

THE

MARSHALL CHRONICLES

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NACTT Mid-Year Meeting: What A Difference Two Years Makes

The NACTT Mid-Year meeting was held in Washington, DC, January 20th–22nd, 2011. All the excitement and glitter witnessed when we were there two years ago just before the Inauguration of the 44th President of the United States of America had faded away. Arriving to 42 degree temperatures was enough in itself to make me happy. Warm weather is always an added bonus.

The program was planned by Marge Burks, Secretary of the NACTT, Chapter 13 Trustee (Ohio). The meeting opened with the New(er) Trustee Training on Thursday, January 20, 2011. The program chairs, Tammy Terry and Krispen Carroll, both Chapter 13 Trustees (Michigan) put a great half-day program together.

The topics included: discussions of tax issues, taking over an existing trusteeship, internal controls, the Chapter 13 Trustee as a manager, and budgeting/staffing at or near 10% trusteeships. I was appointed in 2001 and have long passed the “new” but I never missed this training because it is always helpful to the everyday operations of the trusteeship. The welcome reception on Thursday night could not compete with my earlier sighting of former President Jimmy

Carter who was staying at the Renaissance Mayflower Hotel and attending a White House State Dinner.

The meeting officially opened on Friday with a welcome from Michael Joseph, President, Chapter 13 Trustee (Delaware), and Clifford J. White III, Executive Director of United States Trustee Program. Based upon Mr. White's address, the three topics of special importance to the United States Trustees appear to remain the same: first, enforcement actions to protect consumers; second, promotion of the Home Affordable Modification Program; and, third, controlling the costs of bankruptcy. The Chapter 13 Trustees have to work just as hard and just as smart. Also, given the

federal government's adverse budget situation, federal employee pay is frozen this year. The maximum Chapter 13 trustee compensation is set by statute as an amount not to exceed the rate for Executive Level V plus the cash value of employment benefits provided by the federal government to federal employees at the same rate of basic pay. The pay scale was not increased and the standing trustees' base rate is already at the top for Level V. That means maximum allowable compensation cannot be increased. There is no cost of living adjustment to the trustee compensation.

Who understands the state of the economy any better than a Chapter 13 Trustee? Although we looked forward to this increase in the past, Trustees are very sympathetic to the state of the economy and most of us did not give the news a second thought.

Doreen Solomon, the EOUST Assistant Director for Oversight, and Marty Hallowell, Deputy Assistant Director for Oversight, reviewed the latest news and updated the status of the handbook. Both clarified questions on the audit. Deb Miller, Chapter 13 Trustee (Indiana), and Byron Meredith, Chapter 13 Trustee (Georgia), discussed the

many facets of the mortgage industry. The joint NACTT mortgage committee is working in many areas, including the filing of property claims transfers, address changes and attaching proper documentation when claims are filed.

The new NACTT/IRS Liaison Committee enlightened the group on IRS issues and Judy G. Vick, the Senior Tax Analyst, explained Electronic Federal Tax Payment System (EFTPS) for Trustees. Trustees were given information with directions on how to get set-up to start using this program which until recently was only a pilot.

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The historic Mayflower Renaissance Hotel in Washington, DC

NACTT Mid-Year Meeting: What A Difference A Year Makes

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Craig Shopneck, Chapter 13 Trustee (Ohio), led the Human Resource Committee in a discussion on discrimination, harassment and retaliation issues in the workplace. Gary E. Gresko, Esq., Employment Counsel from Cleveland, was very helpful in his presentation. Knowing who is defined as a protected class and how to avoid crossing sensitive lines can assist in any claims filed against an employer. I was very grateful for the amount of time Mr. Gresko was willing to spend answering specific individual questions.

Dr. Stephen Chitwood from George Washington University gave a fascinating talk on what makes a leader and a follower. From his presentation, I discovered that attorneys possess certain personality traits, which sometimes do not make the best leaders. Attorneys are skeptical, have abstract reasoning, enjoy autonomy, often have a sense of urgency when confronted by tasks, are sometimes not so sociable and don't like to be criticized. Dr. Chitwood gave some tips on working on leadership skills.

Tom O'Hern discussed computer security issues and provided updates on STACS. I was extremely impressed with his

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

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Newsletter Information:

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

- ✓ e-mailing us at newsletter@chi13.com,
 - ✓ dropping your submission or idea in the anonymous newsletter folder located in the mail room, or
 - ✓ leaving them with Dave Latz.
- Please remember when making a submission to the newsletter, it must be:
- ✓ type-written and
 - ✓ submitted by the third Wednesday of the month via e-mail, a Word document or an ASCII file.

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

You may also view this edition of **THE MARSHALL CHRONICLES**, as well as all the previously published issues, all in full color, on the Chapter 13 Trustee website at <http://www.chicago13.com/>.

printed materials. STACs is expanding its outreach to Trustees and that can be a very valuable resource in the future. Richard Yarnall, Chapter 13 Trustee (Nevada), shared his new disaster recovery plan and explained that his hardware was located in Plano, Texas. Rick is always a step ahead when it comes to new innovations.



Russell Brown, Chapter 13 Trustee (Arizona), and The Honorable J. Rich Leonard educated us on PACER of the Future. CM/ECF Next Generation and Additional Functional Requirements Stakeholders Group (AFRSG) is a large ongoing project which is reshaping PACER.

Friday night's dinner was a lovely affair in the historic Mayflower's Chinese room. "Jamming Jan" Hamilton, Chapter 13 Trustee (Kansas), was the entertainment of the night. He was all decked out in 1960's garb with platform shoes. Jan reenacted his DJ days and "spun" old tunes for us. Some of us danced the night away.

Prizes were handed out for best costume and best dancers. Of course, Jan got best costume, but Tim Truman, Chapter 13 Trustee (Texas), and his wife Joan really should have gotten prizes. They were the cutest couple on the dance floor. The four new Trustees who attended: Michael Cotter, Chapter 13 Trustee (Virginia), Barbara Foley, Chapter 13 Trustee (Michigan), Wayne Godare, Chapter 13 Trustee (Oregon), and John Talton, Chapter 13 Trustee (Texas), were also given prizes. The Arizona Trustees received a prize because everyone in their District attended the seminar!

Saturday morning Robert Drummond, NACTT Vice President, Chapter 13 Trustee (Montana), gave us an overview of the Anaheim Seminar, which will be August 4-6, 2011. Bob promises a stellar program, and California is never a bad place to visit.

Afterward, George Stevenson, Chapter 13 Trustee (Tennessee), and Alice Whitten, Chapter 13 Trustee (Texas), updated the group on Electronic Funds Disbursement. More Trustees are using this method of sending funds to creditors. It is secure and eliminates returned checks.

The U.S. Trustee Liaison Committee reported on the issues discussed with the UST during recent meetings.

The Due Process Committee chaired by Ronda Winnecour, Chapter 13 Trustee (Pennsylvania), educated us on the many issues faced in this area. I introduced the committee and explained the role and expertise of each committee member in this diverse group. The Due Process Committee has a wealth of information, and contact information with e-mail addresses and phone numbers of each member was made available.

We were delighted to meet Professor Michaela White, the new Editor and Advisor of The NACTT Academy. Professor White also teaches at Creighton Law School. She and Bob Drummond are spearheading the annual meeting in Anaheim.

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CONGRATULATIONS TO HOWARD “CHIP” WILKES, OUR STANDING TRUSTEE COORDINATOR, ON YOUR RETIREMENT. WE’LL MISS YOU!



Not pictured: William Chatterton



Information Services

BSS TNG – Back On Track

Way back in September our office spent an educational, challenging and interesting two weeks training with BSS on-site. Armed with our new TNG logins, each employee received hands-on instruction in the new software and started to get an idea of how we would perform our jobs once the conversion to TNG was complete.

Then, a month later, I sent an email to all employees encouraging them to continue to log in to TNG in order to keep familiar with the new software, so as not to lose the momentum and excitement we had gained during our training session.

Not long after that, the conversion team began to focus intently on disbursement balancing. If you recall in my December newsletter article, I talked about how we would run a disbursement calculation on CaseNET and on TNG and then compare and analyze any discrepancies. It was during this time that I told you to stay out of TNG! We needed to keep the data in a “disbursement balancing” state because any changes to case or claim data could disrupt the analysis and comparison of the differences in the way the two systems paid out money to creditors.

Well, today, I’m happy to report that we are once again encouraging you to log in to TNG and get your feet wet!

Since December’s article, the conversion team has successfully performed disbursement balancing for the months of December, January and February. The conversion of data and disbursement balancing procedures have come to be more



predictable, so that we can more safely instruct you on when you can use the new system.

Here's what's happening now:

Every weekend, we run an entire conversion of CaseNET into TNG, so that when we come in Monday morning, TNG's data will match CaseNET. This is when we will want you to run reports and letters and look up information in the new system to see if everything is matching up properly with CaseNET data. Since we are not converting the data every night, as the week goes on the data will become more out of sync.

But that's OK, because every Friday we will convert the data again.

The exception to this rule is during Disbursement Week. Tuesday night of Disbursement Week is when we run our Allocation program on CaseNET. Before this happens we capture the entire data file and transfer it to the new system to be converted into TNG. It's at this point that we do NOT want anyone going into

TNG because we will want to preserve the data for comparison purposes.

So, to sum up, from the Tuesday of Disbursement Week, until the following Tuesday, we will ask you to stay out of TNG. The rest of the time you will be encouraged to use TNG! I will be sending emails to the staff to let you know when it's OK and not OK to use TNG.

Thanks for your patience during this important phase of conversion. I'm anxious and excited to have you all back in the system to resume our training.

Sandra Pillar, Director of Office Systems

NACTT Mid-Year Meeting: What A Difference A Year Makes

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The seminar concluded with case law updates from The Honorable Keith Lundin and Hank Hildebrand.

Guess what was served up? *Ransom*. We discussed what the recent Supreme Court decision in *Ransom* means and the curious omission of “fresh start” as the reason for bankruptcy. Instead Judge Kagan referred to paying creditors as the reason for bankruptcy. There are so many questions. Does *Ransom* apply to only car claims, or homes, too? What about the \$489? Does *Ransom* change this? Is this a cap, or can you take a higher or lower deduction on line 47 depending upon the amount owed on the car? This discussion was a real brainteaser.

This was a good meeting. I returned to Chicago on Sunday, motivated, energized, excited and ready to cheer the Bears to victory. You know the end of that story.

Marilyn O. Marshall, Standing Trustee

March's Notable Events

March is Credit Education Month.

All Staff Meeting on March 4th.

Mardi Gras on March 8th.

Daylight Saving Time Begins on March 13th.

Happy 15th Anniversary to Darlene Odom on March 11th!

Potato Chip Day on March 14th.

Saint Patrick's Day on March 17th.

First Day of Spring on March 20th.

Happy 13th Anniversary to Santricia Fields on March 25th!

Make Up Your Own Holiday Day on March 26th.

Happy Birthday to Sandra Pillar on March 27th!

Pencil Day on March 30th.

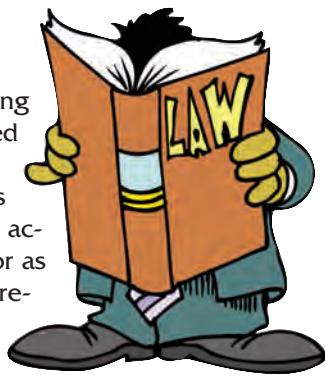
Take a Walk in the Park Day on March 30th.



Legal**Bankruptcy Law Changes – But Not Too Much**

The Bankruptcy Law was changed again on December 22, 2010. Fortunately, the changes were technical corrections to the previous 2005 BAPCPA amendments, so there isn't a whole lot of impact on how we do things. Some changes include a clarification of the pre-petition credit counseling time parameters under §109. Section 109(h)(1) now reads (changes in italics) "Subject to paragraphs (2) and (3), and notwithstanding any other provision of this section *other than paragraph (4) of this subsection*, an individual may not be a debtor under this title unless such an individual has, during the 180-day period ~~preceding ending on~~ the date of filing..." This may mean that receiving counseling the day before versus the day of filing may now be a non-issue, but we have yet to see a Court's interpretation of the new language. Section 110 has also been beefed up somewhat. Petition preparers were always required to provide a required notice

to the debtors before accepting fees from the debtor. The changed sections, 110(b)(2)(A) and (h)(1) now read that it's not just fees "from" the debtor but any fee accepted "on behalf of" the debtor as well that subject the petition preparer to the requirements of section 110.



Other technical changes to the Code found in §§1301 to 1330 were truly technical changes. Those included lining up code section references so that they referred to the correct numbers and letters of other subsections as well as some wording changes that had little effect on the substantive portions of the remaining language.

O. Anthony Olivadoti, Managing Attorney

Financial**Positive Thinking Builds Confidence, And That Brings Results**

First and foremost I would like to give a brief overview regarding In-House and Stale-Dated Checks. In-House Checks are checks returned to our office that were mailed either to the creditor or debtor. Most common reasons they are possibly returned is because creditors/debtors are no longer at that address or PO Box address has been closed. Stale-Dated Checks are checks mailed also to creditors or debtors that become voided after they have not been processed for 90 days. There can be few reasons why a check is stale-dated but generally the main reasons are because the checks were never received or forwarded to the accurate person to process the check within that 90 day period.

At first and in the past when I was responsible for completing an In-House or Stale-Dated, I encountered many weaknesses. For instance I worked on checks maybe one or two days out of the week, which was not very many. Also when I called debtors or creditors I did not have a very positive, confident, and optimistic approach. In addition, I did not think outside the box, meaning I did not think of several other

options that could have helped me resolve the check. These weaknesses allowed for checks to accumulate making it much harder for me to resolve them in a timely manner. Once checks reached a point they needed to be completed sooner than later, Mark and Santricia assisted in completing those checks. We sat together and they provided recommendations, advice, and feedback on what I was doing incorrectly and what I needed to do in order to solve those checks more rapidly.

After meeting numerous times, I observed how they handled a check and incorporated their ideas and strategies into my own self. I was convinced and believed all along that I was capable of doing the right things. My thinking was, I am not going to have those weaknesses anymore. I feel proud to say those weaknesses do not exist. Now when I receive a check my attitude and approach is completely different. I feel more confident and highly positive that the check will be resolved. For example, if possible, I try to work on checks daily as opposed to one or two days in the week. Before I speak to creditors or debtors, I feel that con-

fidence in myself that I was missing in the beginning. The reason I feel this way is because I know every single procedure that needs to be done to solve an in-house or stale-dated check. The positive attitude, confidence, and knowledge I attained have helped me resolve more checks in a timely manner.

I would like to summarize by thanking Mark and Santricia for taking some time out of their work day to train me on how to resolve checks. Their comments, ideas, and suggestions provided, with my desire to succeed in resolving checks, has brought better results.

Enrique Orejel, Receipts Specialist



2011 NACTT Staff Symposium What Happens In Vegas Comes Back To The Trustee

The correct saying is "What happens in Vegas stays in Vegas" but the information that I learned at the NACTT Staff Symposium I had to share with everyone. The most valued characteristics of an employee is what caught my eye the most. I think if we all know and apply the information below to our persona, we would make our Trustee very happy. All Trustees were asked what they thought the characteristic of a "Most Valued Employee" were. Many of the Trustees responded with almost all the similar characteristics. I am very excited to share them with you.



The most valued characteristics of an employee are:

- | | |
|----------------------|--------------------|
| 1. Loyalty | 5. Problem solving |
| 2. Positive attitude | 6. Team player |
| 3. Initiative | 7. Communication |
| 4. Integrity | 8. Accuracy |

They also asked many of the Trustee's managers the characteristics they look for in an individual employee. And they are:

- | | |
|----------------------|------------------|
| 1. Dependable | 5. Communication |
| 2. Punctual | 6. Productive |
| 3. Positive attitude | 7. Accurate |
| 4. Problem solving | 8. Honesty |

If you compare both lists, you will see that both the Trustees and Managers have similar characteristics. So, if we all try to work on all of them, I think Ms. Marshall would have a lot of Valued Employees.

Over all, the NACTT Symposium was awesome. My husband and I had a great time. We also had the opportunity to hang out with some of my co-workers whom I got to know a little better. So Jairo, Peanut and I thank Ms. Marshall for giving us the opportunity to go to Vegas. And like they say "**VIVA la TRUSTEE.**"

Monica Frausto, Client Services Representative

Trivia Quiz: Luck of the Irish

The Answers:



- | | |
|---------------------|------------------------|
| 1. River Liffey. | 6. 40 percent. |
| 2. Cream. | 7. About four percent. |
| 3. The sun. | 8. The harp. |
| 4. Ireland forever. | 9. 28 percent. |
| 5. The Isle of Man. | 10. Murphy. |

2011 NACTT Staff Symposium **Viva Las Vegas**

Thanks to my trustee, Marilyn O. Marshall, I was fortunate enough to be selected to attend this year's annual staff symposium, along with three co-workers. It is always an education to attend these symposiums to see how other offices handle situations in comparison to our own office.



This year's Symposium had a series called "Value added employee" which I decided to take. All proved to be beneficial to understand that we all share the same common issues at work. Whether it was how to manage time, how to work with a difficult employee, communicate with creditors, debtors, attorneys, training new employees, deadlines, or the common types of errors or mistakes Trusteeships encounter across the country.

The workshops were set up in roundtables. We had to work together as a team to find the answers we thought would best resolve the issues and what steps we would take to help that employee improve their performance. The one true thing for every roundtable was each had given different yet sometimes the same answers and solutions. However, the bottom line was no one person or Trusteeship had the absolute solution. All answers could be correct, it just depends on the office policy, which was mandated by an individual Trustee.

There was one office that takes one day out of the month to meet with all employees to review all errors, as a means to better train employees to recognize and empower them to find abnormalities before any become an issue. But what stood out most is that in every case solution, everyone agreed that no employee would deliberately make an error or create an abnormality. We found that errors and mistakes usually occur because the employee was distracted by outside factors, or was not properly trained, the situation was a complicated multi-step process, or was a human slip while trying to multi-task.

Outside the event itself, I was able to spend time with my three co-workers and two of their spouses. This gave us a chance to intermingle and enjoy one another on a level we are not able to do in a work environment. We walked the famous Las Vegas Strip at night, took time to see the Pirates of the Caribbean show, the Volcano Eruption at the Mirage, and walk through Caesar's Palace Mall.

Mark Caffarini, Audit Specialist

Enthusiasm

"Act enthusiastic and you will be enthusiastic."

– Dale Carnegie

"Nothing great was ever achieved without enthusiasm."

– Ralph Waldo Emerson

Spring Into Shape!

With Spring right around the corner, what better time than now to start preparing for a lifestyle of living well, healthy and fit!

The most import part to any workout regimen is to get a green light from your doctor! The next thing to do is to "Get Your Mind Right!" Mentally prepare yourself for the journey ahead, because the mind controls the positive attitude that you will need to get it done, and the mind also controls the body to do what you tell it to do.

After you receive your green light from your doctor and you have a positive outlook, be sure to hydrate your body with plenty of water. The brain is about 85% water; the human body is about 65% water for men and 60% water for women. Hydration is important because the muscles need to be hydrated in order to function properly, especially the brain. The brain contains serotonin and of the 40 million brain cells, most are influenced either directly or indirectly by serotonin. This includes cells related to mood, appetite, sleep, memory and learning, regulating the body's temperature and some social behavior. Serotonin is the brain's natural "happiness" hormone.

It is equally important to hydrate the muscles in your body to ensure they do not lock-up while you are stretching, walking, running or working out/exercising. Now that we covered hydration, let's look at nourishing the brain, body and spirit.

Diet is a key factor to having a successful living well lifestyle, workout and attitude. The FDA recommends that we eat five



or more fruits and vegetables per day, especially those high in vitamin C, vitamin A, beta-carotene, and fiber. In addition, protein, carbohydrates, and fresh fruit juices. We must also have portion control. In order to provide the brain and the body with proper nutrition, the foods we eat play an important part in releasing serotonin in the brain that contributes to our happiness.

Before you start any physical activity, be sure to STRETCH. As time passes and your muscles are properly hydrated, your muscles will become more flexible and tone.

Walking and running is an excellent workout/exercise; it doesn't matter if you walk or run, just as long as you invest the same amount of time, you will burn the same amount of calories. If you plan to incorporate weightlifting into your workout routine, make sure you start light and increase the weight in moderation. One of the rules to weightlifting is, for toning the muscle, start by lifting light weights and add more reps. In order to bulk the muscle, lift heavy weights and decrease the amount of reps.

To get the best results with any workout/exercise routine, CONSISTENCY is the key and it will lead you into having a healthy, fit and happy lifestyle. Live well!

Suleth   Mason, Paralegal

2011 NACTT Staff Symposium A Great Experience All Around!

Wow! A symposium outside of Chicago. We and two other co-workers were given the opportunity to attend the symposium in Las Vegas, Nevada. At least we had never been there, so it was a special treat. We all had a great time! We were able to attend classes and in the evening have a great dinner, walk around and gamble. (No big wins for us!)

When coming back from the symposium, attendees are to contribute any ideas or thoughts that were discussed. The thing about that is that the other offices do things so differently. There are no common procedures in any of the offices. The only thing was to work and handle the bankruptcy cases in a responsible manner.

We attended a class titled "Improve Personal Performance." Kathy Fink, Mary LaBarge, Drane Beaune were the facilitators. They work so well with each other that they made the class fun. We did learn some tips when we were in class. Here is a list that we will share with you from the handouts that were given to us.

To be a better employee, one should manage their time better. Learn to use a master list. Stop doing everything imme-



diately. Have frequently-used items near at all times. Assign items to their own places and put them in it. Work on tasks during morning power hours. Don't begin a task until ready to complete it. Tackle big projects in pieces. Group like activities together. Direct a request to the right person. Change activities every 90 minutes. Improve the way you communicate; be specific.

File it. Don't pile it.

If you are the "go-to" person that helps answer questions for others, set up a time to answer those questions. For example, late afternoon so that you're not disturbed while doing your work and even then maybe turn it into a training session. This will help you and your co-workers.

These are some items that we're going to try and implement so that we can do a more efficient job here at work and at home. Viva Las Vegas!

*Catherine Mendoza, Paralegal and
Laura Mendoza, Case Administrator/Mortgage Specialist*

Trivia Quiz: Luck Of The Irish

St. Patrick's Day is just around the corner. Test your knowledge of everything Irish with this trivia quiz. (*The answers can be found on page 6.*)

1. What is the name of the river that runs through Dublin, Ireland?
2. What is always found on top of Irish Coffee?
3. The Celtic cross has a circle at its center. What does the circle represent?
4. What does "Erin Go Bragh" mean?



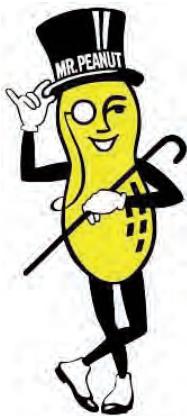
5. Gaelic is spoken in Ireland and one other place. Where else is it spoken?
6. What percentage of American presidents has had Irish ancestry?
7. What percent of the Irish population has red hair?
8. Most people think the shamrock is the official emblem of Ireland. It isn't! Do you know what is?
9. What percentage of Australians are of Irish descent?
10. What is the most popular surname in Ireland?



OFFICE OF THE CHAPTER 13 TRUSTEE MARILYN O. MARSHALL

224 S MICHIGAN AVE ☆ STE 800 ☆ CHICAGO IL 60604-2500

The Marshall Chronicles is now available in full color,
both in print and on-line at www.chicago13.com



Did You Know: Peanuts

March is National Peanut Month. Here are just a few facts about peanuts:

- ➲ Candy manufacturers use over 20 percent of the world's peanuts.
- ➲ The two most popular varieties of peanuts are the Virginia and the Spanish peanuts.
- ➲ The United States produces only about six percent of the world's crop.
- ➲ Popular nicknames for peanuts around the world: goobers, goober peas, pindars, ground nuts, earth nuts, monkey nuts, and grass nuts.

- ➲ One acre of peanuts will make about 30,000 peanut butter sandwiches.
- ➲ Before the age of 18, the average American child consumes 1,500 peanut butter and jelly sandwiches.
- ➲ Arachibutyrophobia is the fear of getting peanut butter stuck to the roof of your mouth.
- ➲ The official state crop of Georgia is the peanut. Over half of the U.S. peanut crop is grown in Georgia.
- ➲ Peanuts are members of the pea family. In fact, peanuts are not really nuts, they're legumes, like other beans.

