

FINANCIAL DISCLOSURE REPORT

Calendar Year 1998

Report Required by the Ethics Reform Act of 1989, Pub L No. 101-194, November 30, 1989 (5 U.S.C. App. 4, Sec. 101-112)

1. Person Reporting (Last name, first, middle initial) STARZYNSKI, JAMES S.	2. Court or Organization District of New Mexico	3. Date of Report 05/14/1999
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) United States Bankruptcy Judge	5. Report Type (check type) ___ Nomination, Date <u>08/14/1998</u> ___ Initial <input checked="" type="checkbox"/> Annual ___ Final	6. Reporting Period 01/01/1998 to 12/31/1998
7. Chambers or Office Address P.O. Box 546 Albuquerque, NM 87103-0546	8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is in my opinion, in compliance with applicable laws and regulations. Reviewing Officer _____ Date _____	
IMPORTANT NOTES: The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each section where you have no reportable information. Sign on the last page.		

I. POSITIONS (Reporting individual only; see pp. 9-13 of Instructions.)

POSITION	NAME OF ORGANIZATION / ENTITY
<input type="checkbox"/> NONE (No reportable positions.)	
1 President, sole shareholder and employee	James S. Starzynski, P.A., formerly Starzynski & Strauser, P.A., formerly Francis & Starzynski, P.A. Firm continues in (cont'd.
2 Board member (resigned 29 Jan 1999)	Peanut Butter & Jelly Inc.
3 President and board member (resigned 1 Sep 98 eff 14 Aug 98)	Peanut Butter and Jelly Preschool Property Corporation, Inc.

II. AGREEMENTS (Reporting individual only; see pp.14-16 of Instructions.)

DATE	PARTIES AND TERMS
<input type="checkbox"/> NONE (No reportable agreements.)	
1 08/14/98	James S. Starzynski, P.A. for disposition of remaining assets of corporation (1990 written agreement or subsequent informal agreement with (cont'd. Part
2 1998	James S. Starzynski, P.A. (may make additional contributions to SEP on behalf of JSS and other employees of firm in 1998)
3 4th Q 98	Rodey, Dickason, Sloan, Akin & Robb, P.A. Profit Sharing Plan (accounts for self and spouse rolled over into accounts at Financial Network Investment)

III. NON-INVESTMENT INCOME (Reporting individual and spouse; see pp. 17-24 of Instructions.)

	DATE	SOURCE AND TYPE	GROSS INCOME (yours, not spouse's)
<input type="checkbox"/> NONE (No reportable non-investment income.)			
1	1998	Starzynski & Strauser, P.A., James S. Starzynski, P.A. (salary and bonuses from attorney work done before appointment -- includes all (cont'd. Part	\$ 102,297.00
2	1998	(S) Starzynski & Strauser, P.A., James S. Starzynski, P.A. (salary for entire year, including the \$2,518.00 reported for first 8 months of 1998)	\$ 3,089.00
3			
4			

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting
STARZYNSKI, JAMES S.

Date of Report
05/14/1999

IV. REIMBURSEMENTS -- transportation, lodging, food, entertainment.

(Includes those to spouse and dependent children; use the parentheticals "(S)" and "(DC)" to indicate reportable reimbursements received by spouse and dependent children, respectively. See pp. 25-28 of Instructions.)

<input type="checkbox"/> NONE (No such reportable reimbursements.)	SOURCE	DESCRIPTION
1	American Bankruptcy Institute	September 17-19 -- Santa Fe, NM -- Bankruptcy seminar: Travel, Housing, and Food (also for spouse) and Tuition. I prepared
2		
3		
4		
5		
6		
7		

V. GIFTS

(Includes those to spouse and dependent children; use the parentheticals "(S)" and "(DC)" to indicate gifts received by spouse and dependent children, respectively. See pp. 29-32 of Instructions.)

<input type="checkbox"/> NONE (No such reportable gifts.)	SOURCE	DESCRIPTION	VALUE
1	West Publishing Company	Hard cover copies of Bankruptcy Reporter, and soft copy advance (cont'd.	\$ 335.00
2	New Mexico State Bar	No requirement to pay dues for membership (applicable only beginning CY	\$ 275.00
3			

VI. LIABILITIES

(Includes those of spouse and dependent children; indicate where applicable, person responsible for liability by using the parenthetical "(S)" for separate liability of the spouse, "(J)" for joint liability of reporting individual and spouse, and "(DC)" liability of a dependent child. See pp. 33-35 of Instructions.)

<input type="checkbox"/> NONE (No reportable liabilities.)	CREDITOR	DESCRIPTION	VALUE CODE*
1	(J) James S. Starzynski, P.A., formerly Starzynski & Strauser, P.A., formerly	Loan from corporation to officer/shareholder James Starzynski (repaid by paying taxes 07/13/98)	J
2	(J) Travelers Bank, Wilmington, DE	Credit card (paid off)	J
3	(J) MBNA, Wilmington, DE	Credit card (paid off)	J
4			
5			
6			

* VAL CODES: J=\$15,000 or less K=\$15,001-\$50,000 L=\$50,001 to \$100,000 M=\$100,001-\$250,000 N=\$250,001-\$500,000
 O=\$500,001-\$1,000,000 P1=\$1,000,001-\$5,000,000 P2=\$5,000,001-\$25,000,000 P3=\$25,000,001-\$50,000,000 P4=\$50,000,001 or more

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting STARZYNSKI, JAMES S.	Date of Report 05/14/1999
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VII. Page 1 INVESTMENTS and TRUSTS -- income, value, transactions

(Includes those of spouse and dependent children. See pp. 36-54 of Instructions.)

A. Description of Assets <i>Indicate where applicable, owner of the asset by using the parenthetical "(J)" for joint ownership of reporting individual and spouse, "(S)" for separate ownership by spouse, "(DC)" for ownership by dependent child. Place "(X)" after each asset exempt from prior disclosure.</i>	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code (A-H)	(2) Type (e.g., dividend, rent or interest)	(1) Value Code (J-P)	(2) Value Method Code (Q-W)	(1) Type (e.g., buy, sell, partial sale, merger, redemption)	If not exempt from disclosure			
						(2) Date: Month -	(3) Value Code (J-P)	(4) Gain Code (A-H)	(5) Identity of buyer/seller (if private transaction)
<input type="checkbox"/> NONE (No reportable income, assets, or transactions.)									
1 (J) Vanguard Windsor II mutual fund stock X	E	Dividend	N	T	None				None
2 (J) Vanguard Windsor II mutual fund X	A	Dividend	J	T	None				None
3 Rodey, Dickason, Sloan, Akin & Robb, P.A. Profit Sharing	A	Dividend	L	T	Rollover	11/10	L	E	Rollover to FNIC Pershing money
4 (FNIC) Pershing Govt Account (money market holding)	A	Interest	J	T	Rollover Dep	11/10	L	A	Rollover of Rodey profit-sharing
5 (FNIC) Fidelity Advisers High Yield Class B mutual fund	A	Dividend	J	T	rollover	12/11	J	A	From FNIC Pershing Money Market account
(FNIC) Fidelity Advisor Growth Opportunities Class B	A	Dividend	K	T	Rollover	12/11	K	A	From FNIC Pershing Money Market account
7 (FNIC) Fidelity Advisor(Focus) Technology	A	None	J	T	Rollover	12/11	J	A	From FNIC Pershing money market account
8 (FNIC) Fidelity Advisor(Focus) Health Care	A	Dividend	J	T	Rollover	12/11	J	A	From FNIC Pershing money market account
9 (FNIC) Fidelity Advisor(Focus) Financial Svc	A	Dividend	J	T	Rollover	12/11	J	A	From FNIC Pershing money market account
10 (FNIC) Fidelity Advisor Int'l Cap. Appreciation Class B MF	A	Dividend	J	T	Rollover	12/11	J	A	From FNIC Pershing money market account
11 (J) Rodey, Dickason, Sloan, Akin & Robb, PA ProfShar X	B	Dividend	J	T	Rollover	11/10	J	A	Rollover to FNIC Pershing money
12 (J) Rodey Firm Money Purchase Pension Account X	A	Dividend	J	T	Rollover	11/10	J	A	Rollover to FNIC Pershing money
13 (FNIC) Pershing Govt Acct (money mkt acct)	A	Interest	J	T	Rollover	11/10	J	A	Rollover of both "(J) Rodey" accounts
14 (FNIC) Fidelity Advisor Growth Opportunities Class B	A	Dividend	J	T	Rollover	12/11	J	A	Rollover from Pershing money
15 (FNIC) Fidelity Advisor(Focus) Health Care	A	Dividend	J	T	Rollover	12/11	J	A	Rollover from Pershing money
16 (FNIC) Fidelity Advisor Int'l Cap. Appreciation Class B MF	A	Dividend	J	T	Rollover	12/11	J	A	Rollover from Pershing money
17 First Investors High Yield Fund X	A	Dividend	J	T	None				None
1 Inc/Gain Codes: A=\$1,000 or less E=\$15,001-\$50,000									
2 Val Codes: J=\$15,000 or less N=\$250,001-\$500,000									
3 Val Mth Codes: Q=Appraisal R=Cost (real estate only)									
S=Assessment T=Cash/Market									

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting STARZYNSKI, JAMES S.	Date of Report 05/14/1999
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VII. Page 2 INVESTMENTS and TRUSTS -- income, value, transactions

(Includes those of spouse and dependent children. See pp. 36-54 of Instructions.)

A. Description of Assets <i>Indicate where applicable, owner of the asset by using the parenthetical "(J)" for joint ownership of reporting individual and spouse, "(S)" for separate ownership by spouse, "(DC)" for ownership by dependent child. Place "(X)" after each asset exempt from prior disclosure.</i>	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code (A-H)	(2) Type (e.g., dividend, rent or interest)	(1) Value Code (J-P)	(2) Value Method Code (Q-W)	(1) Type (e.g., buy, sell, partial sale, merger, redemption)	If not exempt from disclosure			
						(2) Date: Month -	(3) Value Code (J-P)	(4) Gain Code (A-H)	(5) Identity of buyer/seller (if private transaction)
<input type="checkbox"/> NONE (No reportable income, assets, or transactions.)									
18 First Security Bank, Albuquerque, NM X (IRA's)	A	Interest	J	T	None				None
19 (J) First Security Bank (savings) X	A	Interest	J	T	None				None
20 (J) First Security Bank (checking) X	A	None	J	T	None				None
21 (J) Norwest Bank, Albuquerque, NM (checking) X	A	None	J	T	None				None
22 (J) General Electric common stock X	A	Dividend	K	T	None				None
(J) James S. Starzynski, PA (JSSPA), assets as follows:	D	Services	N	U	Collections				Collections of accounts receivable
24 (JSSPA) Accounts receivable	A	Interest	N	U	Collections				Collections
25 (JSSPA) Owed by previous shareholder and officer for	A	None	K	U	None				None
26 (JSSPA) Library	A	None	J	T	None				None
27 (S) PERA of NM Deferred Comp (see Part VIII)	B	Dividend	K	T	None				
28 (S) PERA of NM Money Plan (see Part VIII)	A	Interest	J	T	None				
29									
30									
31									
32									
33									
34									

1 Inc/Gain Codes: A=\$1,000 or less E=\$15,001-\$50,000	B=\$1,001-\$2,500	C=\$2,501-\$5,000	D=\$5,001-\$15,000
2 Val Codes: J=\$15,000 or less N=\$250,001-\$500,000	K=\$15,001-\$50,000	L=\$50,001-\$100,000	M=\$100,001-\$250,000
3 Val Mth Codes: Q=Appraisal	R=Cost (real estate only)	S=Assessment	T=Cash/Market

VIII. ADDITIONAL INFORMATION OR EXPLANATIONS.*(Indicate part of report.)*

PART 1: Name of Organization/Entity re: James S. S, cont'd ...existence for collecting accounts receivable (including paying the requisite gross receipts taxes), paying off lines of credit and remaining miscellaneous liabilities, but is not active in any way in the practice of law except for executing the occasional withdrawal of appearance or substitution of counsel that may have been previously overlooked in the process of transferring cases to other counsel.

PART 2: Parties and Terms re: James S. S, cont'd ...former shareholder Douglas T. Francis to retire corporation's lines of credit)

PART 6: Creditor re: James S. S, cont'd ...Francis & Starzynski, P.A. The remaining contingent liabilities of James Starzynski arising from the personal guaranties issued to the banks which extended credit to the law firm (under its various names) are not listed because they are contingent (based on a review of the instructions and a conversation with Mr. George Reynolds on September 8, 1998). In addition, the firm paid those obligations off in March 1999.

PART 7: Based on my conversation with Mr. George Reynolds on September 8, 1998, in valuing my interest in James S. Starzynski, P.A., I have not broken down or listed the firm's debtors or accounts receivable individually and by name; the assets and liabilities of the firm are solely those of the firm, and I have no personal claim to the assets (except indirectly as the sole shareholder) nor any obligation for any of the debts (except contingently as a guarantor of the bank debt).

The total value of the assets of James S. Starzynski, P.A. are listed at book value (except the which is listed based on what it sold for in 1999), without regard to collectibility.

Also, the entries concerning the former shareholder loan and the library reflect that those assets are not generating income. Although some of the accounts receivable have in a sense generated income (some of invoices for services reflect a charge for interest), because final payment is more a function of and because the firm's books were maintained largely on a cash basis, this report does not attempt to the amount of "interest" paid on the accounts receivable during any given period. Further (and perhaps illustrative of many of the accounts receivable), the largest account receivable is derived from a figure comprised of billings going back to 1990, together with interest (but reduced by occasional payments -- too occasional, actually), which figure was then reduced in a compromise to get the underlying sale of the asset accomplished. The resulting figure was paid in part a number of months later (August 1997), with the remaining sum to be paid without any additional interest (although the monthly invoices show a figure for continuing interest) over a period of years. However, that receivable was paid in March/April 1999, at a discount.

Rodey, Dickason, Sloan, Akin & Robb, P.A. is also known as "Rodey" or the "Rodey Firm". Although it the case that neither I nor Rodey had control of the profit sharing and money purchase pension plans (that I have absolutely no control, and as I understand it, the plans are managed by an outside investment group hired by Rodey), it was nevertheless the intention of myself and my spouse to roll over our profit sharing plan interests into other investments so that there is no further connection with the Rodey Firm. We have done that, so that the funds are now with FNIC.

The Public Employees Retirement Association of New Mexico (PERA) accounts are the property of my partly separate property and partly community (or joint, for these purposes). The deferred compensation funds are invested in Nationwide Insurance Company Nationwide Dreyfus Third Fund, a mutual fund. The Money Plan is a cash fund. Neither I nor my spouse have any control or knowledge whatever about what funds or investments the managers put the money into in either account. Since my spouse has had these investments a period of years, they should have been listed on my initial report but inadvertently were overlooked.

FINANCIAL DISCLOSURE REPORTName of Person Reporting
STARZYNSKI, JAMES S.Date of Report
05/14/1999**VIII. ADDITIONAL INFORMATION OR EXPLANATIONS.***(Indicate part of report.)*

PART 3: Source and Type re: Starzynski, cont'd ...income for entire year, including the \$98,130.00 reported on my Initial Disclosure Report dated 09/11/98).

PART 2: Parties and Terms re: Rodey, Dic, cont'd ...Network Investment Corporation, Torrance, CA ("FNIC") -- see Section VII for listing of assets held in name of FNIC.

PART 5: Description re: Hard cover, cont'd ...sheets of same (figure is an estimate of the value, calculating the price of each hard-cover volume at \$67.00 per volume (what I was paying in private practice) and figuring the receipt of twelve volumes for the library that Judge Rose (my predecessor) and I use for the period of year (CY 1998); since I was appointed in August 1998, I have figured that the gift to me (so to speak -- it really the chamber's library) was five (5) volumes.

PART 4: Description re: September , cont'd ...for and presented on a panel discussion conducted three times during the program, and also was a panelist with the other judge/panelists at the lunch program.

QUALIFICATIONS TO CERTIFICATION ON SIGNATURE PAGE:

1. During the latter part of CY 1998, I decided certain matters concerning NationsBank, N.A. (now Bank of America, N.A.) ("Bank"), in which at the time I arguably had a financial interest. Those circumstances from the fact that my law firm (JSSPA) was owed money for services by the Bank at the time that I stopped practicing law, shut the firm down, and took the bench (14 August 1998). The Bank had not paid my firm for services rendered over a period of several years, and had agreed some years earlier to open a line of credit for the firm to make up for the loss of cash flow. The firm paid interest on the line of credit borrowings. At the time of my taking the bench or shortly thereafter, I thought I had reached an agreement with the Bank to "forgive" the line of credit in return for releasing the Bank of the substantially larger sum it owed my firm. (I did this in order to reduce the number of recusals that would otherwise be required. In consultation with the Chief Bankruptcy Judge, I determined, to be on the safe side, that this relationship with the Bank constituted having a "financial interest" in the Bank.) I then decided a number of matters involving the Bank. However, upon receipt of two month's worth of billing notices from the Bank for the of credit, I finally determined that another part of the Bank (the commercial loan side) unbeknownst to me apparently not agreed to the deal, although the persons at the Bank in charge of hiring my firm and paying bills had agreed to the deal. I immediately ceased working on any NationsBank matters, and did not resume doing so until a deal was reinstated with the Bank (January 1999) in which it had no more liability to my

2. On February 25, 1999, I was appointed the personal representative in the informal probate of my sister's estate. In the course of investigating her assets, I discovered that she owned some common stock of Ford Motor Company. (I have not disclosed the Ford stock in Part VII because I was not appointed until this Nor, for that matter, have I disclosed the liabilities of the estate, for the same reason.) Unfortunately, the time I did not focus on the "as a fiduciary" language in Canon 3.C(1)(c), so that for a period of two months, I decided several matters (such as stipulated stay motions and consensual Chapter 13 plans) in which one or more subsidiaries of Ford Motor Co. were parties (secured creditors). Upon realizing the I immediately obtained an order (through the estate's counsel) transferring the stock to the beneficiary, thereby eliminating the financial interest.

PART 2: Parties and Terms re: Named exec, cont'd ...following earlier oral resignation.

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting
STARZYNSKI, JAMES S.

Date of Report
05/14/1999

SECTION HEADING. (Indicate part of report.)

Information continued from Parts I through VI, inclusive.

PART 1. POSITIONS (cont'd.)

Line	Position	Name of Organization/Entity
4	Board member (resigned 20 Aug 98 eff 14 Aug 98)	Bankruptcy Law Section of the State Bar of New Mexico
5	Member	American Bankruptcy Institute
6	Member	National Conference of Bankruptcy Judges
7	Member	State Bar of New Mexico
8	Member	United States District Court Bar Association (DNM)
9	Admitted to practice	State of Connecticut
10	Admitted to practice	District of Connecticut
11	Admitted to practice	State of New Mexico
12	Admitted to practice	District of New Mexico
13	Admitted to practice	Northern District of California
14	Admitted to practice	Tenth Circuit Court of Appeals
15	Admitted to practice	United States Supreme Court
16	Admitted to practice	Northern District of Texas
17	Personal representative (appointed February 25, 1999) -- uncompensated. Informal probate estate of Delle Lorraine Starzynski (sister), 13th Judicial District, Sandoval County, NM (No. PR 99-00021)	

PART 2. AGREEMENTS (cont'd.)

Line	Date	Parties and Terms
4	04/19/96	Named executor in will of [REDACTED] (former sister-in-law and aunt of my 3 children). I resigned in writing 3/4/99, following (cont'd. Part 8)

IX. CERTIFICATION

In compliance with the provisions of 28 U.S.C. 455 and of Advisory Opinion No. 57 of the Advisory Committee on Judicial Activities, and to the best of my knowledge at the time after reasonable inquiry, I did not perform any adjudicatory function in any litigation during the period covered by this report in which I, my spouse, or my minor or dependent children had a financial interest, as defined in Canon 3C(3)(c), in the outcome of such litigation.

I certify that all the information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app. 4, section 501 et. seq., 5 U.S.C. 7353 and Judicial Conference regulations.

Signature _____ Date _____

Note: Any individual who knowingly and wilfully falsifies or fails to file this report may be subject to civil and criminal sanctions (5 U.S.C. App. 4, Section 104).

FILING INSTRUCTIONS

Mail original and three additional copies to:

**Committee on Financial Disclosure
Administrative Office of the United States Courts
One Columbus Circle, N.E.
Suite 2-301
Washington, D.C. 20544**

COPY

**United States Bankruptcy Court
District of New Mexico**

Second Floor, Federal Building and United States Courthouse
421 Gold Avenue SW
Albuquerque, New Mexico 87102

Mailing Address:
P.O. Box 546
Albuquerque, NM 87103-0546

JAMES S. STARZYNSKI
Bankruptcy Judge

Telephone:
(505) 248 - 6583

May 20, 1999

Financial Disclosure Office
Administrative Office of the U.S. Courts
One Columbus Circle, NE Suite 2-301
Washington, DC 20544

Re: First Supplement to Financial Disclosure Statement (Annual Report) for CY 1998 dated May 14, 1998, amending Part VIII ("Qualifications to Certification on Signature Page").

Dear Committee:

This letter should be considered as a first supplement to the Annual Financial Disclosure Statement for CY 1998, and specifically as an additional qualification to my certification pursuant to 28 U.S.C. §455 and Canon 3.C(3)(c).

In the course of the continuing investigation of the assets in the probate estate of Delle Lorraine Starzynski (described in Part VIII of the Statement), on May 18, 1999 I learned for the first time (despite a previous search of her records) that my sister was the owner, at the time of her death, of shares of Associates Financial (formerly a subsidiary of Ford Motor Company). Thus, those shares are part of her probate estate, of which I am still the personal representative and have been since being appointed on February 25, 1999. As is the case with the Ford Motor Company stock (as set out in Part VIII), I am making arrangements to dispose of the stock immediately. I am no longer deciding any matters having to do with Associates, nor will I decide any until the stock has been disposed of. However, there were likely some matters in which Associates was a creditor (none of them contested by or with Associates) which I decided between February 25, 1999 and May 18, 1999.

Please call if you have any questions, or if there is anything in addition that I need to provide to you.

"In compliance with the provisions of 28 U.S.C. §455 and of Advisory Opinion No. 57 of the Advisory Committee on Judicial Activities, and to the best of my knowledge at the time after reasonable inquiry, I did not perform any adjudicatory function in any litigation during the period covered by this report in which I, my spouse, or my minor or dependent children had a financial interest, as defined in Canon 3C(3)(c), in the outcome of such litigation, subject to the two described Qualifications to Certification on Signature Page as supplemented by this letter.

Financial Disclosure Office

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May 20, 1999

"I certify that the information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure."

Sincerely,

A handwritten signature in black ink, appearing to read "James S. Starzynski", with a long horizontal flourish extending to the right.

James S. Starzynski

JSS/mba