The Credit



Connection

February 2007



Message from the President



BE PREPARED

My husband was a scout "way back when" and he is always preaching the "be prepared" thing at me. I usually say "uh-huh" and go on about my business with nary a thought about what he was trying to tell me. Sometimes you have to get hit "upside the head" to appreciate advice you have been given.

This winter has been a trial for just about everyone. I've heard from Charlotte Rancilio (in the CPI office in St. Louis) about the ice storms, power outages and the days she was not able to make it to the office to work. I've seen the TV coverage of the storms in New Mexico, Oklahoma, Florida, Texas, the Midwest and, of course, our own problems here in the Pacific Northwest. Floods in November, windstorms in December and snow and ice in January that won't go away, even in places that frequently only see snow once or twice a year and where you have to look fast because it's usually gone in a few hours. Not this year—seems all parts of our country have been plagued with unwelcome weather and how we survive it depends on how prepared we are for the unexpected (or even the expected).

I have to admit I always chuckle when my husband insists that we always have propane for the lanterns, Coleman fuel for the camp stove (even though we haven't been camping in years), candles, enough batteries to power every flashlight in Cle Elum, and enough of those little battery powered LED lights to stick on the walls all over our house. However, he was the one snickering when we lost our power for almost four days.

Many of our neighbors left home for motels or friend's homes, but not us. We had lights, heat (propane fireplace), a way to cook meals and food. We took the food from the fridge and just stuck it out in the snow on the porch. Since we had plenty of canned food, we could keep the freezer doors shut and nothing thawed. We have a battery-powered radio and, since Don buys huge quantities of batteries at Costco, we will never run out. A propane wall heater in

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the bedroom and a down comforter on the bed kept us warm and snug even without the electric blanket. Anyway, the upshot of all of this is that we were prepared for what Mother Nature threw at us.

You know, it works that way in all areas of our life. Think about it—long ago, when you were in school

(it was long ago for me anyway), if you had your homework done and had completed the reading assignments, you were ready for class and you were PREPARED! Even if you didn't ace the test or get 100% on homework, you were at least aware that you did the best you were capable of and, though there might have been some stress involved, it was considerably less than if you had done no homework at all.

At work it's the same thing. Your boss assigns tasks to be completed. Your work group turns to you for the results of your research And, even though most of us do not have a completely stress-free job, being pre-

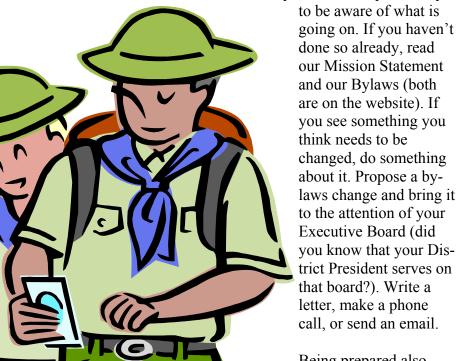
pared (there's that word again), surely helps.

Does everyone know where I'm going with this? In our new ballgame, you know that you cannot predict the outcome, but if you've done your homework, your research and reviewed your information, there is a better chance that the outcome will be what you are looking for.

CPI meetings need preparation. You can't just go in thinking that you are going to "wing it". Members, especially newer ones, want a meeting that is run professionally and it's not just your President that has the responsibility to make that happen. All members have a part in meetings at the Local, State, District and

International level. Participation is important and preparing for what may or may not happen is just a part of being involved, which is what we want for all CPI members.

I know we always tell everyone that "International is YOU" and that means that you have a responsibility



Being prepared also means being involved. A baseball team manager wants all players on the team, not just the starters, to be ready.

Being ready means mentally as well as physically and both are equally important. What does that mean? It means we want your brains as well as your body. We want you to participate, volunteer, vote for officers and bylaws and step forward in whatever way you can. All members of a team should be on equal footing. If a member of the team is missing, for whatever reason, it will not function as well as it would if all were present and ready for our "Whole New Ballgame".

Stay warm—spring is on the way.

Joyce Jones CCCE/MPCE International President

EMPOWER YOUR MEMBERS BY GIVING MEANING TO THEIR RESPONSIBILITIES

Sometimes members don't feel a sense of contribution when they are only responsible for one aspect of your association. Make sure they know that their contribution is meaningful. Everyone works better when they know that they are needed.

Communicate. Make sure your members know their jobs and responsibilities as officers, committee chairman, and members. Share the goals of your association and how it will affect the District, State, and Inter-

national levels. Let them visualize the big picture. Encourage everyone to sit down and set goals. Make sure every member feels that they are a part and that their contribution will keep the association moving forward in the right direction.

Involve Members. Get all members involved. Even if the task at hand seems small to you, having the opportunity to do that small task can make a new member feel involved and a part of the association. When members have an ownership in your association, they are proud to be a member. This, in turn, will increase your success.

Make Time for Networking. Do you give your member's time to network? Everyone needs to



interact with others. Give your members time to do this so they can market themselves, seek out information or contacts and establish new relationships.

Establish Forces.

Develop a meaning of importance to each and every member by appointing them to a committee. Make them know that they are important and what they do is VERY important. EVERYONE NEEDS TO BE NEEDED!!!!

Get Results. When you

encourage your members, your association will grow because, as members get excited, they want everyone with whom they come in contact to be a part of "THEIR" association

In closing:

"If each of us would commit to doing at least one thing to make our association better, then growth would automatically follow." Author Unknown.

SUCCESS is a Whole New Ballgame! Let's all get involved!

Barbara J. Chapin, CCCE/MPCE CPI First Vice President/Membership Chairman

FEDERAL COURT NEWS



Supreme Court To Hear Lawsuits On FCRA Disclosure Provision

The Fair Credit Reporting Act (FCRA) is coming under the U.S. Supreme Court's microscope in a class-action suit filed by consumers against insurers Safeco and Geico. Consumers are seeking redress because the companies did not tell them that they would take their credit histories into account when quoting insurance rates. At issue is an FCRA provision requiring such disclosure when a low credit score results in "adverse action" by an insurer. Under an interpretation by the 9th U.S. Circuit Court of Appeals, insurers may be forced to pay penalties of at least \$100 per customer for violation of the provision. Costs could mount up for insurers because of the large number of cases that have been filed. According to a filing by State Farm in a related case, some 2,600 lawsuits alleging violations of the fair credit law are pending in federal courts. Several Supreme Court justices seem to be leaning in favor of the insurance companies.

Court of Appeals Rules on California Identity Theft Law

The U.S. Court of Appeals for District Five has ruled that a California law designed to help consumers protect themselves from identity theft cannot be used to bar the release of information obtained from public records. The law permits consumers to put a notice on their credit reports requiring reporting agencies to obtain authorization from the consumer before releasing credit information.

Supreme Court Considers Overturning Fobian Rule

A legal battle between PG&E Corp.'s Pacific Gas & Electric and Travelers Casualty & Surety Co. may lead to the U.S. Supreme Court overturning the 1991 Fobian rule, which prohibits creditors from recovering attorney's fees incurred while litigating federal bankruptcy issues. Although the matter will not be resolved in this case, Chief Justice John Roberts said the Supreme Court should rule on the lower court ruling that established the Fobian rule. Those who stand to benefit most from an overturning of the Fobian rule are banks, financial services companies and other creditors in bankruptcy cases.

State Supreme Court Issues Ruling in Favor of Collection Agency

The Mississippi Supreme Court recently ruled that a collection agency cannot be held liable for disclosing

private medical information in an attempt to collect an unpaid medical bill. In the case involved, a collection agency filing suit to collect a medical debt entered into the public record the patient's treatment and codes for various services



provided by the clinic to which she owed payment. The court ruled that the information in question was not covered by medical privilege because it was not given by the patient to her physician.

Congress Passes Bill Clarifying Part of Bankruptcy Law

In December, the U.S. House of Representatives passed and sent to President George W. Bush a bill to protect an individual's right to continue reasonable charitable contributions, including religious tithing, during the course of consumer bankruptcy.

The bill (S. 4044), sponsored by Senators Orrin G. Hatch (R-Utah) and Barack Obama (D-Ill.), was passed in the U.S. Senate in late September. It responds to a recent court ruling (*The Credit Connection*, Nov. 2006, p. 4) that above-medium income debtors in Chapter 13 bankruptcy cannot deduct charitable contributions, including religious contributions, from their payment plans. The ruling was based on an interpretation of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005.

"Congress has a long history of protecting our religious freedom to tithe," Hatch said. "That was our intent when we enacted bankruptcy reform last year, and this bill clarifies the law so that those who tithe can continue to live their faith while in bankruptcy."

"For millions of Americans, charitable giving and tithing is an essential part of their lives," Obama said. "And in a country where 37 million citizens live in poverty, we should be encouraging charitable giving, not limiting it."

Credit Professionals International has not been able to determine if President Bush signed this bill, although there was one indication on the Internet that he had.

Wal-Mart Bank Bid Back on Table

After a six-month delay, the FDIC is expected to take action sometime after January on Wal-Mart's application for an industrial bank

Wal-Mart says it wants the industrial bank so it can process its own credit card transactions and loans in-house. This is allowed under an exemption in federal banking laws enacted in 1987. Several other retailers, including Target and General Electric, already have industrial banks.

Wal-Mart's bid, however, has come up against opposition from many consumer and financial groups, who think the giant retailer plans to use the industrial bank to open branches in its stores. Their concern is that those branches would offer savings accounts, auto loans and other services that could harm community banks and credit unions.

Adding fuel to the fire is news that, in November 2006, Mexico's Finance Secretary approved the

opening of several new banks in that country, including a proposed Banco Wal-Mart de Mexico Adelante SA. According to information from Wal-Mart de Mexico, it plans to open banks in Mexico by the end of 2007. Those banks will offer savings accounts, debit cards and credit lines to individual and small-business customers. They did not indicate whether the banks would be within Wal-Mart retail stores or separate from them.

Meanwhile, some states are taking pre-emptive action. A bill has been introduced in Colorado to prevent a business from running a bank within one-and-a-half miles of its own retail or commercial premises. In Kansas, the banking industry introduced a bill in the state's legislature this session to prohibit Wal-Mart and other industrial loan companies "from establishing a Kansas branch on the premises of an affiliate if the affiliate engages in commercial activities." Nebraska, Texas and Maine have also introduced similar bills

STOP WORKING SO HARD!

Go for reality—not perfection

By Barbara Chapin, CCCE/MPCE CPI First Vice President/Membership Chairman

There is no perfect association and there is no right number of members. So don't dwell on numbers. Instead, help your current members to grow and to work together. Success is then in your future.

Encourage your members to set goals professionally and personally. The challenge to achieving can be very rewarding for them and your association. Give support to each other through the challenging times.

Members need to know what is needed. Help your members to step back from time to time in order to see the "BIG PICTURE". This will help them to see what you are doing right and what needs to be changed. It is amazing the ideas for change that will be brought up as a result.

Make sure that your meetings are organized. Don't make them stressful. Enjoy the excitement and the rush!

You need to be goal oriented. Know where and why you are doing what you are doing. Realize what you can achieve and keep your members united and excited.

Believe in your progress and achievements. Don't be upset with criticisms or failures, you can overcome and grow from them.

FDIC Pursues Alternative To Payday Lenders

In February, the Federal Deposit Insurance Corporation (FDIC) will consider comments it has received on its proposed Affordable Small Loan Guidelines, which are designed to help banks find ways to offer responsibly priced small-dollar loans.

Part of the impetus for the guidelines was the passage, last year, of the Talent/Nelson amendment restricting interest rates on loans to military personnel and their dependents. But the FDIC also recognizes that many other consumers, who now turn to high-priced payday lenders, need such loans

The guidelines are an outgrowth of a December 2006 conference the FDIC held in conjunction with the Association of Military Banks of America. More than 125 banks were invited to the conference. Those who attended shared ideas and developed a template for an affordable, small denomination loan product with a savings component.

In a speech January 12, 2007, at the California Banks Seminar, FDIC Chairman Sheila C. Bair said, "I hope that the concepts and prototypes we discussed at our conference can be expanded and more broadly adopted by the banking industry."



HOW EFFECTIVE IS NEW BANKRUPTCY LAW?



By Michael R. King, Esq.

QUESTION: Has the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 prevented bankruptcy abuses or protected consumers?

ANSWER: The answer depends upon what you mean by "abuse" and what you mean by "protection."

Has the Bankruptcy Abuse and Consumer Protection Act of 2005 accomplished its goals? The answer depends upon the person you ask and the part of the legislation which has affected that person most recently. The creditor which did not need to defend a turnover action seeking return of an allegedly preferential payment of less than \$5,000 will think the Act prevents abuse. In general, businesses with fewer customers filing bankruptcies to avoid payments will believe the Act to be effective.

Conversely, the debtor whose case was dismissed for failure to obtain credit counseling before filing bankruptcy will not believe the Act has provided any protection for the consumer. And clearly fewer people are getting "fresh starts" with their financial affairs through bankruptcies. Because the Act was so broad and uncoordinated in its scope, no single gauge of effectiveness is possible.

Let's just look at the effects of the Act from the broad perspective. What has happened to bankruptcy filings since the effective date of the Act? An advocate of creditors' rights would argue that the drop in filings indicates a prevention of bankruptcy abuses. An advocate of consumer rights would argue that the drop in the number of filings indicates that consumers are not being protected by the Act. So what are the numbers?

(Continued on page 8)

	Arizona		1 National	
		Arizona		National
<u>Month</u>	All Chapters		All Chapters	
		Chapter 7		Chapter 7
July 05	2524	2273	133,707	101,894
Aug 05	3491	3158	167,800	130,385
Sept 05	4966	4557	241,100	199,787
Oct 05	11132	10409	630,402	556,272
*BAPCPA				
effective				
10/17/05 Nov 05	184	106	14 521	5 051
			14,521	5,854
Dec 05	248	166	22,997	9,941
Jan 06	303	212	28,585	13,770
Feb 06	357	273	37,025	20,432
Mar 06	839	715	52,600	31,866
Apr 06			49,186	29,905
May 06			51,913	31,883
June 06	2329**	1990**	54,734	32,826
	**(quarter Apr 06 to			
	June 06)			

To summarize the foregoing results, bankruptcy filings fell 9.3% during the 12-month period ending June 30, 2006. In addition, non-business bankruptcy filings for the 12-month period ending June 30, 2006 were down 9.5% from the 12-month period ending June 30, 2005. Business bankruptcy filings dropped 2.6% during the year ending June 30, 2006 as compared to the previous 12-month period. Keep in mind that the 12-month period ending June 30, 2006. included the record breaking volume of filings in September and October of 2005.

Nationwide, Chapter 7 filings in July of 2005 were 101,894 while in June of 2006 they totaled only 32,826. Clearly, the Act has had an impact. Heck, when you go from 2,524 bankruptcies filed in Arizona in July of 2005 to 2,329 total bankruptcies filed in the state during the entire quarter from April 2006 through June 2006, you get a sense of the impact of the Act.

Sure, the comparisons become distorted by the record number of filings in September and October of 2005. Naturally, the months following those record numbers of filings should be lower. Nevertheless, the total nation-wide bankruptcy filings of 116,771 for the period of January 1, 2006 through March 31, 2006 was the lowest number of filings for the 2nd quarter (federal government fiscal year) since 1985. By way of comparison, in fiscal year 2005, the filings for the same period totaled 401,149 bankruptcies.

So if your view of the world is that as a creditor, all bankruptcy filings are inherently abusive, the Act has clearly prevented abuses. On the other hand, if your world view is that the bankruptcy process is necessary to provide people with a "safety net" and a fresh start after being "sucked in" by credit card and mortgage company promotions, then the Act is certainly not protecting consumers.

If you have any questions about the specific changes in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 and how it might relate to your business, please feel free to call me.

Michael R. King, Esq., is a founding partner of Gammage & Burnham, P.L.C., a Phoenix law firm with diverse areas of emphasis. His practice primarily centers around bankruptcy and creditors' rights, commercial litigation, including uniform commercial code cases and real estate and business law. He is a former member of the Creditor/ Debtor Rights Committee and is a current member of the Bankruptcy, Real Estate and Construction Law Sections of the State Bar of Arizona. He is the past Chairman of the Board of Trustees of the Maricopa County Bar Foundation. He is an active alumnus of the University of Arizona, where he received his B.A. and J.D. degrees, with distinction and with high distinction. He is an at-large member of Credit Professionals International.

CreditLearning Center.com Introduces Help Center for Consumers

CreditLearningCenter.com, a website to help consumers with questions about credit, debt and collectionrelated matters, has added an easy-to-use Help Center. Through this free resource, consumers can ask specific The CLC Help Center can respond to questions on a credit and debt-related questions of the website's editorial staff. Individual responses are provided.

"CreditLearningCenter.com understands that the subject of credit and debt can be confusing and frustrating," said Walter Burch, Editor-in-Chief. "Often it's difficult for consumers to get the straight facts necessary to help them understand what their options are.

The CLC Help Center is designed to help consumers get the information they need."

variety of topics including personal credit and credit reports, debt, credit card debt, credit counseling, collection practices, and more. It also educates consumers on the latest state and federal statutes related to credit and debt.

LIVING MEMORIALS AND CONTRIBUTIONS

MEMORIAL—A lasting tribute to the memory of a deceased relative, friend or CPI member.

SALUTE—A thoughtful way to remember achievements, special occasions, birthdays, anniversaries, to say "Thank You" or to give recognition for an event that is special to you.

CONTRIBUTION—A monetary donation given by an individual or group to support the activities of Credit Professionals International or the Credit Education Resources Foundation.

All donations are entered into our permanent memorial record. An acknowledgement, without reference to the amount of the gift, is sent to the person you designate.

The memorials and contributions listed below are those received since the last issue of *The Credit Connection*.

LIVING MEMORIALS

In Memory Of: Given By:

Lucille Sublett Virginia Tew, CCCE
(Member of Gail Ottinger, CCCE/MPCE

Fuquay-Varina, NC & CPI member since 1956)

Diane Radcliff)

Charles Albury Past Presidents Dist. 3&4
(Father of Nona Ellzey, MPCE
Betty Standefer) Gail Ottinger, CCCE/MPCE

Delores Edwards Gail Ottinger, CCCE/MPCE (Mother of

P. O. Wilson Past Presidents Dist. 3&4 (Husband of

Margaret Vinson Wilson)



LIVING MEMORIALS
Enclosed is my contribution to:
Credit Professionals International
Credit Education Resources Foundation
Memorial Salute Contribution
Salute:
Name of honoree
Occasion
Address of honoree
Memorial:
Name of Deceased
Please notify:
Name
Address
Relationship
Contribution from:
Name
Address
Send donations to: 525-B N. Laclede Station Road, St. Louis, MO 63119.

WALK-A-THON NEWS

CPI of Atlanta recently raised and donated \$980.50 to the Credit Education Resources Foundation. Of that total, \$463.25 was a matching gift from Equifax, Inc. They matched a donation from Rhonda McKinney, MPCE, who is on their staff

CPI of Great Falls put its share of Walk-A-Thon proceeds into a scholarship fund, which is given out annually to a local student attending a business school or university.

The NCMEC reports that Tajanik Thompson, whose photo ran in the May 2005 *Credit Connection* was found on Dec. 11. She had been missing 2-1/2 years.

Lights...Camera...Action!! But Are You Ready?

By Boyne McHargue © 2006 used with permission

You've done this before. It really should be no big deal. You lead department meetings. You emcee sales events. You win multiple awards in the Dale Carnegie course. You even give great halftime speeches to your little league basketball team.

But this one is different. For the first time, you find yourself preparing for a bigger stage. More technology. A larger audience with higher expectations. With more on the line you ask, "Can I really do this?"

Sure you can, but don't be surprised if it takes a little more work than you expected. To craft and deliver effective presentations takes time. Here are some thoughts to get you started:

Less is more.

You've been assigned the presentation because you are the perceived expert. Let that perception stand on its own. Do not overwhelm your audience with facts, figures and conclusions drawn from sources they can't appreciate.

Keep it simple. If you are unable to recite the outline of your presentation from memory, you are trying to cover too much in one session.

Avoid the Saturday night special.

Many a worshipper has slept through a Sunday sermon because the presentation was less than



inspirational. Why? Last minute preparation. There is no substitute for planning and organizing your thoughts well in



advance. Your material needs soak time. Consider having a novice review the content. See if he or she can grasp it easily the first time through. If not, there is more work to do.

Become a great storyteller.

Imagine your presentation as a story. Build an imaginative opening, with a well defined progression, and an interesting and effective conclusion. Does it flow? Does one point lead to the next.

If at all possible, keep your handouts until the end. Giving out your content on paper at the start of your presentation is like allowing fiction readers or movie goers to know the ending in advance. Your presentation has more impact when you make eve contact with the listener, and do not allow them to " read ahead" or "cut to the chase".



Provide actionable take-aways.

You can't go back to the office with the listener the next day and force them to implement the new learning. But you can provide action items for each person to take home. Maybe a to-do list or simply thought-starters. Remember, your audience will evaluate you based on their ability to go home and put your words into action.

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Be yourself.

It is tragic to sit through a presentation when it is clear the speaker would rather be somewhere else. Or worse, when the presenter has little passion about the topic at hand.

Let the audience get to know the real you. Share personal stories. Relax and be real. And don't be afraid of humor. In fact, humor alone may be the only real difference between a successful or boring presentation.

When asked if a speaker MUST be humorous, certified professional speaker Jim Jacobus says, "Only if you want to get paid."

You will find that the *content* of your presentation will be secondary to your *delivery*. Have fun. Smile. Show the audience that you believe in the message and that you know it will make a difference. Remember, you are providing solutions and hope. Be the living testimonial for the message you share.

For more than 20 years Boyne McHargue has helped develop leaders and organizations. For information on Boyne's consulting and speaking practice, visit www.aplayersonline.com or email him at boyne@aplayersonline.com

IT'S A WHOLE NEW BALLGAME

HIT A HOME RUN

DURING

CREDIT EDUCATION MONTH MARCH 2007

with

TAKE CHARGE OF YOUR LIFE



This 73-minute audio program, now available on a CD, was designed by members of Credit Professionals International. It covers the basics of money and credit management and will help today's consumer take charge of his or her financial future. Use **TAKE CHARGE OF YOUR LIFE**:

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Prices: 1-5 copies \$15.00 each 6+ copies \$12.00 each

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Order from the CPI Corporate Office. Phone: 314-961-0031; Fax 314-961-0040; e-mail: creditpro@creditprofessionals.org Payment must accompany order. MasterCard and Visa accepted.

Dealing with Information Overload

By Peggy L. McNamara

Regardless of the type of career or title that you have, you are dealing with information overload. It has been a plight that you have dealt with for a few years now and here are some skills to help get-a-grip on all of the "stuff" coming your way:

Clean out your e-mail files. At the end of your work-week, clean out your e-mail boxes. Go through the in-box, send box and trash and get rid of everything that has been dealt with. No need to hang on to them to the point of e-mail overload. Read them and, if they are important, print them off and file them in a handy

spot; keep a three ring binder for different subjects if it helps. If they are not necessary delete them. Get in the habit of deleting unneeded files immediately but if that is too risky for you, wait and do it once a week. It is a wonderfully liberating process.

Take time for reflection.Even though it seems there

are not any spare moments these days, one practice that will help you have, and maintain, a clear mind is reflection. It just means quiet time; that is it and nothing more. Whether it is during your commute, on a mid-morning break, after lunch, or in the middle of the afternoon, do what is needed to allow yourself some space and silent time. If it can last 15 minutes, great. If you have to do bits and pieces throughout the day, so be it. The longer you have, the more effective it will be. Use it as your opportunity to think over the day's events and how you reacted to them. You will gain insight into yourself and come up with solutions to challenges. Go ahead and try it for a few weeks. You may be surprised at the results.

Figure out peak energy times. Self-aware people know when their peak energy times are throughout the day and likewise, when they are not. A key aspect of being effective with information overload is to know when to tackle what is on your desk or in your voice-

mail system. Keep mundane tasks/issues for those low times and more demanding ones for when you are feeling at peak energy. This varies for everyone so take some time to figure out where your energy level is during the day and how to structure your work around it.

Have good people around you. A crucial aspect to being effective in today's world is to know where to find the answers. I don't think anyone expects you to know it all and yet, people do expect you to find them the answers they need for their challenges. Whether

entry-level, middle management or COO, it is important to know who to go to for what. Don't put pressure on yourself to have all the answers; realize it is ok to ask for help when needed. Don't create piles upon piles of needless information for yourself. Realize what is important for you to know and what isn't.



Information overload is here to stay. There have not been any reports or studies that have told a different story than that. Do your part to stay on top of it without it running you over and wearing you down. After all, a key to being effective is to know what to do with what you have.

Peggy L. McNamara works with organizations that want to Stimulate SomeAction (tm) and with association executives that want inspiring, practical value from their events. She is the author of "My Tender Soul—A Story of Survival" and publishes a monthly e-zine, "Perpetual Life Management." Her Web site address is www.peggymcnamara.com. Her e-mail address is caroline@peggymcnamara.com.