



Assistance from BarCARES



In these challenging times, remember that North Carolina Bar Association Paralegal Division members may call on BarCARES for help. BarCARES is a short-term, confidential intervention program that provides for three (3), free annual visits to members of the Paralegal Division. Assistance is also available to local bar associations who have an established Bar-

CARES program. The program goal is to provide counseling for attorneys and paralegals that is both solution-oriented and brief in nature. Access the link for additional information.

<http://www.ncbar.org/about/barCARES/index.aspx>

Submitted By: Cyndy Adams, NCCP

Pampered Chef Fund Raiser



Thanks for all the orders. As of midnight, March 31, 2009, we placed **\$1,692.87** in Pampered Chef orders and had five future show bookings! That means CVPA will receive **\$438.22** from this fundraiser with additional orders yet to be counted. We will also receive an additional \$35 once the booked shows are held. Everyone's efforts are again appreciated.

Thank You



CVPA would like to extend a heart felt thank you to **Attorney Lewis Waddell** and **Attorney Rod Vujovic** for their generous support of our Social held at the Catawba Country Club on March 10th. These Attorneys graciously picked up part of the tab and provided attendees a lovely night out and a spectacular dinner.

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Beware post-bankruptcy credit report errors—*Submitted by Wilma Oxford*

Source: The Bankruptcy Adviser by Justine Harelik—Bankrate.com

QUESTION:

Dear Bankruptcy Adviser,

It has been almost a year since my discharge for Chapter 7 and I recently reviewed all three credit reports. Should any of the accounts that I listed in the bankruptcy have the label, "collection" or "charge-off?" Should the accounts that I listed in the bankruptcy be classified as "derogatory?" Any information will help greatly in my fight to clear up my credit report. Thanks in advance.

-- David

ANSWER

Dear David,

In or around October 2005, the month when a more restrictive bankruptcy law went into effect, close to 1 million people filed bankruptcy. As a result, many mistakes were made. Your situation is one of the two most common problems facing people that file bankruptcy: the incorrectly updated credit report.

When you filed for Chapter 7 with the court, the court sent a notification to each of the creditors on your list. Let's say that a given creditor, "Joe's Bank," got the notification. Like all creditors in this position, Joe's Bank has a decision to make: Either contest the petition with the court or charge off the account (in other words, write off the account as a loss). If Joe's Bank had been trying to collect from you and then decided to charge off your account, your credit file might read, "collection/charge-off."

Now, once you receive your bankruptcy discharge from the court, the court has also sent these notifications to your creditors. Thus, in our example, Joe's Bank should change your file to read, "discharged in bankruptcy." But apparently this didn't happen.

While you might think that the problem with your credit report lies with the three credit reporting

agencies, it actually is the fault of the creditor. This is because creditor records of this type are linked automatically to the data banks at the credit reporting agencies. When the creditor changes its file, the credit reporting agency's record for you changes, as well.

However, the way to handle this is not to contact the creditor, but to go directly to the three credit bureaus. Send letters to **Experian, Equifax** and **TransUnion** and ask them to update your credit report.

Include in your letters to the credit bureaus:

- Your bankruptcy discharge notice.
- The "schedule of debts" from your bankruptcy paperwork. (This shows the credit bureaus that the account record you want changed was included in your bankruptcy filing; highlight each account that is not listed correctly.)
- A copy of your driver's license.
- A copy of your Social Security card.
- Another proof of address, such as a utility bill.

The credit bureaus will update these accounts and change each trade line to "discharged in bankruptcy." This can take a while, but the process is fairly straightforward.

The other most common problem facing those that filed during the crush surrounding October 2005, is that their car finance companies (lenders) did not properly record their payments, and as a result, they are facing repossession.

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“Continued from Page 2—Beware post-bankruptcy credit report errors”

For most people who have not filed bankruptcy, you can expect some warning before your car is repossessed. Suppose you have a car loan but are not declaring bankruptcy. If you miss a payment, the bank sends a letter that says: You missed a payment. If you miss another, you get another letter that says: You missed another payment. If you miss another you get a letter that says: We're coming to repossess your car. The reason you get some flexibility is because the car lender thinks you will ultimately make good on the terms of your loan; that's why the creditor gave the car to you in the first place.

However, if you declare bankruptcy, now you are considered a credit risk. The lender thinks that it's highly unlikely that you will make good on the loan, and it's to the lender's advantage to repo the car and resell it ASAP. Therefore, if you miss one payment, they may come for your car. This is true even if you have reaffirmed this debt.

The problem is that, sometimes, a payment that's been made is simply not recorded. I'm not sure why this is, but it does happen. The solution is to keep accurate records of all your financial transactions so that when the lender says, "Hey, you missed a payment, we're coming to repo your car," you can provide the lender with evidence that your check has been cashed. I recommend that in addition to recording all payments in your checkbook that you send them via certified mail with return receipt requested. Make sure you have the evidence you need to contest a mistaken (or fraudulent) claim.

Justin Harelik is a practicing attorney in Los Angeles. To ask a question of the Bankruptcy Adviser go to the "Ask the Experts" page, and select "bankruptcy" as the topic.

Will I Ever Get Credit Again?

Yes, a bankruptcy can actually clean up your credit report in the sense that your credit report will show zero balances owed to your unsecured creditors, rather than the tens of thousands of dollars that you may currently owe, and may reflect better than repossessions, foreclosures or even late payments. Bankruptcy will typically improve your debt-to-income-ratio, which is an important factor that many creditors consider when extending new credit. Although a bankruptcy can remain on your credit report for up to 10 years, most people resume normal credit activities immediately after receiving their discharge (which is around 90 days after your hearing). You would have to pull your credit report and dispute some accounts still showing on your report to help your score more. The interest rates may not be prime, and some waiting periods may apply, but you can begin re-establishing your credit immediately, you must stay current on your payments.

www.suzeorman.com

This website give information on how to rebuild your credit and what mistakes to avoid to keep you out of debt.

www.myfico.com

This is a great site for anyone to keep track of their credit and it alerts you when your score goes up or down, from all 3 credit reporting agencies. If there have been any changes to your report, etc. There is a fee for this site but it is worth it.

Short breakdown of the steps in filing bankruptcy:

- 1- first consultation (to see which chapter would best fit your needs)**
- 2- paperwork, getting documents that the attorney will need to file your case**
- 3- sign petition & it is filed with the court (you are now under the automatic stay)**
- 4- 30 days or so you will go to a short hearing**
- 5- 90 days or so your case should close (if you filed a chapter 7, if you filed a chapter 13 your case will not close until you have completed your repayment plan)**

Submitted by Wilma Oxford



Upcoming Events

Bankruptcy in North Carolina

Tuesday, May 12, 2009

CVCC East Campus, Room 1001

6:15 p.m. until 8:15 p.m.

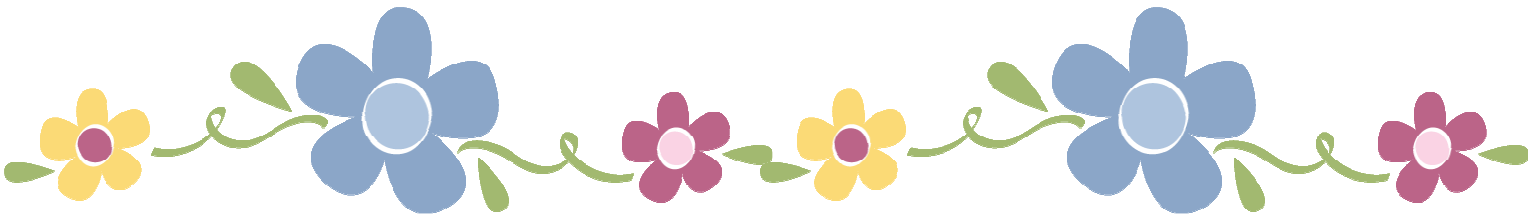
Approved for 2 hours of CPE credit by the North Carolina State Bar

Tuesday, June 9, 2009 at 6:00 p.m. - CVCC Auditorium

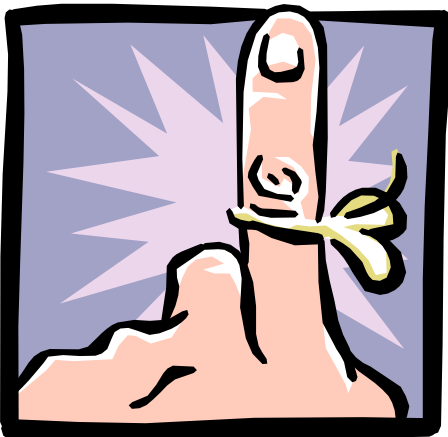
Domestic Violence

CPE - John Cutchin, Attorney at Law

1.0 CPE to be applied for



Items for May and June Collection for DSS



May: *Senior Month* – Lotion, soap, talcum or body powder, reading glasses, wrapped hard candy, tissue, toothpaste, toothbrush, canned soups, hand sanitizer, cleaning supplies such as wipes, trash bags, detergent.

June: *Keeping it Cool* – Sunscreen, boxed juices, bottled water, freeze-pops, hats, caps, box fans, sunglasses

25 “Tried and Proven” Coping Tips for Surviving Tough Times

BY NANCY BYERLY JONES

PARALEGAL PERSPECTIVES 5



Note: Not intended as all-inclusive and not listed in any order of priority.

1. Ask ourselves often – “If attitudes are contagious, is *mine* worth catching?! Is it a can-do or can’t-do attitude? Is it productive or destructive to me and those around me?”

2. *Real time living* – we must learn to cherish and live each moment to its fullest rather than diluting their value because our thoughts are focused on past or future “stuff” – even the bad moments need our full and undivided attention. Think about how often we allow ourselves to get stuck in the past or future which means we are at best diluting the value of the moment at hand or at worse, *totally* missing it (i.e. how often are we “listening” to others while checking for text messages at the same time?) How many *real time living* moments have we lived today? How many have we missed?

3. We *must* make time for exercise, adequate sleep, playtime, relaxing activities and no-tech hours in our lives (i.e. at *least* a few hours – or better yet a full day – of no TV, no text messaging, no e-mailing, no newspapers, no technology toys, etc.).

4. We *must* eat healthy “stuff” more often than not and minimize the not-so-healthy.

5. We *must* learn and practice the power, joy and calming benefits of deep breathing, and meditation (even 1 minute of stillness IS meditation). We even benefit greatly just from sniffing the right stuff (e.g. relaxing essential oils, favorite aromas).

6. Simplify everything we can in our professional and personal lives!

7. Say “No” to indecision; revert to an old pro’s/ con’s list to help sort out the good and not-so-good; when appropriate, delay making certain non-emergency decisions and schedule a future specific date to rethink them and make a decision; this simple technique can relieve our shoulders from the tremendous weight of indecision!

8. Create a personal budget; review it often, tweak when necessary and stick to it! If you are in charge of your office’s financial affairs, do the same for it ASAP! It’s absolutely frightening how many brilliant lawyers do not have a written budget for their firms.

9. Create simplified action plans for our professional and personal goals, review daily and transform them into realities (also called our personal cheat sheets or road maps for staying in control of our lives and helping us to reach our goals not just talk about them).

10. Work hard on minimizing (or better yet eliminating!) our personal negativity *and* the time spent with negative people. When such toxic environments are unavoidable, prepare in advance a few constructive responses (physically, mentally and verbally) for the anticipated (or history-proven!) kinds of situations we’re sure to face. And, while we are in the midst of the discomfort, live each moment as it comes rather than focusing (i.e. dreading!) what’s next or dwelling on what negativity has already occurred. Also, we should ask ourselves often what we could change or do differently with our attitudes, body language or words to help improve the negative relationships in our lives. It’s far easier to criticize what others are doing wrong than it is to identify, face and eliminate *our* bad habits or harmful ways of communicating. We won’t succeed in cleaning up our negative environments unless we start with “cleaning up” our negativity first.

11. Make a list of our fears (big, small and in between) and a list (mini action plan) of what actions and constructive steps we can take to ease or eliminate them (e.g. potential job loss, financial worries, tense relationships, illness concerns).

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25 “Tried and Proven” Coping Tips for Surviving Tough Times”

12. Stay in touch with every single thing that’s stressing us out. Identify and re-train our minds to let go of and quit our bellyachin’ about those stresses that are totally out of our control to change (e.g. a relative’s lousy attitude, airport delays, etc.).

13. Spend more time with our friends...our *true* friends...end or minimize time spent with the veneer, insincere “friends” in our lives.

14. Seek professional or other help when warranted for our physical or mental well being. Consider hiring a personal trainer, mentor, career or life coach to help get you going in the right direction.

15. Make a top ten list of activities we enjoy most with our families, significant others, friends and ensure we make time to incorporate those activities into our busy lives...if we’re too busy to do so, some soul searching and prioritizing is definitely in order ASAP!

16. Tough times just may be the *perfect* time to make time for long-ignored passions (e.g. acting, singing in a choir, scuba diving, learning to play a musical instrument, etc.)

17. We shouldn’t allow tough times to isolate us – to the contrary, what better time to volunteer to do a needed community service! Volunteers ALWAYS receive far more than they give in their time or effort *and* volunteering has been proven to be great for our mental well being including helping treat depression.

18. Unfortunately, we too often focus on what we don’t have or on other negatives in our lives. We can help conquer this unhealthy habit by starting each and every day with a mental count of all the blessings in our lives from the biggest to the smallest.

19. Listen to your favorite music more often, dance to it, sing along with it and enjoy the mini-vacation such “let loose” behavior offers.

20. Think about and improve our coping, anger management and conflict resolution skills in recognition that all relationships are subject to more strain (and neglect!) in our tougher times.

21. Go beyond what others expect of us in regard to our work product and smart risk management habits (e.g. prevent mistakes in the first place vs. spending time correcting them!). Assist others in our offices whether it’s our job or not to do so. Enhance, re-enhance and keep enhancing our client relations/servicing skills (no matter how great we may think we already are in this department!). Ask ourselves often: “If we were the client, how would we want to be treated?”

22. Make humor a daily part of our days...better yet, hourly! Share smiles and laughter more often with others. Smile even when alone or have no immediate reason to smile - it’s amazing how our facial muscles in the smile position can instantly deflate (or at least decrease!) our negative thoughts. Make time for comedy via TV shows, movies, plays and other activities.

23. We should be ourselves and love ourselves at all times – the good, the bad and the ugly. Trying to be what we “ain’t” catches up with us sooner or later. We can be our own worst enemies and must be willing to forgive ourselves when we mess up, fix what needs fixing from our mistakes and learn from them so that our next mistake is at least a fresh, brand new one! Note...loving ourselves should not be linked to how we look, our weight, the color of our hair, etc....loving ourselves means loving our spirits, our souls – our true essence, not our “covers” and other disguises. Ditto re how our we see and love others!

24. We must follow the right “shoulds” when making decisions...the right “shoulds” that guide us must come from what *we’ve* learned and experienced in our lives – from our inner voices/instincts – not from the multiple voices of the “you should, you should not’s” put in our heads by others no matter how well meaning their advice may have been.

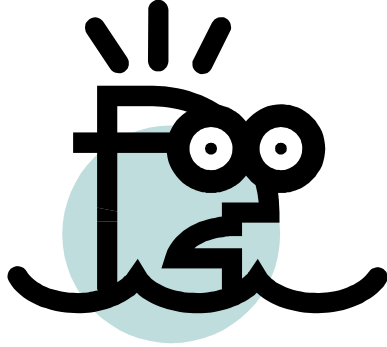
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PARA SIGHT

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Coping Tips for Surviving Tough Times”

25. When we're stressing over or griping about something, we should always ask ourselves: “*This time next year, do I want this same worry or stress on my plate?*”



If not, we must get busy doing something constructive to get rid of or at least reduce that particular problem in our lives. And, if it's okay for certain stresses to remain on our plates long term, then at least we should quit stressing over them and stop complaining to others about things we can change, but we won't, don't or ain't gonna!

**Yesterday is a cancelled check.
Tomorrow is a promissory note.
Today is the ONLY cash I have
So I must spend it wisely!**

FORMER PRACTICING LAWYER NANCY BYERLY JONES SERVES AS A LAW OFFICE CONSULTANT AND SOLUTIONS/CAREER COACH FOR FIRMS AND INDIVIDUAL ATTORNEYS AND STAFF. A CERTIFIED MEDIATOR, NANCY ALSO MEDIATES EMPLOYEE DISPUTES AND FAMILY MATTERS. FOR MORE INFORMATION, PLEASE VISIT HER WEB SITE AT WWW.NBJCONSULTING.COM OR CONTACT NANCY @ NBJ@NBJCONSULTING.COM OR BY PHONE @ 828/260-5115.
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<http://www.nbjconsulting.com/>

Thank You

CVPA members and guest would like to thank the following speakers for their presentations at the regular meeting held on April 14, 2009 at the CVCC Auditorium.

Sharon Rashidi
The Perfect Workout, Newton, NC
<http://theperfectworkout.net>

Lorin Gryder & Julie Choate
Living Lean Meals, Hickory, NC
<http://livingleanmeals.com>

Grace McLaurin
Vitality Anti-Aging Center, Hickory, NC
<http://www.vitalitymedicalspa.com>

Dr. Elizabeth Beadle, DC, MA, CCSP,
Diploma Acupuncture (NCCAOM, FIAMA)
Hickory, NC
<http://drbeadle.com>

Nancy Adams, Professional Organizer
Organizing Solutions Unlimited, Hickory, NC
www.organizingwithnancy.com

The topic of discussion was “Taking Care of Yourself!” All of the speakers had valuable information to share with the group and their time and efforts were greatly appreciated.

