



EDITOR: JOHN A. RITTER
REPORTERS: J.DUQUE, Z. GONANO



Law Professor
Lawyer
Speaker-Lecturer
(For seminars & speeches)
jar@rzllaw.com

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**SHOULD YOU CALL YOUR LAWYER
ATTORNEY, COUNSELOR,
OR LAWYER?**

A lawyer’s stationery should be the best way to see what he wants to be called. A majority of solo practitioners have stationery that uses “Attorney at Law” after the name at the top; however, most law firms expand this to “Attorneys and Counselors at Law”, while many Eastern firms use only “Counselors at Law”. Head west to California and the frontier state of Alaska and you find anti-elitist letterheads with only “Lawyer” under the attorney’s name.

The root of these different titles is from England and the English distinction between barristers and solicitors. Solicitors are hired by a client to prepare a case and a barrister presents it in court. In the U.S. solicitors were called attorneys and barristers counselors. The United States Supreme Court followed this attorney-counselor distinction until the 20th Century, admitting young lawyers only as attorneys who were permitted to prepare cases and serve as understudies to older lawyers who

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**HOW THE FINANCIAL BAILOUT
AFFECTS THE AVERAGE CITIZEN**

The \$700 billion bailout rescue package is designed to give Wall Street firms relief so they do not go bankrupt, but will not give the everyday person mortgage relief, credit card relief, or any other relief. So how will this package affect the average citizen? First, the bad news:

Taxes: Estimates show that the bailout should add at least an additional \$3,000 in taxes to every American man, woman, and child.

Jobs: Companies will have a hard time making money so where can they save money? On employees. Thus, analysts are predicting a large number of job layoffs.

Credit Cards: Credit card rates will rise as will minimum payments. Even if you have a high credit score and a blemish-free payment history, your credit limit may have been cut. American Express recently cut the credit for 10% of its cardholders. If you are making a big purchase or use your credit card for unplanned expenses, be sure to check your limit.

Loans: It is going to be a lot harder and more expensive to get car loans, student loans, and mortgages. Private lenders are going under and some state agencies and large banks, including Bank of America and Wachovia, have stopped issuing student loans. Even with the influx of government

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were admitted as counselors. Today's certificate of admission on many lawyers' walls admits the holder to practice as an attorney and counselor before the Supreme Court of the United States, confirming the 20th century merger of the two roles in America as opposed to England where they are still separate. Use of the word "lawyer" or "law office" on stationery is a rejection of the pretentiousness of many attorneys who like to call themselves "counselors" and is very much in the American frontier tradition of being anti-English, anti-Eastern establishment and anti-snobbish.

The question still remains of what lawyers want to be called. Imitating the medical profession, they changed their degrees from LLB to J.D., but nobody calls them "Doctor" except Latins. African-Americans like to address their lawyers as "Attorney" which probably accounts for the increased use of it as a title over the last 20 years. If you ask an older lawyer what he wants his clients to call him, he will usually say what Clark Clifford, presidential lawyer said: All lawyers aspire to be a senior advisor or counselor, so call me "Counselor". But if you ask the average lawyer in today's business-oriented profession what he wants his clients to call him he'll say, "they can call me anything they want to as long as they pay me."

YOU BE THE JUDGE

UNPAID STUDENT LOANS

After borrowing \$10,000 in government backed college student loans, Bill decided not to repay. Instead, he declared bankruptcy and legally erased the debt. One year later, he asked the state university he had attended to send him a transcript of the grades so he could apply to graduate school.

"Nothing doing," said the registrar.
"You never repaid your loans, and our
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cash, Wall Street banks are not going to loosen lending standards just because they can sell their existing bad paper to the government. If the banks free up their balance sheet to make new loans, they will remain highly conservative because they can no longer sell these loans to investors anymore now that investors no longer trust the banks. These banks have to keep the loans on their books so as a result, they don't want to experience any defaults with anyone that doesn't have the highest credit scores.

Now, the good news: Deals Deals Deals. There are good deals on home equity lines of credit and businesses have found short-term loans easier to come by since the bailout talks began. Because retailers are anticipating a tough holiday sales season ahead expect a bonanza of deals across the board.

Banks need to stay in business, so they will continue to make loans to borrowers with good credit records and plenty of assets. In addition, many small regional banks and credit unions are not burdened by illiquid securities so they can still make new loans. But, what if your credit history isn't perfect? This is still America, where the entrepreneurial spirit is strong. Thus, many new lending websites have sprung up that are offering private loans into the millions of dollars.

LEGAL TIP

Credit Bureaus who give a negative report are obligated by federal law to accept a written dispute from the person reported on, note the dispute on reports, and furnish a copy of the dispute or a summary to anyone receiving a copy of the credit report.

LEGAL PEARL

All men are innocent until proven broke (Criminal Lawyer's Proverb).

policy is to deny transcripts to deadbeats.” Bill hired a lawyer who sued the university to get his grades released.

“Legally, Bill no longer owes the money because the debt was discharged in bankruptcy,” the lawyer said.

If you were the Judge, would you decide for the student or for the university?

Bill gets his grades ruled the Judge. “The purpose of the Bankruptcy Law is to give debtors a new opportunity in life unhampered by pre-existing debts,” he said.

(Based on a federal case in New York)

Additional YOU BE THE JUDGE cases can be found at: johnaritter.com

10 REASONS TO HIRE A SOLE PRACTITIONER

10. A Sole Practitioner is more likely to accept your case.
9. Minimal conflicts check.
8. More personal contact.
7. Your attorney is more likely to have a wider knowledge of the law.
6. You know your case isn't getting delegated to a lesser associate.
5. Checks are easier to write to one name, instead of five strange last names.
4. Your attorney has no added pressure from above to bill you more hours.
3. Your attorney's office is less likely to be in a downtown high-rise.
2. Cheaper.
1. If you lose your case, your attorney may lose his/her business.