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SGMC - Legal News

**Sacks,
Goreczny,
Maslanka &
Costello, P.C.**

**100 W. Monroe
Street, #804
Chicago, IL 60603**

Phone;

312-641-2424

Fax:

312-641-1054

www.sgmclgal.com

The attorneys:

**Susan A.
Goreczny**

**Michael J.
Maslanka**

Robert Costello

**Marvin Sacks, of
counsel**

Areas of Practice:

- **Family Law**
- **Real Estate**
- **Bankruptcy**
- **Civil Matters**
- **Probate**
- **Labor**
- **Employment**
- **And more.**

**QUICK LEGAL TIP:
Have a contract?
Read, ask
questions, then
and only then,
sign.**

**The Law Firm of Sacks, Goreczny, Maslanka & Costello, P.C.
(312)641-2424**

Do You Own a Small Business? Do You Have a Small Claim That You Want to Pursue?

Small claims are claims for injuries or based on contract involving less than \$10,000. The laws governing how small claims are pursued are designed to make it practical for you or your company to pursue them on your own, with minimal or no assistance from an attorney. Note that corporations are not permitted to appear on their own claims without an attorney.

Small claims are processed quickly and in a relatively informal matter. As a plaintiff in small claims you have the option, for a minimal fee, of having your defendants served by mail by the Clerk.

Your matter will be ready to go to trial on the day that the defendant is required to appear for the first time, between 14 and 40 days following service of the complaint. Judges

are not required to strictly follow the rules of procedure and evidence in small claims cases that apply in regular trials.

You should consult your attorney before you begin. Filing forms are available on line. An attorney can help you locate people, decide whether you have a good case, assist you in preparing your forms, prepare your case for trial and collect if you win.

Is Bankruptcy Right for Me?

Bankruptcy laws have been in existence in the United States for over 100 years. These laws were enacted to help people who could not pay their bills. Bankruptcy is simply a legal proceeding to help a person get a **“fresh financial start.”**

An individual can get this **“fresh start”** by filing a Chapter 7 bankruptcy to eliminate their obligation to pay certain debts. Alternatively, if an individual has some ability to pay their debt, or has property that can be lost

by filing a Chapter 7, then a debt repayment plan can be set up with the filing a Chapter 13 bankruptcy. A Chapter 13 is also helpful to a homeowner who has fallen behind with their mortgage payments and wishes to save their home.

A bankruptcy can stop wage garnishments, may stop a mortgage foreclosure, prevent repossession of an automobile, and end creditor harassment.

A bankruptcy filing will remain on a credit report for ten years. It will affect a person's ability to obtain credit in the future.

Therefore, the decision to file a bankruptcy should not be taken lightly. An experienced bankruptcy attorney can let you know if bankruptcy is the best way to deal with your financial problems.

This newsletter is for informational purposes only, should not be considered legal advice and may be considered advertising material by some.