presidential Joke Day** on August 11th.
- Happy Birthday to **Lavone Kizer-Merritt** on August 14th!
- National Watermelon Day** on August 16th.
- International Day for the Remembrance of the Slave Trade and Its Abolition** on August 23rd.
- Happy Birthday to **Joanne Coshonis** on August 24th!
- Happy Birthday to **Tonya Larkin** on August 26th!
- Women's Equality Day** on August 26th.

Trustee Matters

Do You Know The Way To Columbia, South Carolina?

The first trustee training for trustees appointed since January 2001 was held at the National Bankruptcy Training Center in Columbia, S. C., June 24 – 26, 2003. The National Bankruptcy Training Center is located within the National Advocacy Center (NAC), a state-of-the art training facility located, on the campus of the University of South Carolina. The NAC is jointly run by the Department of Justice and the National District Attorneys' Association, and offers classrooms, mock courtrooms, and video presentation capabilities. This center has a cafeteria with a menu that is awesome. Talk about southern hospitality! We witnessed and lived it at the NAC. The training was excellent and the food fabulous. I returned three pounds heavier than when I left.



The Director of the Executive Office for U.S. Trustees, Larry Friedman, brought together "baby trustees", U.S. Trustees, and the Standing Trustee Coordinators from those regions with new trustees attending. Approximately 70 participants attended the new trustee training. I was fortunate to have our U.S. Trustee, Ira Bodenstein, our Standing Coordinator, Howard "Chip" Wilkes, and our Assistant U.S. Trustee Sandra Rasnak, who is also serving as acting deputy chief of criminal enforcement, available for questions, dialogue and insight. We were able to discuss issues of common interest in a roundtable setting. This training afforded us the opportunity to dine and socialize together.

After a heartfelt welcome from Lawrence Friedman, Sara Kistler, Walter O'Cheskey and Stephen I. Goldring, U.S. Trustee for Region 4, Clarkson McDow, headquartered in South Carolina, completely dissected the Standards of Excellence. He also explained our roles and the different hats the trustees wear on a daily basis. We are definitely in the service business, as was pointed out throughout the training. Other panelists were experienced trustees and United States Trustee staff members.

The agenda for the training ranged from the following: standing trustee standards of excellence; case administration, including case set-up, claims administration, and case monitoring and closing; office administration including personnel issues; the trustee's roles as manager and fiduciary; internal control; civil and criminal enforcement, and emerging issues for Chapter 13. Of particular interest, the internal controls checklist can assist all of us in doing a better job.

I am making available the training materials to all of my colleagues in the Northern District of Illinois who were "too old" to be invited but are not "too old" to learn. This training would have benefited everyone if space had been available. Hopefully, this is just the beginning of many more training sessions in Columbia, South Carolina.

Marilyn O. Marshall, Standing Trustee

Inquiring Minds

QUESTION:

Why must I change my CaseNET password so often? Why can't I use the same password that I used the time before and why can't I use just numbers or just letters?



ANSWER:

Systems security is a high priority for our office. Assigning passwords and user IDs to our systems ensures that we have control over who has access to our data. The U.S. Trustee's office requires that we change passwords every ninety days. CaseNET is built so that each user's password will automatically expire after ninety days. You are then required to enter a new password that must be a combination of letters and numbers and cannot be something you have used before. These safeguards are built in so that unauthorized users will not be able to "guess" at an easy password and gain access to our system. Remember that all data changes are tracked in CaseNET with a user ID and a date stamp. Protect your ID and password as you would protect your reputation. Log off from CaseNET when you will be away from your desk and no one will be able to use your initials to do harm.

Sandra Pillar

QUESTION:

Where do I find check remittance information if a phone service caller is requesting check detail information?

ANSWER:

Go to Lookup Disbursement on the CaseNet menu bar (dollar sign with magnifying glass), enter the check number and press enter. You will be able to communicate this information or print/fax this information to the caller. See examples below. Note disbursement checks have 5 digits and EFT transfers have 7 digits.

Rita Saunders

Item N°	Payment	Account	Case N°	Debtor	Sec. Sec. N°	Joint Dr
1	\$19.47	472623	02 B 04531	Jones, Michael S	354-62-8344	

**Human Resources
Be Careful Out There**



Spills And Chills

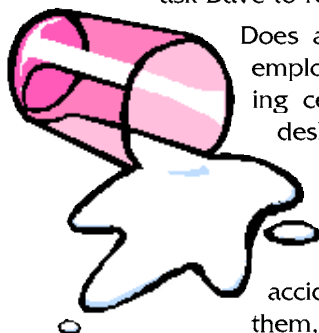
If you haven't seen firsthand how Ms. Marshall reacts when a substance gets spilled on her new carpet, you certainly don't want to. And if you're the culprit who accidentally spills something, well, good luck!

According to the Carpet and Rug Institute, many beverages, medicines, cosmetics, foods and other liquids contain dyes that may be absorbed into the fibers of the carpet making removal very difficult or impossible. You can prevent food spills by not carrying foods through the suite, if at all possible. Also, make sure your lunch or your beverage is in a container that is spill-proof should you happen to trip or stumble down the hallway.

If you go out to buy your lunch, you might decide to eat it in the common area lunchroom in the 8th floor's mail center and avoid potential accidents in our suite. If you'd like to eat in our Café, use the Jackson entrance and head straight for the Café. If you're eating in an office, use the mailroom door to access offices on the Michigan Avenue side, and the Jackson entrance to access offices on the Jackson side. If you're trip prone and like to have beverages at your desk, you can go to any number of retail stores and buy one of those mugs for hot and cold beverages that have lids with levers that open and close the spout for drinking. Save the logo glassware for when you're eating in the Café.

If you do spill food or drink, try and blot it up as soon as possible. Next, tell either Ms. Marshall or myself what exactly was spilled and where so that we can have house-keeping address the stain the same day.

Toner was spilled near one of the printers. Toner ink is very difficult to remove from the carpet. Employees who are familiar with the printer toner cartridges know that they have a little more life in them if you shake the cartridge before re-inserting it in the printer. We appreciate your initiative to keep the printers functioning properly and ask that you gently shake the cartridge over a garbage can, or ask Dave to replace the cartridge for you.



Does anyone need a reminder that employees are prohibited from eating certain types of foods at their desk? Have you been sneaking, and hoping you won't get caught? Please! Eagle-eyed Marshall sees all and knows all. We know that accidents will happen. Let's avoid them, when we can.

Standards of Conduct

"The trustee's office expects all employees to observe 'common sense' rules of honesty, good conduct, fair play, and safety, and to adhere to generally accepted customs of good taste in their relations with each other and with the public while at work. Employees are expected to conduct themselves in a manner that will bring credit to themselves and the office. The trustee reserves the right to add, modify and delete rules at her discretion."

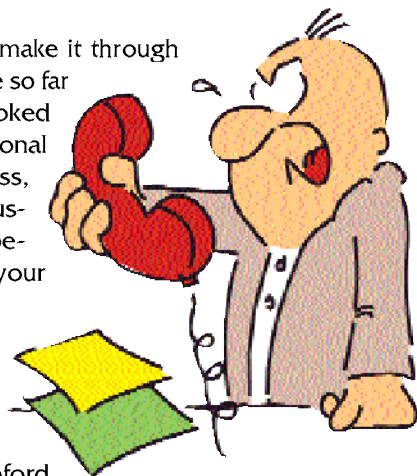
The above is our general policy on standards of conduct. Although the policy lists types of conduct that are prohibited, it is in no way exhaustive. Other types of conduct that weren't listed also fall within the guidelines of this policy. The list would probably be pretty extensive if we had to list all unacceptable or inappropriate conduct behaviors.

If you've managed to make it through your entire working life so far without being provoked into less than professional behavior toward a boss, a co-worker, or a customer, that's good, because that's what your employer expects.

Hopefully, you either handle your emotions well, or you are slow to anger, (or you are a Stepford Employee). Your attitude, conduct and demeanor are to be professional at all times. Employees who choose to act out of professional character and respond emotionally to a confrontation during working hours are setting themselves up for corrective disciplinary action. Maybe you feel you *have* to assert yourself so the other person does not take advantage of you in the future. Or maybe you're feeling pressure to react because there are onlookers and you're self-conscious about their perception of you. Whatever the reason, you'd better bite your tongue if you feel your temper is about to erupt.

Unprofessional behavior can have consequences that can not only get you in trouble on the job, but also change the way your co-workers or your employer think of you. We are an instant gratification society. Weigh the cost. Even though you have to deprive yourself of the immediate satisfaction of telling that person to – *you know* – the satisfaction you'll feel later knowing that you did the right thing will be worth it in the long-run. So, take a deep breath and walk away from that person or transfer the caller to another phone agent before you say or do something you might regret later.

Robin Dirksen



Financial Payroll Request Database

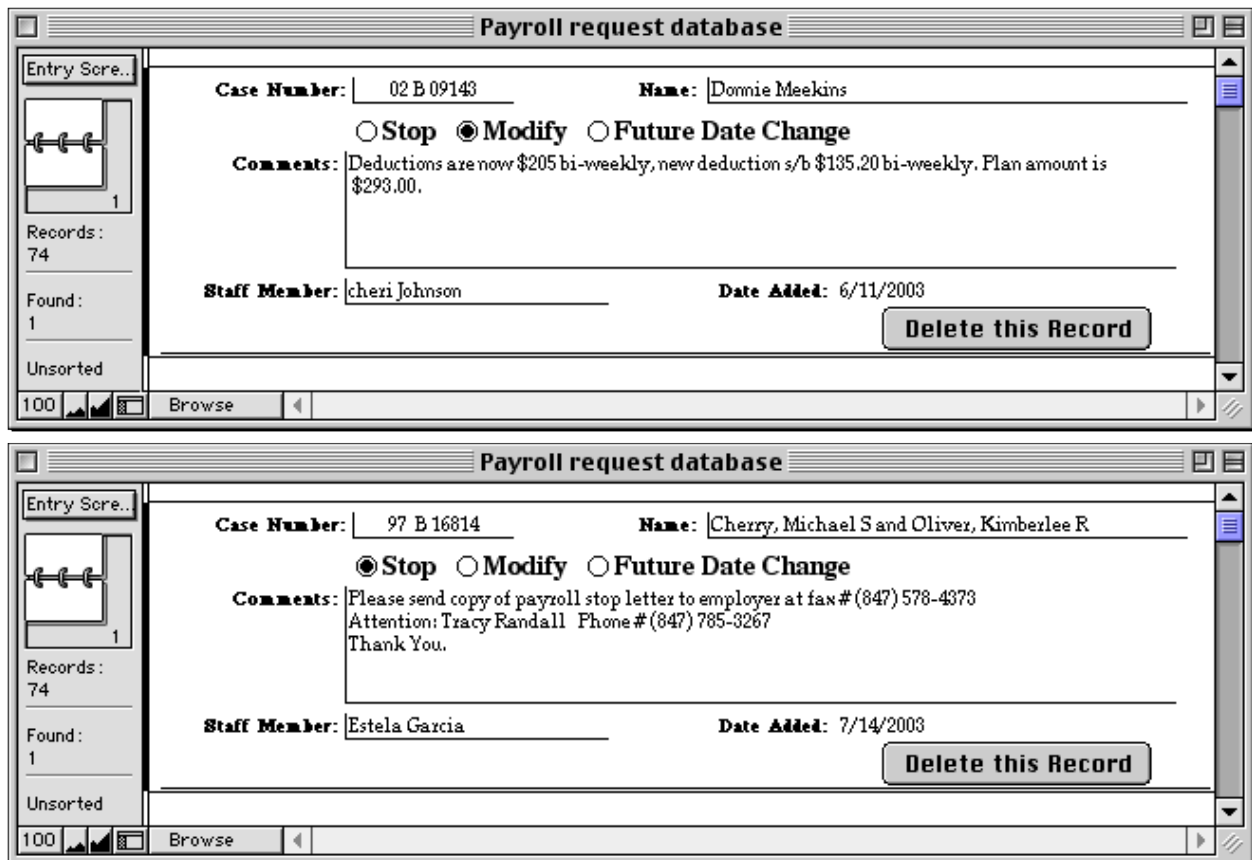
Our Payroll Request Database is a database that we use to process payroll information and to communicate with our Payroll Specialist, Juliana Jones, for payroll modifications, stops, and reinstatements. Please refrain from transferring telephone calls or e-mailing her with these requests. Employers can be transferred to Employer Inquiry at 6511 if you cannot respond to their question. If necessary, you can make an entry into the database and then send an email if something needs immediate attention.

Enter data into the database as follows:

Case number – yy_B_nnnnn. Enter with a space between year, B and last 5 digits.

Stops – Show contact name, telephone number and fax number. Modifications – Show plan amount, old and new deduction amount and frequency. Use Modification for any payroll reinstatement. We have removed Add as a request type. Name and

Type of Request – Make sure you fill in your name questions and indicate whether it is a stop, a modification or a future date change. Examples:



Juliana Jones will process payroll documents as follows:

Document	Day
Payroll Modifications	Wednesday and Friday
Payroll Stops	Tuesday and Thursday
Payroll Order for Judge/Court Entry	Daily
Payroll Order to Employers	Two or three times weekly

Note: Entries must be made by 3:00 pm to be processed that day.

Juliana Jones, or her designated backup, is the only employee that should be adding or changing employer information, including deduction and frequency amounts.

Also, all stop requests are to be channeled through the Payroll Request Database. Here again, Juliana, or her designated backup, is the only employee that should be sending these letters to employers.

Rita Saunders

INFORMATION SERVICES

**Cash Flow Module =
Better Financial Summary =
Better Communication**

Wouldn't it be great if mailing financial summaries to our debtors generated fewer phone calls rather than more phone calls? Better communication has always been one of our office goals and the CashFlow module is top on the list of priorities for the Information Systems Department. How is this going to improve communication?



You've heard about the CashFlow module in general terms. The CashFlow module is a central set of programming code in CaseNET that handles money flowing into and out of cases. Some of the areas that will use this code are allocation, determining case payoff amounts and determining claim payoff amounts. The CashFlow module will simplify disbursements on pot plans, making them easier to understand and maintain.

Financial summaries are the periodic reports we mail to the debtors that give them the current financial status of their case. A tangible result of the CashFlow module will be better financial summaries. We have asked for input from the staff on designing a new report that will give debtors an accurate picture of their case without giving them more or less information than they need.

We are required to send periodic statements to the debtors once a year. We send financial summaries out on confirmed cases and a debtor will receive their first financial summary when their case has been confirmed for six months. Debtors currently receive financial summaries every six months after that.

Since our staff answers questions during phone services, they have a real sense of what works and what doesn't when communicating to debtors. Please let the Systems Department know what will make a great financial summary work!

Sandra Pillar

These are the answers to the
Scrabble Trivia Quiz on Page 8.

- Scrabble Trivia Answers**
1. The New York Times.
 2. True.
 3. \$50,000.
 4. Aggregate fruit
 5. 121.
 6. 1049.
 7. JAZY.
 8. True.
 9. Richard Nixon.
 10. Virginia.

**EMPLOYEE BIO:
Brandon Vaughn**



Nickname: B, whatever people say behind my back, Little Brandon (Melanie).

Birth date: August 3, 1983

Birthplace: University of Chicago Hospital, Chicago, IL

Family: My parents, and two younger siblings – Chris and Erin.

Position: Deputy Trustee (aka: File Clerk).

Years with the office: One.

Favorite Food: Seafood, biscuits and Watermelon, Pecan Pie.

Favorite TV program: College sports.

Favorite Color: Navy blue, red.

Favorite expression: Any vocabulary adopted by my college friends (The Collective).

Favorite Smell: Breakfast in the morning.

Favorite Childhood memory: Little League baseball and buying my Nintendo.

What's most important in life? Family and fun. If you have those two things the rest of your life is complete.

Is the glass half full or half empty? Half is half – that means it's not empty or full. (But if the glass contains money it's half full!)

What's guaranteed to make you smile? Money that I saved. A quick witted comment that leaves someone speechless.

First thing you do in the morning when you wake? One of two things: Yell at the person who woke me up or utilize the lavatory.

My friends would describe me as: Outspoken, entertaining and competitive, but I could be wrong. That's how I would tell my friends to describe me!

A perfect day for me would be: Is there such a thing? An ideal day would include lots of friends, food and music. A round of golf or Bid Whist wouldn't hurt either.

Most embarrassing moment: None that should ever be spoken of.

Proudest moment: I'm proud of about 90% of the things I do, but currently I would say my academic and athletic achievements mean the most to me.

In 5 years I see myself: Practicing law making at least six figures, hopefully in a position to get married and live a comfortable life.

To Whom It May Concern:

Our office's answer to "Dear Abby" from the perspective of both female and male employees.

Dear Whomever,

Who should pay on a date, the man or the woman?

From: Confused on a date.

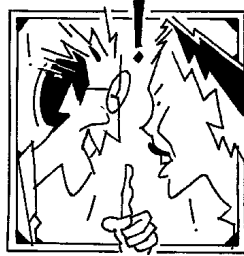
HER RESPONSE...

Dear Confused on a date,

First of all it depends on the situation, and second, it depends on whether you even call what people are doing today "dating."

Today's women are now liberated and feel as though they don't need a man to pay for their dinner or, better yet, anything else. They prefer not to wait for the man to ask them out, and will often make the first move. In this situation, I would say that she should pay for dinner. On the other hand, you have some men who are old-fashioned and expect to be the leading party of the two. These men feel that it is not the woman's place to make the first move. In this situation I would expect for him to pay.

In other words, whoever asked for the date should be the one who pays. How does it look for someone to ask for a date and expect the other person to pay? Believe it or not, there may be some people out there who actually disagree with me and could argue their point, but I stand my ground on this one. Unless the two parties have some kind of mutual agreement, the asking party should be aware of the fact that they're going to foot the bill.



HIS RESPONSE...

Dear Confused on a date,

One hundred years ago men asked a father's permission to court his daughter, would not dare escort a woman out without a chaperone, and paid for dinner. Fifty years ago men expressed their intention to court with flowers, brought a gift to a date's mother, wore hats, and paid for dinner. Twenty-five years ago men came armed with mix-tapes, pulled out chairs, opened doors, and paid for dinner. Last Tuesday I gave my date flowers, which she promptly put in the pantry because they clashed with the post-Nihilist kitchen motif. I did end up paying for that dinner...but I didn't like it.

Romance is dead. Well maybe not quite dead but certainly in a coma with a Gucci pump imprint on its forehead and its pockets thoroughly picked. Dating has always been a ruthless social farce awash with manipulation and lying, but at least people used to be civil enough to give it a chance. Now if you don't say the right thing, wear the right clothes, and have the right job when you show up at the woman's door, you might as well jump back into your SUV and go home.

Dating should be a shared expense. With a first-date turnover rate so perverse Vegas odds-makers sweat it, is ultimately unfair to saddle men with all the cost. Love has become an iffy financial investment and, as every weekend trader knows, you need to diversify. Due diligence has brought women up to the same economic level as men so one-party paying is just another one of those out-dated mores like covering your navel and courtesies.

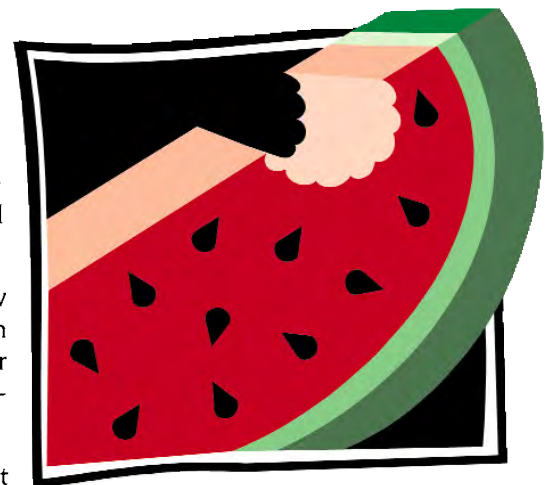
DO YOU HAVE A PERSONAL QUESTION THAT YOU'D LIKE TO ASK? SUBMIT ONE TODAY IN OUR ANONYMOUS DROP BOX LOCATED IN THE MAIL ROOM.

The Wonders Of Watermelon

August 16th is National Watermelon Day! Wondering how to choose the best watermelon you can find? Look for a firm, symmetrical melon, free from bruises, cuts, and dents. Thumping a watermelon won't tell you as much as simply picking one up. A good watermelon will be heavy for its size. The underside should have a creamy yellow spot, indicating that it sat on the ground and ripened in the sun.

Watermelons are great tasting treats for hot summer days. Try putting a few cups of watermelon without any seeds into a blender. Pour the puree into an ice cube tray and freeze. You can then use your watermelon cubes to flavor lemonade and punch. Or pour the puree into small paper cups, place a Popsicle stick in each one, and freeze. Kids will love these watermelon Popsicles.

For a special watermelon drink, freeze chunks of watermelon on a cookie sheet until firm. Once they are frozen, run them through a blender, add frozen strawberries, raspberries, or blueberries, and blend until smooth. Add sparkling mineral water and blend again for a moment or two. You will have a refreshing watermelon slush.



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 Dave Latz

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

- ✓ type-written and
- ✓ submitted by the 1st 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/>.

American Cancer Society Walk & Roll 2003 Results Are In!

Our office team, "Chapter 13 Trustee," collected a total of \$3,000 for this year's American Cancer Society Walk & Roll.

A big thank you goes out to the Chapter 13 Bankruptcy community for continuing your generous support!



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

Scrabble Trivia Quiz

The National Scrabble Championship will be held on August 17-22 this year. Test your Scrabble knowledge with this trivia quiz! (The answers are on page 6.)

1. The inventor of Scrabble, Alfred Butts, came up with the frequency and distribution of letters for the game by analyzing the front page of what?
2. True or False. In the 1980's a ballet called Scrabble' premiered in South Africa.
3. What is the most prize money won in a Scrabble tournament?
4. ETAERIO is the most likely seven letter word to appear on your rack. What does it mean?

5. How many allowable two-letter words are there?
6. What does the Guinness Book of Records list as the highest Scrabble score for one game?
7. What is the highest scoring four-letter word in Scrabble (hint: it means a worsted wig)?
8. True or False. Over 100 million sets have been sold in 121 countries since its release in 1948.
9. Who was the only American President to have regularly played Scrabble in the White House?
10. There is a town called Scrabble in which U.S. state?

