

Take Our Money: Reducing the Frequency of Returned Checks

The model plan has been around since October 1, 2001, and it requires that we pay debts scheduled in the plan in absence of a claim. The Case Administrators create what we call Plan Based Claims for those debts based on the original and modified plans. The plan provides the amount, interest rate and specific terms but the address is taken strictly from Schedule D. Lately, the percentage of returned checks for plan-based claims seems to be increasing due to an incorrect address or the account was sold to another party. During the §341 hearing, we ask the debtor if the address information for the debts listed were taken from a current credit report or correspondence received from the creditor within the last 90 days. Most respond that a credit report was used, so why there are so many return checks is unclear. Normally, we don't find out there is a return check issue until the case is already confirmed and one of the methods to resolve the issue requires the attorney to file a motion to modify the plan.

One of our goals this year is for the Legal and Financial department to join efforts in reducing the number of returned checks, so we are combining our efforts to combat this problem early in the case. The petition is processed by Case Administrators usually within 5 days of the case being filed and they will generate a letter to the creditor. The let-

ter requests the creditor to confirm if the debt is secured, unsecured or if they still have an interest in the case. We have already received some responses from creditors stating the claim will be filed as unsecured, the account was discharged in a prior case so a claim will not be filed or the letter was returned due to an incorrect address. The §341 hearing is usually 3-4 weeks after the case is filed so the information can be relayed to the debtor's attorney and corrected prior to the confirmation of the case. This new

process will address the plan based claim issues going forward and should reduce the total number of returns significantly.

The Financial Department will still have returned checks post-confirmation due to creditors closing or moving, debts being transferred without documentation being filed with the court, stays being lifted

and debtors not filing change of address forms when relocating. The debtor address issue is being alleviated by the inclusion of a debtor change of address form being attached to Financial Summaries that are sent out to every debtor. The other issues require more effort to correct and are not known until after they happen. For these issues, the development of a large database of contact numbers and email addresses for creditors is key. Along with the database, staff training and persistence in due diligence is a



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(Continued from page 1.)

Plan Based Claims - Creditor that Commonly File Unsecured Claims:	
Scheduled Payee Name:	Claim is Filed By:
Chas McCarthy	Kahuna
GE Capital Retail Finance	Quantum
Webbank	Jefferson Capital/Quantum
Monterey Financial	Kahuna

Creditors with the Most Returned Checks:	
Plan Based Claims:	Reasons for Returned Checks:
CitiMortgage	The debt has been transferred to another servicer and no claim has been filed.
Ocwen	
JP Morgan Chase	No longer in business.
Small Car Dealerships	

Creditors Who Filed Claims:	
Payday Loan Store	The store that filed the claim has closed or moved and no address change has been filed with the court.
First Cash Advance	
First Cash Financial	

Miscellaneous:	
Debtor Refunds	Debtor has moved.

THE MARSHALL CHRONICLES

The Editorial Staff: Cheryl Jones, Aaron Bowles, and Brett Meyer.

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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/>.

must. In the coming months, the database will be developed for both the Legal and Financial Departments to use.

Sometimes no matter how much effort and time is put into finding the correct address or payee on a given check, a resolution is impossible. As a last resort and in extraordinary situations, the Financial Department will request that the funds be sent to Clerk of the Court. Clerk of the Court requests are reviewed by the Trustee for approval.

Between the new procedure to generate a letter at the beginning of the case to the creditor and mailing change of address forms to debtors during the course of their cases, the amount of returned checks is set to drop dramatically. The building of a comprehensive database of creditor contact information will make the processing of the reduced amount of returned checks more efficient and less time consuming. The Standing Trustee Pledge of Excellence states: "The Trustee should disburse plan payments to creditors on a monthly basis, and should have procedures in place to properly classify and pay creditors' claims and to detect and recover any erroneous payments." With a few new ideas and resources, the Legal and Financial Departments are able to stand together and help each other out and continue to uphold the pledge taken by the office.

*Rosalind Lanier, Case Analyst, Claims
Brett Meyer, Case Analyst, Receipts*

Trustee Matters:

Agility Network Services, Inc

I outsourced our IT needs more than a year ago. If I had read this newsletter article 10 years ago, I never would have gone through the trials and tribulations associated with managing an IT department. This is not an advertisement for Agility but it is information that may be helpful to others. Now, I just leave the driving to someone else.



Marilyn O. Marshall, Trustee

The following article has been reprinted with the permission of Agility Network Services, Inc:

Agility Network Services, Inc

Founded 1994 - (877) Agility

Outsourcing Your IT

- o 7 Tips to Help
- o Find the Right Provider

Tips to Outsourcing Your IT

Any person responsible for a company's Technology Environment has a lot to keep track of - managing vendors and equipment, planning for future upgrades and replacements, dealing with a barrage of potential services interruptions, problem solving and keeping abreast of constantly evolving technologies. That person has to manage what technology is supposed to do while, at the same time, making sure the systems deliver day in and day out. The right consulting firm can help bridge the gap between the end-users and your technology.

With hundreds of years of combined experience at Agility, we've developed a short, non-exhaustive list of tips to help you find the right IT provider to partner with.

It may be difficult to find a great partner simply due to your specific market size or location, but you can certainly find the help that is needed. Too often we hear from businesses that they were not aware of outsourcing firms that would be truly dedicated to their company. There are competent firms that are able and very willing to help your company with your technology needs. Continue reading for a short list of tips and check out our website for more information.

The 'Catch 22'. How can you properly determine your needs before hiring an IT firm without the expertise of an IT firm?

Create a vetting process to help identify your needs. Do a local search for IT providers that might be a good match (location, availability, company culture) and give them a call. Once you've identified two or three experienced local firms, have them in for an interview. Did you gain any in-

sight into your situation by talking to this company? Did the companies that you talked to have a solid plan for identifying and taking next steps? Finally, have a detailed assessment of your current IT environment performed to identify your current strengths and weaknesses.

Good IT Services Firms Will;

- Do a lot of the thinking for you. The best ones will do it without asking.
- Start adding value immediately by helping define your goals, strengths and weaknesses.
- Ask a lot of questions and do a lot of listening.
- Bring knowledge specific to your industry or examples of companies that were once in a similar position.
- Always help you see things from a fresh perspective
- Never force technologies that you don't really need
- Place more value on the relationship (rather than "fixing issues") and focus on the long haul.
- Provide you with options, help increase your understanding of those options, give you recommendations and let you choose.
- Challenge your old assumptions (help you uncover false assumptions that you might have been working under).
- Always be responsive and reliable and have your best interest at heart.
- Remember everything you ever said (without notes).

The Silver Bullet Misconception. The misconception is that buying new computers and servers, sometimes referred to as "forklifting" or "refreshing," will solve your technology problems. This simply isn't the case. Many companies with modest hardware managed by the right person or IT firm can be very successful and competitive in their industry. Involved owners, managers and principals need to be involved and informed to make prudent decisions on what your IT really needs. A good place to start when considering a technology upgrade is identifying what processes are affecting your current systems. Being able to identify which technology is or isn't helping your business be more efficient is key. The issue can often time be the underlying processes in place and not the age of a server.

Stay Involved. Regardless of your position, regardless of your authority, regardless of your experience, stay involved! It's all too easy to remove yourself from decisions because you "don't know anything about computers". One should know the basic functions, risks, and priorities of the company's technology. It is OK to say "I don't know much about computers," but unfair to your company to remove yourself from the conversation.

*Source: Agility Network Services Inc.,
February 2014 e-Newsletter*

Legal: The §341 Meeting Training Process



One of the job responsibilities of the Case Analyst position is to conduct meetings as a hearing officer. Hearing officers conduct §341 Meetings as required by the bankruptcy code. The training process is quite lengthy and thorough to ensure that the hearing officer is adequately prepared so that he/she can use independent judgment to represent the Trustee in a proper manner.

The training process begins with several classroom sessions where the overall flow of the meeting, script and related documents are introduced. During these classroom sessions, the trainees review a step-by-step breakdown of the meeting that includes swearing in the debtor, verifying the debtor's identity and confirming that all information contained in the petition, schedules, statements and Plan is correct. The Trustee has developed a format for §341 meetings that all hearing officers are expected to learn. This format ensures that the basic requirements of the meeting are covered including various questions that a hearing officer must ask according to the UST guidelines. During classroom training sessions, trainees learn and practice the script in the form of conducting mock §341 meetings. Learning the basic format gives the trainees a basic building block to enhance upon in order to become a true effective hearing officer.

Once the hearing officer trainee has grasped the overall format and flow of a §341 meeting, the next step is to observe §341 meetings being held by other hearing officers. The trainee will sit with several hearing officers to gain a perspective of each person's individual style when it comes to holding a meeting. Hearing officers must be able to listen and question debtors effectively. Officers need to be able to use their experience and judgment when deciding what follow up questions should be asked and what answers are pertinent to the case.

After the observation phase, the final step of the training process is for trainees to begin conducting meetings on their own while being supervised by an attorney or other hearing officer. Initially, the trainee will conduct the meeting relying heavily on notecards that they have developed in the training process. As the trainee gains confidence, experience and a good understanding of her role, she will rely less and less on the notecards until the meeting can be conducted expertly. The hearing officer must also exercise good judgment and go off script when he or she believes that a further line of questioning is necessary to answer one of the script questions.

Finally, once the trainees have mastered the §341 meeting process, they must conduct a day's worth of meetings under Ms. Marshall's observation. The Trustee gives the final approval for them to officially become hearing officers and conduct meetings on their own as a representative of the Trustee. I am told that in the past only one person has "passed" her test the first time and normally hear-

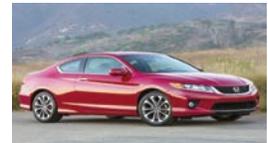
ing officers have to conduct meeting with the Trustee several times. I plan to become the 2nd person to pass on that first observation.

Brittany LeBeau, Case Analyst

Protect Yourself from Car Theft

Do you know if your car is likely to be stolen? The National Insurance Crime Bureau (NICB) is a not-for-profit insurance organization devoted to addressing the problem of vehicle theft and insurance fraud. Every year, they research data from the FBI in order to provide statistics to the public. In their analysis released last year, the following were the most commonly stolen vehicles in the United States:

1. Honda Accord
2. Honda Civic
3. Ford Full Size Pickup
4. Chevrolet Full Size Pickup
5. Toyota Camry
6. Dodge Caravan
7. Dodge Full Size Pickup
8. Acura Integra
9. Nissan Altima
10. Nissan Maxima



Many times these popular vehicles are stolen just for parts. Vehicle owners in or near port or border cities are at additional risk, as many cars are stolen with the intention of selling them internationally.

How can you protect yourself from car theft? By following some simple rules, you can decrease the likelihood that your car will be next. Remember to park in well-lit areas, lock your doors, and take your keys with you. Never leave valuables in sight. Even an empty shopping bag can be tempting, as the thief doesn't know what it might contain.

If you want to take it one step further, consider investing in some type of security device. It can be as simple as a steering wheel locking mechanism or as elaborate as an alarm system. You can even get a tracking device installed, which allows law enforcement agencies to pursue your stolen vehicle.

If your car is stolen, call your local police department immediately. Know where your vehicle registration is located and be able to give the police a good description of your car, along with the license plate information.

Trivia Quiz Answers: Presto Pasta!

- ① No, only the fork is proper
- ② Angel's hair
- ③ The literal translation is "to the tooth," or still a bit firm with some resistance to the tooth.
- ④ The Pope.
- ⑤ The Chinese.
- ⑥ North Dakota.
- ⑦ 77 percent.
- ⑧ 62 pounds.
- ⑨ Paste with eggs.
- ⑩ Garfield.

In a Few Words, Tell Us Why You Can't Wait for this Winter to be Over...

- Kimberly.....Because I'm tired of wearing boots.
- Cynthia.....I want to get away from these winter clothes.
- DarleneBecause that would mean my daughter's wedding day will be that much closer and I can't wait.
- BrittanyI can't remember what sunlight and warmth feels like.
- Rebecca.....I can't fit into my winter coat anymore (I'm pregnant) also, I forgot what it feels like to wear flip-flops.
- Aaron.....Ready to show off that beach bod.
- Charlie.....I just want to go out and play.
- DonnaSick of winter.
- Lauren.....I'm tired of hibernating, I want to spend more time outside.
- JayBecause my arms and back are sore. Tired of shoveling.
- RosalindTired of shoveling snow and tired of being crabby.
- JoannaI want the temperatures to stabilize. I'm exhausted from the extreme weather.
- Laura.....I'm tired of wearing winter gear.
- Anthony S.Once it's over, I can go out for recess on my lunch hour.
- SantriciaBecause my boots are heavy and I'm tired of wearing them.
- DanCan't wait for the Stanley Cup parade in the summer.
- TrusteeWho say's I can't wait?
- MaudeIt's too darn cold, too much snow and it's ruining my good shoes.
- Katrina.....Because winter brings a lot of gloom to you. I want to do outside sports.
- Carlos.....Because I'm tired of shoveling the snow.
- JulianaI Love It.
- CholeBecause I'm tired of these winter clothes. I just want to wear a dress.
- MattI'm just anxious to began growing herbs and tilling the fields.
- Brett.....Why would I want this winter to be over?
- CherylMy snow blower broke down, I'm tired of my car sliding all over the streets and I can't walk my dog beyond my driveway.....I can go on.



20 Questions For: Katrina Graves



- Office Title:* Receipts Specialist
- Do you have a nickname?* Trina.
- Where were you born?* Chicago, IL
- What should we know about your family?* I am married, have one son, one stepdaughter & three grandchildren.
- What's your favorite food?* Stir Fry.
- What's your favorite TV program?* Game shows as well as most HGTV programs.
- What's your favorite color?* Purple.
- What's your favorite expression?* "It will get better."
- What's your favorite smell?* Lavender.
- What's your favorite childhood memory?* Playing my portable record player at picnics in the Forest Preserve.
- If you could meet one person in the world, either dead or alive, who would it be?* Michelle Obama.
- What's most important in life?* Health, Family & Happiness.
- Is the glass half full or half empty?* Half full.
- What's guaranteed to make you smile?* When someone as well as myself experiences good fortune.
- What's the first thing you do in the morning when you wake?* Look to see the time.
- How would your friends describe you?* Empathetic and a nice person.
- What would be a perfect day for you?* Joining my friends to exercise, shop and socialize.
- What's your most embarrassing moment?* Asked to leave a party as soon as I arrived.
- What's your proudest moment?* My son giving me away at my wedding.
- Where do you see your self in five years?* Spending more time with my grandkids.
- Anything else you'd like to tell us?* That's all folks!

By The Numbers: Fire

-  There are about 70,000 reported wild-fires in the United States each year.
-  Residential fires result in almost \$8 billion in losses each year.
-  In the United States, a fire department responds to a fire every 23 seconds.
-  Lightning causes almost 10,000 fires each year.
-  The United States' mortality rate from fires ranks eighth among developed countries.



Compiled by Barbara Walters
(a.k.a. Cheryl Jones, Case Administrator)

Source: U. S. Fire Administration

Saving Money at the Grocery Store Can Help You Pay Down Debt

While every household has some fixed costs, like your mortgage payment and utilities, you do have control over other expenses like your grocery bill.

The four biggest expenses for the average American family are housing, transportation, taxes and food. While every household has some fixed costs, like your mortgage payment and utilities, you do have control over other expenses like your grocery bill. And we don't mean extreme couponing either. Here are five ways to trim your monthly grocery bill so you have more money to pay down your mortgage, loans and credit card debt.



First, before you leave for the grocery store, go through your kitchen to ascertain exactly what you need. Making a grocery list and checking it twice before you go to the store will fatten your wallet because you won't buy more than you need and you won't have to make a second trip. When you are organized, you know exactly what you need and you'll save on gas too. And leave your credit card at home. You'll buy more with plastic than you will when you limit your spending by paying for purchases in cash.

Second, watch the price scanner at check out. Price scans make mistakes all the time and can cost you more money. Consumer Reports recently reported the results of a shopper's survey where 6% of survey participants said they were overcharged at grocery checkouts. While no particular chain's price scanning stood out any more or less accurate when compared to others, it's up to you to watch the grocery prices scan and verify their accuracy. In some cases, grocery chains will actually give you the item for free if it scans the wrong price. So spotting the error, not only avoids getting overcharged, you might just get the item for free.

Third, make the switch from buying big brand names to buying generic food items. You'll save between 10% and 50% when you buy generic foods. It's still the same thing as the big brand name only without the added marketing costs big brand companies pass on to the consumer. You're actually paying for the false sense of security you feel when you recognize a label. Green beans are green beans. You don't need a giant to help you serve a better green bean casserole.

Fourth, quit clipping the wrong coupons. Some coupons make you buy more of a product than you needed in the first place. And many of these items are highly packaged foods that are low in nutrition, high in sodium and sugar and a whole bunch of other ingredients none of us can pronounce. So skip the coupons for bad nutritional buys. Paying a bit more for whole foods is a worthy investment in your family's health.

Fifth, avoid the cans and buy dried beans in bulk instead. One of the best frugal ways to add protein to your diet without paying the high cost of meat is to buy dried beans in bulk, soaking them overnight. You also avoid all the sodium that comes with canned food items. So you'll not only save money, you'll also eat better.

Saving money at the grocery store takes practice, but having more money in your pocket to pay down credit card debt and US Military loan payments is a huge payoff. Take control of your household's spending with these five tips at the grocery store. You'll eat better and pay down your debt faster.

Source: Arthur Vitale @ www.articlebiz.com

Salad Safety Tips

Spring is the season for fresh vegetables like lettuce and other greens. To make sure that you are getting the most out of your salads, take these safety considerations into mind.



- Wash your hands and all utensils and surfaces before handling or preparing any fruits or vegetables.
- Don't store fruits or vegetables in the refrigerator near raw meats or seafood.
- Use separate cutting boards for fruits and vegetables and for meats.
- Store fruits and vegetables at the proper temperature and do not use bruised, damaged, or spoiled fruits or vegetables.

Internet Tidbit

Good neighbors make neighborhoods safer and happier. To help connect with your neighbors, try out Nextdoor.com. This social network is a private way to interact with your neighbors and your community. This free service allows you to organize a Neighborhood Watch Group, find a babysitter, sell your unwanted items, plan a block party, and make new friends. The developers at Nextdoor.com place a high priority on privacy, providing a way to verify that each member actually lives in your neighborhood, and none of the information is ever shared with advertisers. Join the over 27,000 neighborhoods that have benefitted from Nextdoor.com to make your neighborhood stronger and safer.



Did You Know? Umbrellas

March is National Umbrella Month

- ☞ In the late 1800s, the most popular term for an umbrella in the United States was a bumbershoot.
- ☞ Umbrellas were originally designed to protect people from the sun. It has only been in the last few hundred years that umbrellas were used for protection from rain.
- ☞ In the 1400s, Portuguese explorers to the New World would hold an umbrella over the head of their captain when landing on a new island. They did this to show his authority to the natives.
- ☞ In the 1700s, the ribs of umbrellas were made from whalebone, which is the structure in the mouths of whales that filters krill from seawater.

- ☞ The study of umbrellas is called broliology.
- ☞ Parasols are typically used to shelter a person from the sun, while an umbrella is designed to protect from the rain.
- ☞ It wasn't until 1969 that the first patent for a folding umbrella was granted. This umbrella was designed by Bradford E. Phillips, the owner of Totes Incorporated.
- ☞ Golf umbrellas, the largest in common use, are usually around 62 inches wide.
- ☞ Most umbrellas are made in China, mostly in the Guangdong, Fujian, and Zhejiang provinces.
- ☞ There are over 33 million umbrellas sold in the United States each year.



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

Trivia Quiz: Presto Pasta!

Test how much you know about Pasta. *(The answers are on page 5.)*

- ① According to Miss Manners, is it proper to use a spoon along with a fork when eating spaghetti?
- ② In Italian, fettuccine means ribbons. What does capelli d'angelo mean?
- ③ Pasta should be cooked "al dente." What does this mean?
- ④ In the 13th century, what authority set standards for pasta?
- ⑤ What culture is the first recorded to have made pasta?



- ⑥ Which U.S. state produces most of the country's durum wheat crop?
- ⑦ What percentage of Americans eat pasta at least once a week?
- ⑧ Americans consume about 14 pounds of pasta per person annually. How many pounds per person of pasta do Italians consume?
- ⑨ The word noodle is derived from the German word "nudel." What does that mean?
- ⑩ Which popular comic strip character loves lasagna?

