

# SUDDEN SHIFTS: INCOME & EXPENSES

After the last set of Bankruptcy law changes (BAPCPA), there has been a developing line of controversy with regard to debtor's income and expenses and how much debtors must pay to their unsecured creditors. We currently have a case that deals with the income side of the equation before the 7th Circuit Court of Appeals. Briefs in this case are due April 6, 2009. The argument in this case centers on the income and expenses of the debtors beginning with the six months pre-filing, up until the case gets confirmed. But what I'd like to focus on here is what happens after confirmation of the plan.

Debtors file Chapter 13 cases in order to propose a repayment plan to deal with their debts. Bankruptcy is often the result of sudden shifts in either income or expenses that eventually overwhelm debtors. Even after filing a bankruptcy case, debtors are still not immune from changes in their financial situations and often need to adjust their plans. With Chapter 13 repayment plans ordinarily taking between three and five years to complete, many changes can take place. The Bankruptcy Code has a post confirmation mechanism available to debtors so that adjustments can be made to the Chapter 13 plan in the times of need. Section 1329 of the bankruptcy code states:

- (a) At any time after confirmation of the plan but before the completion of payments under such plan, the plan may be modified, upon request of the debtor, the trustee, or the holder of an allowed unsecured claim, to –
- (1) increase or reduce the amount of payments on claims of a particular class provided for by the plan;
  - (2) extend or reduce the time for such payments;
  - (3) alter the amount of the distribution to a creditor whose claim is provided for by the plan to the extent necessary to take account of any payment of such claim other than under the plan; or
  - (4) reduce amounts to be paid under the plan by the actual amount expended by the debtor to purchase health insurance for the debtor (and for any dependent of the debtor if such dependent does not otherwise have health insurance coverage) if the debtor documents the cost of such insurance and demonstrates that –
    - (A) such expenses are reasonable and necessary;
    - (B) (i) if the debtor previously paid for health insurance, the amount is not materially larger than the cost the debtor previously paid or the cost necessary to maintain the lapsed policy; or

(ii) if the debtor did not have health insurance, the amount is not materially larger than the reasonable cost that would be incurred by a debtor who purchases health insurance, who has similar income, expenses, age, and health status, and who lives in the same geographical location with the same number of dependents who do not otherwise have health insurance coverage; and

(C) the amount is not otherwise allowed for purposes of determining disposable income under section 1325(b) of this title; and upon request of any party in interest, files proof that a health insurance policy was purchased.

- (b) (1) Sections 1322(a), 1322(b), and 1323(c) of this title and the requirements of section 1325(a) of this title apply to any modification under subsection (a) of this section.
- (2) The plan as modified becomes the plan unless, after notice and a hearing, such modification is disapproved.
- (c) A plan modified under this section may not provide for payments over a period that expires after the applicable commitment period under section 1325(b)(1)(B) after the time that the first payment under the original confirmed plan was due, unless the court, for cause, approves a longer period, but the court may not approve a period that expires after five years after such time.

Post confirmation modifications of Chapter 13 plans must always comply with specified Code requirements. As set forth in §1329(b)(1), plan modifications must comply with criteria for confirmation as stated in sections 1322(a) and 1322(b) regarding the required contents of the plan, section 1323(c) regarding acceptance of the modification by the secured creditors, and section 1325(a) the elements necessary for plan confirmation, which articulates the best interest test, providing that



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## National Volunteer Week

April 19th through April 26th this year is National Volunteer week. It is a time when thousands of volunteers participate in local community service projects simultaneously.



National Volunteer Week began in 1974 when President Richard Nixon signed an executive order establishing the week as an annual celebration of volunteering. Since then, every US President has signed a proclamation promoting National Volunteer Week. Additionally, governors, mayors and other elected officials make public statements and sign proclamations in support of National Volunteer Week.

During National Volunteer Week organizations of all types host awards ceremonies recognizing millions of our nation's volunteers for their outstanding contributions to their communities over the past year. In addition to local recognition events and service projects, national programs plan for initiatives to be spotlighted, kicked-off or brought to a close during National Volunteer Week. The late Paul Newman sponsored the Make A Difference Day award winners, which was given to the 10 most outstanding service projects.

In 2004, another awards program was kicked off called Presidential Volunteer Service Awards. President Obama will be continuing this award that gives presidential recognition to people of all ages who have demonstrated a sustained commitment to volunteer service.

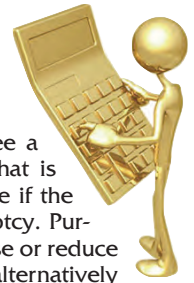
There are many organizations that would love your help. One website that can help you find places to volunteer is <http://www.nationalserviceresources.org/node/17767>. Otherwise Google can find something that you may have in mind that this website doesn't.

*Kate Stephany, Paralegal*

<b>THE MARSHALL CHRONICLES</b>	
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✓ e-mailing us at <a href="mailto:newsletter@chi13.com">newsletter@chi13.com</a> ,	
✓ dropping your submission or idea in the anonymous newsletter folder located in the mail room, or	
✓ leaving them with Dave Latz.	
Please remember when making a submission to the newsletter, it must be:	
✓ type-written and	
✓ submitted by the third Wednesday of the month via e-mail, a Word document or an ASCII file.	
We also ask that anyone who attends a seminar please be prepared to furnish the committee with a detailed article on its subject.	
You may also view this edition of <b>THE MARSHALL CHRONICLES</b> , as well as all the previously published issues, all in full color, on the Chapter 13 Trustee website at <a href="http://www.chicago13.com/">http://www.chicago13.com/</a> .	

## Sudden Shifts: Income & Expenses

*(Continued from page 1.)*



the debtor propose a plan that will guarantee a distribution to general unsecured creditors that is not less than the dividend they would receive if the estate were liquidated in a Chapter 7 bankruptcy. Pursuant to §1329(a), the modification can increase or reduce payments to any class under the plan; it can alternatively or additionally extend or reduce the time for plan payments, however, if payments are extended they must not extend beyond a time longer than the applicable commitment period. (1329(c)).

Once the modification of the debtor's plan is effective pursuant to the court's order, the plan as modified becomes the plan under which the debtor must perform. The terms of the modified plan must be complied with by the debtor, and plan payments must be consistent with said terms. If the debtor fails to make timely plan payments, the default will result in the Chapter 13 Trustee bringing a motion to dismiss the Chapter 13 case.

There are many opinions on how to treat post petition changes, both dealing with increases and decreases in income and expenses. Following are some short case summaries.

### **In re Carson, 397 BR 911 (Bkrtcy. E.D. Wis 2008).**

The debtor in this case confirmed a plan that called for payments of \$329.33 a month plus 1/2 of her yearly tax refund for a term of 60 months. After making payments to her plan that paid priority and secured debts in full and general unsecured creditors with approximately 10%, the debtor asked the court to allow her pursuant to §1329 to modify her plan by in essence waiving the tax refund payments so that she could just stop making plan payments all together and be done with her plan. Citing "good faith" as the crux of the focus of a motion under §1329, the Bankruptcy Court denied the motion. The Court believed the debtor was attempting to avoid a prior default or obtain what amounted to a hardship discharge without proof, neither of which the Court would allow. The Court held the debtor to the confirmed plan and if the debtor wanted a discharge, she had to pay her plan as confirmed.

### **In re Knighton, Slip copy, 2008 WL 5644891 (Bkrtcy.N.D.Ill.)**

After the debtors' case was confirmed, the Chapter 13 Trustee filed a motion to modify the debtors' plan and increase the plan payments because Debtors received \$2452 from their 2007 tax refund. The Trustee contended that the tax refund was disposable income and that the refund must be allocated to the plan. The Bankruptcy Court granted the motion over the debtors' objection. Turning to a good faith standard, the Court found that "the good faith test requires consideration of whether there is excess income above the current plan payments that is available for the debtor to pay into the plan."

### **In re Rither, Slip copy, 2008 WL 1780934 (Bkrtcy. E.D. Wis.)**

The debtor's plan called for the payment of 1/2 of the tax refunds she received while her case was pending in addition to her regular plan payments. The debtor sought to modify her plan to remove this requirement. The Court denied the debtor's motion finding that, "Neither the disposable income test nor a change of circumstances are required under section 1329, but good faith is always necessary. This subjects the debtor's motives to scrutiny. She should not be allowed to take advantage of the protection of Chapter 13 without bearing its burdens as well."

*O. Anthony Olivadoti, Managing Attorney*

### Trustee Matters Announcements

#### Final Report is Final

In order to prepare for the uniform final reports, we had to make several programming changes in order to collect data. We started to enter all claims into the system, and then we stopped; we started to enter all secured claims and waited to enter unsecured claims after the case was confirmed. The way we showed payments to attorneys had to be reprogrammed in order to compile the correct data, and just when we thought we had everything ready, we realized that all of the information had to be entered on a data-enabled form with an XML schema that is PDF/A compliant. Are we ready to file the uniform final report on April 1, 2009? My fingers are crossed!



The UST Form 101-13-FS-S must be filed by the Chapter 13 Standing Trustee with the United States Bankruptcy Court for all final reports filed on or after April 1, 2009. The filing must occur within 150 days of the final distributions to creditors in a Chapter 13 case. The purpose of enacting uniformity and using data enabling format is set out in 28 U.S.C. §589:

- (a) **Rules.** The Attorney General shall, within a reasonable time after the effective date of this section, issue rules requiring uniform forms for (and from time to time thereafter to appropriately modify and approve) –
  - (1) final reports by trustees in cases under Chapters 7, 12, and 13 of title 11; and
  - (2) periodic reports by debtors in possession or trustees in cases under Chapter 11 of title 11.
- (b) **Reports.** Each report referred to in subsection (a) shall be designed (and the requirements as to place and manner of filing shall be established) so as to facilitate compilation of data and maximum possible access of the public, both by physical inspection at one or more central filing locations, and by electronic access through the Internet or other appropriate media.
- (c) **Required information.** The information required to be filed in the reports referred to in subsection (b) shall be that which is in the best interests of debtors and creditors, and in the public interest in reasonable and adequate information to evaluate the efficiency and practicality of the Federal bankruptcy system. In issuing rules proposing the forms referred to in subsection (a), the Attorney General shall strike the best achievable practical balance between—
  - (1) the reasonable needs of the public for information about the operational results of the Federal bankruptcy system;

- (2) economy, simplicity, and lack of undue burden on persons with a duty to file reports; and
- (3) appropriate privacy concerns and safeguards.

#### Guidelines For Reviewing Mortgage Proofs of Claim

We are reviewing our claims review procedures in order to comply with the USTP Guidelines for Reviewing Mortgages Proofs of Claims which was developed by a working group comprised of USTP personnel and Chapter 13 trustees. The procedures will be effective May 1, 2009. For claims secured by a lien on the debtor’s residence that are to be paid by the trustee under the plan, the trustee must verify the information attached to the proof of claim. When the proper documentation is not attached, we will send a letter to the creditor asking for the proper documentation. If no response, the trustee will take other appropriate actions.

#### Amended Budget Approved

The trustee percentage fee will change to 7.0% effective April 1, 2009. The 2009 Amended Budget has been approved. Our March 20, 2009, disbursements were made at 6.6%. In our Monthly Planning Meeting on March 27th, 2009, I will discuss the impact of new case filings on the budget noting that increase in caseload has not resulted in a parallel increase in receipts.

#### NACTT Staff Symposium

The staff symposium in Las Vegas is scheduled for April 29th and 30th. Some staff members will be attending. Great reviews from the New Orleans symposium were received. Since Mortgages I and II are hot topics, additional staff will attend the last symposium in Chicago, scheduled for May 27th and 28th.

#### Chicago Trustee Conference

The 2009 Chicago Trustee Conference for Chapter 7 and 13 Trustees has been scheduled for May 7th, 2009, at the East Bank Club starting at 11:00 a.m. Trustees and staff are invited to participate in a program designed to keep trustees updated on current law and issues.

#### Change in Procedure

Responsibility for processing claim withdrawals has been changed from Identity Maintenance to the Claims Department. The department is trained to review all claims and to determine if a creditor has filed a duplicate claim. Since this department sends a letter to the creditor telling them to indicate if a claim is a duplicate, and, if so, to withdraw the claim, when the withdrawal comes through the email notification from court, the claims department can follow-up without having to forward the request to another department.

*Marilyn O. Marshall, Chapter 13 Trustee*



### Inspiration

- “If your actions inspire others to dream more, learn more, do more and become more, you are a leader.” . . . . . *John Quincy Adams*
- “One of the greatest discoveries a man makes, one of his great surprises, is to find he can do what he was afraid he couldn't do.” . . . . . *Henry Ford*
- “Genius is one percent inspiration and ninety-nine percent perspiration.” . . . . . *Thomas Edison*
- “We should be taught not to wait for inspiration to start a thing. Action always generates inspiration.” . . . . . *Frank Tibolt*

## Information Services Blast From The Past

An oldie but a goodie! This month's Systems Department update comes from our former Identity Specialist (now Paralegal) Darlene Odom. Thanks, Darlene!



### 10 Simple Rules For Entering NEW Addresses In CaseNET

- ❶ Do not use ANY punctuation when entering an address. Periods should not be added when entering P O Boxes or initials. The comma between the city and state automatically defaults in the system.
- ❷ **Spaces** should be used between all initials. For example, **J P & Associates** or **P O Box 2112**.
- ❸ When entering new debtor attorney addresses, **add** only the name of the attorney. **DO NOT** add them as "**Law offices of...**" or "**Offices of.**"
- ❹ On cases where the firm has several names, like: *Freeman, Hope, Green, & Beard* use a **space instead of a comma**. Only abbreviate the firm name if it does not fit in the character spaces provided.
- ❺ If an "**attention**" line or a "**care of**" line is to be included in the address, it should appear between the name and the street address. Avoid using a person's name. The name will become outdated as soon as the person leaves the department. Instead use the Dept name. **Example: Claims Dept, Bankruptcy Dept, Accounts Payable Dept.**
- ❻ A **suite or room number** should appear **on the same line as the street address or on the line above**. They should always be abbreviated as "Ste" and "Rm". **It should never appear on the line below the address.**

When an address has both a *P O Box* and a *street address*, the important thing to remember is that **the address where you want your mail delivered must appear on the line right above the city, state and zip code.**

Always use the **Five-digit plus Four Zip codes when possible**. If you are unsure of the zip code, you can go to the Postal Service web site at <http://www.usps.com> to find the correct zip code. You can also find a two-letter state abbreviation list if you have forgotten some of them.

- ❹ If, during phone services, you receive calls from Debtors or Creditors requesting to change their address information, please inform them that all requests for changes **must be filed with the Bankruptcy Court**. We can offer to send a change of address form directly to the debtor for them to complete or they may contact their Bankruptcy Attorney to have this change processed.
- ❺ Remember you can find **address change request forms** on **Rama** in the identity maintenance folder, or on the **Petition Tab** in CaseNET.

Darlene Odom, Paralegal

## Laughing The Stress Away

"If you can laugh at it, you can survive it."  
~ Bill Cosby



Stress affects everyone and has become one of the most serious health issues of our times. There are many ways to deal with stress, some more effective than others. One of the quickest and easiest ways to reduce stress is to find humor in your daily life.

In fact, it turns out that laughing is good for your overall health. Researchers have found that people with heart disease were 40 percent less likely to laugh in humorous situations than those with healthy hearts. Laughter strengthens the immune system and lowers high levels of stress hormones. Business researchers have also recognized the benefits of laughter and humor in problem solving and creativity in business environments. Workers who find their jobs fun perform better and get along better with co-workers than those who do not view their jobs as fun.

It is easy to inject humor into your daily life. Take time each day to enjoy something funny. Read a book of jokes or talk to a friend who makes you laugh. Also, being able to laugh at yourself goes a long way towards reducing stress. Humor can keep you from taking yourself too seriously and can make dealing with others easier. It can also distract you from the situation that is causing you stress, allowing you to take a moment to see things in a different light.

So, next time you are feeling stressed out, take a moment for yourself. Take a deep breath, smile, and think a funny thought. Grab a bite to eat with a funny friend or watch your favorite sitcom. Although it doesn't get rid of the situation, you will be better equipped to handle your daily stress.

## Don't Forget To Walk & Roll With Us



Our office will be participating in our 12th American Cancer Society's Walk & Roll Chicago on Sunday, May 15, 2009.

According to the American Cancer Society, one out of every four deaths in the United States is from cancer. It is the leading cause of death in the United States. One out of two men and one out of three women will be diagnosed with cancer in their lifetime. Many cancers are curable if they are detected and treated in early stages.

### American Cancer Society's Mission

**The American Cancer Society is the nationwide community-based voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service.**

Dust off the cobwebs from your bikes and skates, or put on your walking shoes and join us at the lakefront to participate in this worthy cause. You can walk 5 miles, in-line skate 10 miles, or bike 15 miles. See Rita Saunders for pledge sheets.

Rita M. Saunders, Team Coordinator

### Financial Keeping Track Of The Money

On February 6, 2009, as part of our Staff Development Series, I had the opportunity to familiarize our staff with information regarding checks that are returned to this office because of “bad addresses, claim has been paid in full or claim was withdrawn or etc.” In instances when we have to pursue the creditor to get the money back, we have set procedures in place. This presentation was called “Show Me the Money.”

As a follow-up, the financial staff has requested that I outline the docketing of the creditor disbursement returns in the newsletter. This article will also cover recording of the information in a Filemaker Pro database named “Creditor Disbursement Returns.”

It is very important that all the procedures outlined in the Creditor Disbursement Returns documentation are followed, and proper follow-up is completed.

In order for the financial staff to apply creditor disbursement returns to the proper case and claim, it is very important to properly docket the request(s) in CaseNET. Here are the steps to docket a creditor disbursement return, and also a sample docket. It is particularly important to select the correct creditor under the “claim,” and to show the amount and reason for the requested return in the Comment field when you have multiple requests for the same case, to insure that returns are properly applied to the correct claim when they are received.

1. Enter the case number.
2. Select Disbursement returns for Entry.
3. Select the appropriate creditor for the Claim. Be sure to select the creditor for all return dockets to link each step.
4. Select the appropriate activity for the Current Activity.
5. Enter the requested amount, and the reason why the money is requested to be returned, under Comment.

Besides keeping track of creditor disbursement returns in the case record on CaseNET, we also record all creditor disbursement return requests in a Filemaker Pro Database titled “Creditor Disbursement Returns.” Each Friday I create a weekly recap of outstanding creditor disbursement returns, and furnish this to our Trustee, Controller, Managing Attorney and the appropriate staff member. It is imperative that all outstanding creditor disbursement returns be reviewed by Thursday of each week. If follow-up is done, update the “Last contact date” and “Follow-up dates” and select the appropriate communication. Here is a sample Filemaker Pro Creditor Disbursement Return record:

If all Creditor Disbursement Return procedures are followed as outlined, a return should be received within two months. If not, all due diligence is documented, and copies of all correspondence is recorded in the event the case is referred to the legal department to file a motion in court for the return of these funds.

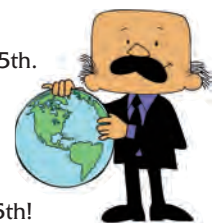
*Rita M. Saunders, Financial Manager*

### April's Notable Events



- April Fools' Day** on April 1st.
- Happy 9th Anniversary to **Laura Mendoza** on April 3rd!
- All Staff Meeting** on April 3rd.
- Happy 16th Anniversary to **Dave Latz** on April 5th!
- Happy Birthday to **Rosalind Lanier** on April 6th!

- Happy Birthday to **Curtis James** on April 6th!
- No Housework Day** on April 7th.
- Good Friday** on April 10th.
- Easter Sunday** on April 12th.
- Thomas Jefferson Day** on April 13th.
- National Be Kind to Lawyers Day** on April 14th.
- Income Tax Day** on April 15th.
- National Take a Wild Guess Day** on April 15th.
- Blah Blah Blah Day** on April 17th.
- Earth Day** on April 22nd.
- National Arbor Day** on April 24th.
- Happy Birthday to **Cliff Tarrance** on April 25th!
- NACTT Staff Symposium – Las Vegas** April 29th and 30th.



## Seven Habits Of Money-Smart People



You may think that having financial stability means making a lot of money. But it isn't really how much you make, as it is what you do with your money. Money-smart people are those who take the time to practice good money habits. These strategies can be used by people of all income levels to help get organized, reduce debt, and plan for the future.

### 1. Know where you stand first.

If you don't know where your money is going, you need to get a handle on this first. Spend a month recording all of your purchases, even the little ones. It can be eye-opening to see how much you spend in each category. Once you can see the whole spending picture, you can find out which holes to fill.

### 2. Cut out the fat.

Most budgets have some extra fat that can be trimmed away. The key to this strategy is to determine what are your needs versus your wants. Take a close look at those expenditures that are not necessary and determine if they are cutting too deeply into your bottom line. It may be time to eliminate some things from your budget.

### 3. Keep on top of things.

Your financial records should be organized enough to save you time and money, not to cause you stress. If you are in the habit of paying bills late, set a specific day of the week to do your bookkeeping. Some banks offer automatic bill paying services, so you will never miss paying a bill again.

### 4. Dump your debt.

Everyone knows that debt can cost you. Start by leaving your credit cards at home. This will ensure that you are not incurring any additional debt. Then set a goal of paying double or even triple of your minimum payments on your credit cards. This will help eliminate your debt faster.

### 5. Fund the future.

Saving for retirement and other upcoming costs is essential. Take advantage of your employer's 401(k) plan. If your employer matches your contributions, even better. You can also contribute to an individual retirement account (IRA). If you need to save money for an expense that will come up soon, plan how long you have to save and figure out how much you need to put away each month to reach your goal. This way, you will not be tempted to pull out your credit card when the time comes.

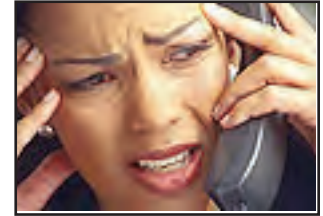
### 6. Plan for a rainy day.

An emergency fund will also help keep you out of debt. Even a couple of thousand dollars in the bank can be the difference between paying cash for a new water heater or loading up the credit card again. Money-smart people realize that having no buffer between you and the inevitable mishap will only lead to debt.

### 7. Evaluate your life.

Look over your financial situation once a year to see if you need to make any changes. Life insurance may need to be changed with the birth of a baby. Your homeowner's insurance might need to be increased if you recently remodeled, or you may wish to reduce your collision coverage as your automobile ages. Take the time to ensure that you have planned well for both the expected and unexpected.

## Protect Yourself From Slamming

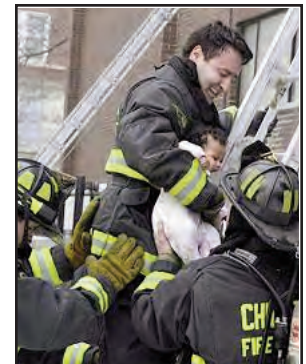


"Slamming" is the term used to describe the practice of switching a customer's telephone service, local or long-distance, without permission. It has become increasingly common, and often a customer doesn't know it has happened until the phone bill arrives.

Many instances of slamming occur during a telemarketing call. To protect yourself, make sure that if you are not interested in switching services, you explicitly let the caller know that you are not interested in their services. Many unscrupulous companies will take an "I don't know" as an acceptance.

Check your phone bill carefully each month, and notify your local phone company if you see any strange charges or unfamiliar names on your bill. If you feel you have been slammed, let your local phone company know you want your former service provider reconnected, and that any "change charges" should be taken off of your bill. You are not required to pay any extra charges imposed by the slamming company. If any of your complaints are not resolved, you can file a complaint with the FCC (1-888-225-5322 or <http://www.fcc.gov>).

## Can You Count On Your Smoke Detector?



According to the U.S. Consumer Product Safety Commission (CPSC), millions of homes in the U.S. have smoke detectors that do not work, usually due to dead or missing batteries. Fire is the second leading cause of unintentional death in the home, making this an important safety concern.

CPSC recommends consumers test each smoke alarm every month to ensure it is working properly. Even alarms with long-life batteries should undergo a short monthly testing. A home should have a smoke detector on each level outside sleeping areas and inside bedrooms.

Proper installation of your smoke detectors and a quick check each month can mean the difference between safety and a tragedy. Don't delay to check your detectors and make a note on your calendar to check them again each month.

## Trivia Answers: Thomas Jefferson

- 1. John Adams.
- 2. University of Virginia.
- 3. True.
- 4. Aaron Burr and George Clinton.
- 5. True.
- 6. Ohio.
- 7. West Point, NY.
- 8. \$15 million.
- 9. The English pea.
- 10. Washington, DC.

## Symptoms Women Over 40 Shouldn't Ignore

It's an unfortunate fact of life that as you age your risk of disease climbs. However, many conditions, if caught early, are highly treatable and even curable. The catch is that you have to know how to spot them. Many symptoms that seem benign may be signaling something more serious. Here are the 10 symptoms you shouldn't ignore, especially if you're over 40.

### Slow-Healing Bruise or Sore

If you notice a bruise or sore that isn't healing, you may just be accident-prone. However, if a bruise or sore takes longer than two weeks to heal, you should see your doctor. It could signal a vascular problem. It is also a common symptom of diabetes. In diabetics, this is caused by sugar leeching blood fluid and making the blood thicker. That, in turn, makes it more difficult for the healing white blood cells to travel to the infection. Slow-healing bruises can also signal immunological deficiencies, so be sure to monitor your bumps and scrapes.

### Cough

If you have a cough it's most likely just a cold, or an upper respiratory infection. But when is a cough not just a cough? There are two things to look for in a cough — persistence and recurrence. If your cough keeps recurring for a significant period of time, you should alert your doctor. A cough that persists for more than 10 days could be a sign of something more, such as gastroesophageal reflux disease (GERD) or heart failure. If you're a smoker, it could be a sign of a malignancy in the lungs. If you smoke, it's extremely important to get a chest x-ray every three years.

### Palpitations

Drinking too much caffeine or energy drinks, or an extremely salty diet can cause heart palpitations and, of course, anxiety. So when should you be concerned? If a patient is complaining of heart palpitations as well as getting lightheaded or dizzy, it may be an electrical abnormality in the heart. Arrhythmia, the abnormal beating of the heart, can cause palpitations. Many cases of arrhythmia are minor, but if you have atrial fibrillation, it can be fatal — increasing your risk for stroke or blood clots. This is particularly dangerous for people with a history of heart disease. Seek medical attention immediately if you are concerned, especially if you are experiencing chest pains, dizziness or fainting.

### Pain or Swelling

Pain or swelling in your calves can often be attributed to over-exercising, but when should you worry that it's something more serious? Pain or swelling accompanied by a red-hot feeling or tenderness along the vein could be a serious condition called thrombophlebitis, which occurs when a blood clot causes swelling, most often in the legs. The highest incidence of it is associated with oral contraceptives. If you're taking an oral contraceptive, that increases your risk of thrombophlebitis 100-fold. It can also signal deep vein thrombosis (DVT), which may be caused by prolonged inactivity. This is particularly dangerous because it is a clot deep in your vein. These clots can become dislodged and travel to your lungs, causing an embolism. If you think you are at risk for DVT or thrombophlebitis, go to the emergency room immediately.

### Forgetting/Slurring Words

Everyone has a memory lapse now and again. This is especially common when you're sleep deprived. However, if you're having trouble repeating a simple sentence or you're slurring your speech, you may be experiencing a stroke. If you suspect someone is hav-



ing a stroke, the National Stroke Association advises you do a simple test — ask the person to smile, raise both arms and repeat a sentence. If speech is slurred, one side of the face droops while smiling or one arm drifts downward when both are raised, call the doctor immediately. If any of these symptoms occur suddenly, you should call 9-1-1 immediately. Your risk is greater if you are over 55 and have a family history of stroke.

### Tingling or Numbness

Sometimes just wearing the wrong shoes can cause numbness or a tingling sensation. This is especially true when women try to squeeze their feet into trendy shoes that are uncomfortable. However, it can also signal diabetes. You may also experience tingling or numbness in other parts of your body, such as your hands or arms. Symptoms of diabetes include excessive urination, weight loss, fatigue and excessive thirst.

### Bloating and Pelvic Pain

If you're feeling really bloated and experiencing pelvic pain, it may be as simple as having too much fiber or salt in your diet. However, it may also be a sign of ovarian cancer or fibroids. Unfortunately, ovarian cancer is often symptomless in the beginning. Often it's too late by the time you are experiencing symptoms. Some things that increase your risk factor are a family history of ovarian cancer, being postmenopausal, using hormone replacement therapy and not having children. Doctors stress the importance of getting an annual gynecological exam to catch any cancers at the early stage.

### A New Mole

It's not uncommon for women to develop a harmless skin growth. However, as you age, your risk increases for developing melanoma, the most fatal form of skin cancer. Be sure to get moles checked by your dermatologist. Symptoms of melanoma include bleeding moles, change in mole color, or change in size or shape of a mole.

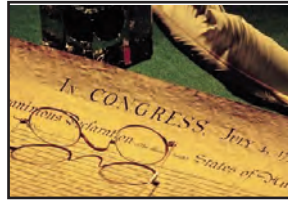
### Never Feeling Well-Rested

There are lots of factors that can keep you up at night, such as stress and consuming too much caffeine during the day. Take a closer look if you're always feeling listless, no matter how much sleep you're getting. You could be suffering from sleep apnea. Sleep apnea occurs when you stop breathing during sleep for more than 10 seconds at a time. It affects more than 12 million Americans, according to the National Institutes of Health and is as common as adult diabetes, occurring largely in adults over 40. If untreated, sleep apnea can lead to cardiovascular disease, memory problems, weight gain and headaches, according to the American Sleep Apnea Association. If you experience any of these symptoms, talk to your doctor.

*By Katherine Steinberg for AOL Health,  
Submitted by Cheryl Jones, Case Administrator*

### Trivia Quiz: Thomas Jefferson

April 13th is Thomas Jefferson Day, set aside to recognize the third president of the United States. Test how much you know about one of the most influential Founding Fathers with this trivia quiz. (You can find the answers on page 6.)



1. Thomas Jefferson wrote the Declaration of Independence, but he had originally asked someone else to draft it. Who was that?
2. Which college did Thomas Jefferson found?
3. True or false: Jefferson's wife, Martha, died due to complications from the birth of their sixth child.

4. Thomas Jefferson had two vice presidents. Who were they?
5. True or false: Thomas Jefferson died on July 4th.
6. There was only one state added to the Union during Jefferson's 8-year term. Which state was it?
7. In 1802, Jefferson authorized the first United States military academy. Where is the location of this academy?
8. How much did Jefferson pay for the Louisiana Purchase?
9. Thomas Jefferson grew his favorite vegetable in his garden at Monticello. What was this vegetable?
10. Thomas Jefferson's inauguration was the first to take place where?



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### Did You Know: Karaoke

- The word karaoke comes from the Japanese "kara," meaning empty and "okesutora," meaning orchestra.
- The first karaoke machine was invented in Kobe, Japan, in the early 1970s by a Japanese musician named Daisuke Inoue. His machine was a tape recorder that played a song for a 100-yen coin.
- In 2003, the first mobile karaoke service was offered. With this service, you can call up music and words on your cell phone to sing along with anywhere you are.



- In Asia, karaoke is so popular that most artists release a karaoke track at the same time they release their singles. However, in Europe and North American, hardly any karaoke tracks are recorded by the original artist.
- The world record for the largest number of people singing karaoke at one time is held by Finland. On May 26, 2006, over 80,000 people sang "Hard Rock Hallelujah" in Helsinki.
- The record for the longest karaoke session is held by China. This sing-along went on for 214 hours, 20 minutes, and eight seconds between December 23, 2007, and January 2, 2008.

