

4 OVERVIEW

Everything you do in life - whether a draft or a bill for services rendered, a request to do chores, or a letter asking why you did not file your taxes, is a draft (offer). Every time you are addressed by some person, company or agency, realize you may be lured into responding inappropriately. By law, you have 72 hours (three days) to change your mind on entering into any contract. When you do respond, you must analyze what you are really being asked to do or perform, or whether you are making assumptions about what is being requested. Every response you make falls into one of four categories. The first two leave you in honor and in control. The last two leave you in dishonor and you will lose:

- Conditionally Accept (CA) the offer
- Accept the offer;
- Argue; or,
- Ignore, be silent, acquiesce.

Consider the examples below and how you might respond in each circumstance using the four options above. Which have you utilized? Were you in honor or dishonor? Will you prevail or will you lose? Would you answer differently with your new-found knowledge if it happened today?

1. Your 17 year old child says he wants to stay out until midnight. You respond, “You can stay out ‘til midnight if you complete all your homework and you don’t have school tomorrow.”
2. Your significant other says, “After you take out the trash, we can have some quiet time,” so you take out the trash.
3. You get double billing for the carpet you just had installed. You call the business and tell them you’re not going to pay it.
4. You receive a bill for a new roof, which was on your neighbor’s house. You throw the bill away and laugh since it wasn’t your roof.
5. You receive an IRS CP515 inquiring why you didn’t file for last tax year. You send a letter telling them that income tax is unconstitutional and you don’t have to file.

Frequently, creditors will intentionally take advantage of your commercial ignorance in order to set you up or entice you into dishonor and cause you to lose. This is accomplished in many ways, such as

- They make an offer, demand or draft so outrageous that it entices you to argue.
- They lure you to respond in a manner which technically is argument.
- They give you a far off “respond by date” so that you do not respond within 72 hours.
- They don’t tell you how to cure a prior dishonor.
- They don’t respond at all to you so you don’t know what’s happened.

On the other hand, you likely have responded many times “dishonorably”. Consider these responses and categorize them.

- a. You complain about a service and refuse to pay for it.
- b. You write a letter disputing a charge on your credit card statement.
- c. You call a vendor up and chew them out for billing you for someone else’s work/purchases.
- d. You don’t respond at all to someone who angers you.
- e. You reply with an “untruthful” or “outrageous” response.
- f. You file a lawsuit or a complaint.

Remember, all facts are irrelevant and fly out the window when there is dishonor. A judge can only intercede if there is controversy. If there is stipulation, he has nothing to do and that’s the end of it. You have “energy” and control if you stay in honor.

There are two components to offers: private or public. Each issue is covered either procedurally or in substance. You must be able to determine whether it is an issue you want to address publicly or privately. The CA/A process is in the private sector. Litigation is the public sector. Substance can be handled in private by stipulation or agreement. Procedure is handled by the courts. Substance is establishing the facts. Courts do not deal with facts, they deal with rules. You can always go back and correct an error, but you should strive to not make any errors. If you were to draw a chart, it would look something like this:

PRIVATE

Real
Creditor
Full liability
Responsible
Facts and truth
Serves others
Creates asset goods
Judge in ministerial capacity
Stipulation, agreement
Substance

PUBLIC

illusion
debtor
limited liability
irresponsible
opinion, presumption, testimony
cannot act
consumers
judge is immune
argument, dishonor
Procedure

As an example, in court, attorneys present their “argument”, which is a presumption. Neither side can prove anything, so the judge has discretion as to who “wins”. As long as there is controversy, the judge has immunity. When there is stipulation and agreement, the judge is no longer immune if he intercedes. There are elements to a stipulation:

1. No party can argue or refute it.
2. No party can offer supporting evidence.
3. No judge can consider it or change it or it is reversible error.

The Notary Public's functions are:

- 1 to administer oaths
- 2 to attest and certify, by his hand and official seal, certain classes of documents, in order to give them credit and authenticity in foreign jurisdictions;
- 3 to take acknowledgments of deeds and other conveyances, and certify the same; and
- 4 to perform certain official acts, chiefly in commercial matters, such as the protesting of notes and bills, the noting of foreign drafts, and marine protests in case of loss or damage.