

NACM



Phoenix Chapter

Credit and Financial Development Division

3rd Quarter 2011

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Motivation and Success; Go Hand in Hand!

Gwendolyn A. Stroops, CCE
 President, CFDD-Phoenix Chapter

Our own definition of **Success** is deep within ourselves including our **values in life**. We should evaluate our own **strengths** and **weaknesses** plus what attributes are truly important to us. These provide a basis to create a fulfilled path.



Success means different things to different people. For some, monetary reward is a measure of success. Yet others have multiple definition of success. A successful life should really have reasonable measures of **success** in many different areas of our lives. For it to be a reality, we are encouraged to establish a definition and track those measures. This is the only way that we can gauge our progress.

This years theme communicated by our CFDD National Chairman, Ms. Wendy Legan is "CFDD Planting the Seeds for Success"!

Through the years CFDD Chapters and NACM affiliates across the US continue to offer educational opportunities to its members, talented mentoring for each other, along with leadership roles which lend to individual growth and attainment. I believe that achievements have other components, such as the inspiration worth sharing about self-motivating:

Motivation and positive thinking - it's all in your control, isn't it? Sometimes it may not be. There is a reason why a lot of people may not believe in positive thinking and that kind of thing. Maybe it is because we cannot face the fact that our lives are totally in our own hands or shy of the immense potential/results if we do initiate more for ourselves. Believing in positive thinking would mean no blame of failures; only lessons. Where have you heard that before?

But what of fate? Or destiny? Lets be sure while fate may play a role, we can influence our own success, radiating positive thinking through our experiences and possible challenges. Our NACM and CFDD memberships are incredible resources that allow for personal and professional achievement's!

When you think of your future and success be mindful of all the benefits the training sessions, education through the CAP and ACAP, board or committee participation, and the networking among your peers intends to improve or build our skills. **REMEMBER TO CONTINUE TO BUILD YOUR ORGANIZATIONS, WHICH ASSISTS IN YOUR OWN GROWTH.**

Your membership and support stimulate the Seeds for Success! As my term comes to a close, I am humbled and appreciative of the opportunity to have served as your President .

EDUCATION

By: Dee Polito

Education/Scholarship Chair, CFDD-Phoenix Chapter



Classes are still a go! Southwest Business Credit Services will be offering the Business Law class in July. If you would like to attend this class, please contact Nancy Slaughter for more information. We presently have quite a few members working on attaining their designations. Keep up the good work as ALL PASSED their last exams. Those still preparing will be taking their exams in July and November.

Congratulations to everyone who earned a designation in March !!

C B A

Rosa Apodaca	Western States Petroleum	Yvette Aust	Allied Building Products Corp
Ron Brandtman Jr.	Inland Kenworth Inc	Barbara Chase	Allied Building Products Corp
Mayra Plascencia	Superlite Block Inc	Tiffany Scott	Brown-Strauss Steel
Ayrika Williams	The Sherwin-Williams Company	Ellen Wodiuk	Fort McDowell Yavapai Materials

C C E

David Fritz	Cytec Engineered Materials, Inc	Daniel Harvick	Ferguson Enterprises
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SCHOLARSHIP

It does pay to fill out those applications as NACM & CFDD National both work to provide as many scholarship awards as possible. National Scholarships for this year were announced at the Credit Congress held in Nashville. Congratulations to the following recipients.

Ayrika Williams, CBA	Scholarship for Certificate Program Fees
Darlene Polito, CBA	Scholarship for CFDD National Conference
Gwen Stroops, CCE	Scholarship for CFDD National Conference
Ellen Wodiuk, CBA	Scholarship for CFDD National Conference
Sheila Roames, CCE	Scholarship for 2012 NACM Credit Congress



Local scholarships are always available. Contact any Board Member for information.

Thanks to all who purchase raffle tickets at our Monthly Meetings and those who have participated in our Fund Raisers. A few "Subway" tickets are still available. Please contact Don Kruggel should you be interested in purchasing one.

One of our fundraisers this past year was a "Rummage Sale". As you can see from the article page 7, a lot of fun was had by all, as monies were raised for Scholarships. Thanks to all who donated items.

The Mystique Behind Asset Searches: Investigative Minds Want to Know

By: S. Jennifer Mannino

A Q&A Unveiling the Mystique behind Assets Searches

Question: When I look for assets I usually run a person's name through the [Maricopa County Recorder](#) but sometimes am overwhelmed with information; is there a better way to find this information?

Answer: The Maricopa County Recorder's Office is a great online source but unfortunately it has many pitfalls. If you have access to proprietary systems where you can run the person's name through several Recorder Offices at once, we highly encourage using them. Arizona has many transplants and we cannot assume that a person's assets are only in the town where they reside, especially if the subject is on a mission to hide them. One of the issues with most online searches of Recorder Offices is that you cannot gauge what property the recorded document relates to unless you download the actual document. This will make your research very time consuming (and costly). Also, when you research the online Recorder Offices, you are subject to a single strict name search, meaning if you are looking for assets, you are confined to checking each known name separately. If you have access to proprietary systems such as [Westlaw](#)® or [LexisNexis](#)®, you can run several names at once (i.e., maiden, married, legal and business names) and run them as a natural language search so you can capture any possible misspellings. When retaining investigators, make sure that they subscribe to data warehouses that allow natural language searches *and* reverse address searches.

Question: When I search for assets what should I be looking for?

Answer: When conducting an asset search, you should be looking for leads, and there are many avenues to pursue those. One of our recommendations is to trail the person's address. That means your investigative strategy will focus on address searches and not on actual name searches. Again, proprietary systems will come into play here. When looking for assets we need to know: the subject's jurisdictional ties (where have they lived and conducted their business); the subject's corporate affiliations, former partners and former employees within those companies; whether there has been any litigation against the subject and retrieve respective court records to evaluate if there is any valuable information in a pleading or an exhibit; the subject's public lifestyle so that if we see lavish party announcements in social media we may consider inquiries to local galleries and determine if there is any valuable artwork or jewelry on consignment. The gist is that you want to think outside the box and get creative with your research process.

Question: Are there any privacy acts I should concern myself with when working on asset searches?

Answer: Yes. Asset searches absolutely need to adhere to several consumer privacy acts which including but not limited to the [Gramm-Leach-Bliley Act](#), the [Fair Debt Collection Practices Act](#), and the [Fair Credit Reporting Act](#). These laws allow for the use of information in connection with civil or criminal proceedings or investigations in anticipation of litigation, or the execution and enforcement of judgments and orders. Most states have also passed legislation mirroring these federal laws, and prior to conducting an asset search you must be familiar with any additional provisions that may be specified in state law. We also caution that the information-gathering campaign during an investigation be conducted with the utmost ethical standards. Your tactics to obtain consumer information can be called into question long after your case is settled.

Question: Are there any laws that prohibit me from running a banking search?

Answer: With judgment in-hand you can absolutely research a person (or company's) bank accounts. In fact, if your contract undisputedly allows for the ongoing review and monitoring of a subject's personal credit, a *pre-judgment* banking search is also allowed. What you *cannot* do, as defined under the Gramm-Leach-Bliley Act, is make any form of misrepresentation such as using impersonation or making fraudulent statements to obtain a debtor's personal financial information, account balances and account numbers. You can also run a banking search in a marital dispute pre-judgment. It is enough for the spouse to suspect that there are assets hidden; and as long as you receive written authorization from the spouse, you have a permissible premise to initiate banking searches.

When it comes to Asset Searching it really needs to be *black-* and *white-* thinking with no shades of grey. This is why we recommend that you consult with attorneys when formulating an agreement with a borrower and incorporate language into your contracts which will allow for an ongoing credit review under the consumer credit and privacy laws, which should specifically include banking searches.

S. Jennifer Mannino is a principal of RISC® a global due diligence and investigative consulting firm based in Phoenix, Arizona ([RISC](#)). Jennifer manages full cycle investigations and oversees the investigative strategy on background investigations for M&A deals and asset searches for commercial lending and litigation disputes. She can be reached at 602-277-7472, ext. 105 or jmannino@risc-llc.com.

Top 5 Bosses' Biggest Frustrations – Avoid These Major Mistakes at All Costs!

Part 1



By Colleen Kettenhofen

"If you tell the truth you don't have to remember anything." ~

Erma Bombeck

Wouldn't you love to know your boss's biggest pet peeves – not the usual ones like making sure you're productive, but the ones they *rarely* discuss?

www.BounceBackHigher.com

As part of numerous speaking engagements across the United States, I asked the managers and supervisors in attendance, "If I had a group of employees sitting here now, what would you tell them are your biggest pet peeves?" Then, I had everybody break into groups, pick a recorder to write down their ideas, and come up with their top 10 biggest frustrations. We then had a group discussion where each table took turns sharing their findings. The results were written on flip charts with a large green felt pen marking those traits that came up consistently.

If they wanted to write more than 10, that was okay too. People in the groups joked, "Just ten? We came up with a lot more than ten!"

As I walked around these rooms day after day, week after week, month after month, it became obvious what the top 10 biggest frustrations of bosses are with their employees. I tabulated the results. As I stared at the findings, it became glaringly obvious what makes managers tick –and especially what ticks them off—when it comes to employees.

While the information on this list might seem like common sense, you and I both know that common sense isn't always commonly applied.

There are 10 top major mistakes employees make that tick off bosses and also jeopardize their jobs. I will list the top five in this first article, and in part 2, I will address the other ones.

1. Excessive absenteeism and chronic tardiness. Know any "clock watchers" who arrive late and take off so fast from work that they leave skid marks? They use excuses such as "the kids, the husband or wife not working" or that they're late "due to construction on the roadways, inclement weather, or the alarm not going off." Certainly, these can be legitimate issues on occasion. But when there's a litany of excuses, managers tune out and tune in to the idea of taking disciplinary action. This includes someone who shows up on time, but they don't start their work until much later.

2. Negativity, subversiveness, and lack of buy in. This is the problem-child whiner who complains, has no solutions, and says, "I don't get paid enough to worry about that!" Or says sarcastically, "It's not my job." Managers don't want to manage a whiner or "water cooler instigator" as I call them – someone who rallies everyone around their complaints. I refer to the employee who interrupts everyone to whine about understaffing and how busy they are. I refer to them as "busy doing nothing." Why is this a pet peeve? Their behavior rubs off on the rest of the staff. Simply put, those who whine rarely come up with ideas and they want the boss to solve their problems.

3. High drama! This is similar to the negativity pet peeve. "High drama" people leave the same bitter aftertaste. Disruptive gossips, tattletales, sense of entitlement employees, and pot-stirrers. They are not team players; nor are the people who talk about their personal lives all day every day. These disruptive individuals typically have strong personalities and a propensity to persuade. When I conduct training for managers and supervisors, I tell them these behaviors have to be stopped immediately, otherwise their drama and negativity becomes a cancer that spreads.

4. Combative, challenge authority, lack respect, don't follow chain of command. Other traits managers never want to see are malicious compliance, or what's referred to as passive-aggressive obedience. Like it or not, managers and supervisors are the ones in authority; that's why they're called bosses! Not following the chain of command is a major pet peeve, too. So if there's a question about something, or you have an issue you can't resolve on your own, take it to your manager first. The *last thing* managers want is someone going over their heads!

5. Lying, especially regarding time spent on the job, lack of integrity, dishonesty. This pet peeve circles back to number one because it can mean you're not working much. Add to that lying for why you're not working and lying in general. When you lie, you die. Lying and excuses can often go together (this will be covered more in part 2 as Mistake #7). Suffice it to say, if your boss thinks your excuse is a lie, it's a lie.

The bottom line is that bosses don't want to be everybody's babysitter or referee. They don't want to feel as if they're running an adult day care. That's why attitude is considered more important than aptitude. Numerous bosses have told me they'd rather have someone with "high will, low skill" if they had to choose one trait because at least these people are more malleable. In the workplace, as in life, your attitude does determine your altitude.

Legal advice: Working to Get Paid!

QUESTION: CAN'T WE ALL WORK TOGETHER TO GET PAID MORE?

ANSWER: INDEPENDENT COMPETITORS CANNOT JOINTLY FIX THE PRICES THEY WILL CHARGE FOR GOODS OR SERVICES.

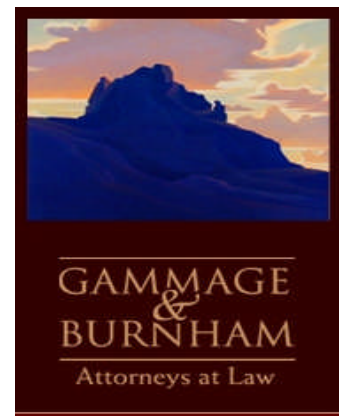
By Mike King, Esq.

Gammage & Burnham, P.L.C. gblaw.com



You might sympathize with the 900 physicians in Amarillo, Texas, who jointly negotiated the prices they would charge insurance companies for the medical care they provided. After all, individual doctors are usually stuck with the "take it or leave it" reimbursements offered by the big insurance companies.

Nevertheless, the 900 physicians from Texas were ordered by the Federal Trade Commission to quit jointly negotiating payments from insurance companies. The doctors belong to Southwest Health Alliances, Inc., doing business as BSA Provider Network. Southwest Health Alliances is an independent practice association of medical practices. These 900 physicians in Southwest Health Alliances included 300 primary care doctors.



The FTC charged Southwest Health Alliances with violating federal laws since 2000 by fixing the prices charged by doctors to insurers. According to the FTC, this joint effort by the doctors led to higher prices for patients and businesses. The FTC said that the doctors in the network had restrained competition by agreeing to fix the prices and terms upon which they would contract with health plans. Once they jointly agreed on the rates, the doctors collectively negotiated the terms and conditions of payments with the health insurance companies. continued

The FTC acknowledged that collective price negotiation and agreements between independent practice associations and health care providers could sometimes be justified. If the independent practice association either clinically or financially integrated the practices of the doctors, it could create efficiencies that would justify joint price negotiations. The Southwest Health Alliance doctors' practices were not integrated, however. Moreover, the agreements did not create any efficiencies for patients or businesses.

So, the FTC order supposedly stops the doctors' anticompetitive behavior, but allows them to engage in legitimate joint conduct. Southwest Health Alliance cannot create agreements among the physicians to negotiate on behalf of any doctor with any insurer. Moreover, the doctors can't collectively deal, refuse to deal, or even threaten to refuse to deal with any insurance company. Of course, any individual doctor can do business with, or refuse to deal with, a health plan on his or her own. The Southwest Health Alliance also cannot be the exclusive conduit for doctors to deal with insurance companies.

To protect against such anticompetitive behavior in the future, the doctors of Southwest Health Alliance cannot use the independent practice association to exchange information concerning the terms upon which the doctors will contract with insurance companies. On the other hand, the FTC order allows Southwest Health Alliance to form or participate in legitimate "qualified risk-sharing" or "qualified clinically integrated" arrangements. The order does not prohibit agreements involving doctors who are part of the same medical practice, of course.

The FTC will monitor Southwest Health Alliance's compliance with the order and will allow insurance companies to cancel any contracts without penalty if they were entered into because of the alleged restraint of trade. The order expires in 20 years.

Don't conspire with your competitors to raise prices! Beware of engaging in activities with your competitors which would fix prices. Such anticompetitive behavior can get you and your colleagues in big trouble with the federal government, and can also get you sued for lots of money by injured parties.

If you have any questions about what you can or cannot do in cooperation with others in your industry, please call me.

Membership Corner—GOAL POWER



Ellen Wodiuk
Membership Chair, CFDD-Phoenix Chapter



“Without continual growth and progress, such words as improvement, achievement, and success have no meaning.”

Benjamin Franklin

First I would like to thank the out going group of officers and board members who have spent the last 2 years; or more working very hard to make the CFDD experience valuable to you and your companies. Each group of individuals come together with a common goal for 2 year terms, they volunteer their time (lots of time) to raise scholarship funds, put on programs and workshops to benefit the group as a whole. So thank you for your hard work; it is appreciated.

As we gather a new group of individuals to work together for that same common “Goal” it is YOU the MEMBERSHIP that motivates us to do the same. Give you great value for the time and money you spend. Our CFDD National newsletter was full of positive results from CFDD membership and success stories. At this time of new officers and board members it is a good time to revisit our mission statement and our vision.

CFDD Mission statement: The mission of the NACM Credit and Financial Development Division shall be to promote active interest in the credit and financial profession, to develop and market educational programs that are vital to the development of the effective professional, and to be a viable force within the NACM network.

CFDD Vision Statement: To dynamically impact the National Association of Credit Management’s global vision by being the leader in educational programming and direction, thereby setting industry standards for professional excellence.

Because of the commitment of your officers and board members, CFDD Phoenix has lived up to these statements with fun, enthusiasm and professionalism. Continue to set your own goals and experience the power of exceeding! Get involved, be active and benefit fully from your membership!! **Invite and ignite;** share your knowledge and growth with others the more members we have the more we can serve!

Thanks for all your support and we look forward to 2 years of *GOAL POWER!*

Fundraising event - Rummage Sale

By Georgeann Weinhandl, CFDD Board Member-At-Large

Very early one Saturday morning four willing CFDD members came together with a servant heart to help others. Our mission.....to raise money for our CFDD scholarship fund but little did we know that we were going to gain so much.

What I personally gained from the day.....I got to fellowship with my CFDD friends; share who I am and where my life has taken me. I was able to open my home and share a home cooked meal that I prepared for us girls (you all missed a good meal). I got to laugh-out-loud (LOL) throughout the day. Early on one gentleman said “you girls are having way too much fun” and do you know what he was so right. Along with the laughter came a very touching moment.

The little older lady with a cane..... She came out of nowhere and began shopping around. She approached me with the book she had found written by Robin (Dr. Phil's wife). It was one of my books that I bought for \$17.99 and never read so I thought \$3.00 was a good price. The little lady reached in her blouse pocket and pulled out .84 cents. I looked at her and said that is close enough. Suddenly my heart spoke to me and I put my arm around her shoulder and said to her..."you keep your money this book is yours, enjoy!" She told me that she loved Robin and then she melted in my arms and cried and hugged me so tight and she was so thankful. I was the one blessed by this little lady, she melted my heart. Others witnessed this little lady's tears and many were moved to tears. One of the customers was trying to negotiate a \$1.00 savings and when she witnessed the ladies tears of joy she gave the extra dollar (we think it was for the book).

The four of us were very generous in our pricing, sometimes too generous, but we would laugh and say they got a really good deal. We wanted the customer to enjoy the items; we told them that the money was going to education, so some gave more because of our mission. At the end of the day, we packed up the blankets, pillows and sheets which were going to the Phoenix Rescue Mission to help the homeless. The other items were taken to Goodwill which also helps the needy and less fortunate. A good way to end a great day.

My lesson....there is nothing better in life than helping others. I think this is why the four CFDD ladies gave up their Saturday to help others. We raised \$400.00 but we gained so much more. Serving and helping others gives us so much more in life. So how are you helping serve your CFDD Chapter?

Moral of the story....Help others and you will be blessed.

Photos From NACM National - Nashville



Southwest Business & Construction Credit Conference in April

By clicking on the NACM Link you'll be able to review a multitude of pictures from the Southwest Business Credit & Construction Credit Conference held in April 2011 . Follow this link to the photo gallery:

<http://www.nacmaz.org/eventphotos/2011%20Conference/Album1.htm>

If link does not work copy and paste URL in browser



Happy Birthday



APRIL

Carolyn Peradotto	10
Ann Beam	24

MAY

Shannon Bagshaw	9
Tiffany Scott	24

JUNE

Melanie Schaefer	3
Eric Volland	8
Angie Essig	19
Dee Polito	30
David Saldivar	30

OUR MISSION

and vision

OUR MISSION: The mission of the National Association of Credit Management's Credit and Financial Development Division shall be to promote active interest in the credit and financial profession, to develop and market educational programs that are vital to the development of the effective professional, and to be a viable force within the NACM network.

OUR VISION: To dynamically impact the National Association of Credit Management's global vision by being the leader in educational programming and direction, thereby setting industry standards for professional excellence.

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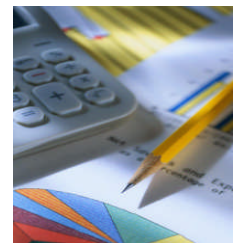
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"Your Complete Resource for Business Credit Management"



A Word From The Editor

The CFDD Credit Newsletter is published quarterly by CFDD-Phoenix Chapter for its members, potential members, and other interested credit professionals.

Original articles for publication are encouraged. Previously published and copyrighted articles of interest to the credit community will be reprinted if permissions are given.

All information intended for publication should be sent to:

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All articles submitted are subject to editing due to space limitations and editorial style, but represent the opinions of the individual authors, not that of CFDD-Phoenix Chapter.

