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# CARSEN & ASSOCIATES

Attorneys At Law



WINTER  
2011/12

If you need our services, please contact us at...

717-393-1000 or 800-000-0000

[www.carsenlaw.com](http://www.carsenlaw.com)

## LEGAL resolutions

It won't make you work less, spend more time with the family, or lose weight, but tying up legal and financial loose ends can take some figurative weight off your shoulders.



### Resolve to do these things over the winter for peace of mind all year:

**WILL** — If you don't have a will, resolve to meet with an attorney as soon as possible. If you do have a will, look it over. Major life events such as marriage, having a baby, having grown children, and divorce require changes to this document. Be sure that the power of attorney is still capable and willing to do this task. Wills should be reviewed annually.

**INSURANCE** — Having adequate (not too little or too much) insurance is important, legally and financially. Moving, buying a new vehicle, a change in health, remodeling a home, a new job...just about every major renovation, purchase, and life event merits reviewing insurance policies to make sure that related financial and legal expenses are covered sufficiently. You may even save money by lowering car insurance on an aging vehicle or dropping life insurance when the kids are out of college and the mortgage is paid.

**VIRTUAL SECURITY** — If you shop or do taxes online, make sure that your computer and smartphone have antivirus software that is current.

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OFFICE HOURS  
Monday-Friday  
8:00 a.m.-5:00 p.m.  
Saturday  
9:00 a.m.-Noon

## Control a slippery situation

Driving in snow and ice is stressful, and going into a skid can leave drivers feeling completely out of control. This doesn't have to be the case, say experts from *Smart Motorist*.

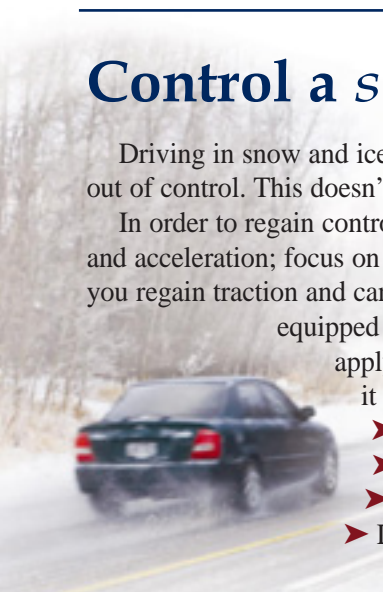
In order to regain control of your vehicle during a skid, avoid trying to control it with braking and acceleration; focus on steering instead. Gently steer in the direction that you want to go. When you regain traction and can steer, then begin to use the brake if necessary. Many vehicles are equipped with antilock braking systems, which means that the driver need only apply gentle pressure. For those without ABS, slowly squeeze the brake until it feels as though it will lock, then release and repeat.

- Read the vehicle manual; know your control and safety features.
- Practice braking and maneuvering a car in a vacant, snowy lot.
- Accelerate using lower gears in slippery conditions.
- Don't be overconfident in an SUV.

### PERSONAL INJURY PRACTICE

- Free consultation
- Home appointments available
- 24-hour emergency service
- No recovery, no fee.  
We do not get paid unless you do.
- Trial attorneys

We take your family's safety and security personally.



# Know the signs of elder abuse

Elder abuse comes in many forms and happens regardless of gender, income level, or ethnicity. According to the National Center on Elder Abuse, “elder abuse is a term referring to any knowing, intentional, or negligent act by a caregiver, or any other person, that causes harm or a serious risk of harm to a vulnerable adult.”

It takes the form of physical, emotional, and sexual abuse and includes exploitation, neglect, and abandonment. Abuse can come from family members, trusted professionals, or complete strangers who seek out vulnerable targets to exploit. It is not clear how widespread elder abuse is, because many seniors don't report abuse.



## Signs of elder abuse:

- ◆ Physical signs such as bruises, broken bones, abrasions, or burns could be caused by physical abuse or neglect.
- ◆ Bruising around the breasts or genitals could indicate sexual abuse.
- ◆ Bedsores, unmet medical and hygiene needs, dehydration, and weight loss may result from neglect.
- ◆ Sudden change in financial situation, including changes in legal documents and large gifts, could be a result of exploitation.
- ◆ Withdrawal from normal activities, changes in behavior or alertness, depression, and strained caregiver relations can be caused by emotional abuse.

If you are a senior in an abusive situation or suspect someone else is being abused at home or in a care facility, call our office.

## EMERGENCY-ROOM MALPRACTICE

It's no surprise that half of medical malpractice suits come from damages sustained in the emergency room. It's a fast-paced environment where life-and-death decisions must be made quickly. There are many processes and checks and balances in place that ensure patients receive the emergency care they need and that risk is minimal, but sometimes mistakes are made that can't be corrected.

In the Michigan case of *Wade vs. Henry Ford Hospital*, a mother brought her baby to the ER because the child was gasping for air. Despite a history of respiratory trouble and other visits to the ER in the same week, the child was discharged. The next day, the child arrested on the way to the hospital, sustaining brain damage. It was argued that history and previous ER visits warranted further testing or observation.

When a diagnosis is delayed or missed entirely, the wrong blood type is given, tests are evaluated incorrectly, or a patient is discharged too soon, the results can be deadly. Even worse are cases in which patients are ignored or even denied care. Emergency

rooms are often overcrowded and understaffed, but these problems should not interfere with patient care.

Cases of emergency-room malpractice can result in recovery of money lost from missed income, medical expenses, future earning ability, and pain and suffering.

If you or a loved one has been injured while an emergency-room patient, contact our office right away. We can give you the guidance you need.



Books are always great gifts—whether for yourself or someone else—and the law makes for an interesting read! Here are four legal titles that have wide appeal:

## **To Kill a Mockingbird, Harper Lee**

Set in small-town Alabama during the Depression, this book follows the arrest and trial of a black man accused of raping a white woman. The story is told through the eyes of 8-year-old Scout Finch.

## **The Firm, John Grisham**

A small-town lawyer lands a dream job and finds himself immersed in a world set up by the mafia to protect their interests.

## **In Cold Blood, Truman Capote**

In this nonfictional account, Truman Capote writes about a senseless murder and takes a chilling look at the lives and minds of the murderers.

## **Life Sentence, David Ellis**

This story is told first-person by Jon Soliday, a busy chief legal aide to a state senator who also happens to be his best friend. It revolves around three murders: one decades-old murder potentially involving Soliday and the senator, a current case in which Soliday is framed for murder, and another current case in which his protégé kills an alleged intruder.



## **Potentially dangerous Chantix® side effects**

In July 2011, a study published in the Canadian Medical Association Journal examined data from more than 8,200 people who received Chantix®, a medication marketed to help people stop smoking. The study concluded that Chantix could increase their risk of heart attack and arrhythmia. In addition, some cigarette smokers who have taken Chantix have experienced other serious side effects that include thoughts of violent behavior and suicide.

Approved by the Food and Drug Administration (FDA) in 2006, Chantix is believed to chemically deceive a smoker's brain into temporarily believing it was receiving the pleasure of nicotine.

In early 2008, the FDA issued a warning and health advisory to medical professionals and consumers about Chantix. "It appears increasingly likely that there may be an association between Chantix and serious neuropsychiatric symptoms." Users began to report shortened attention spans, loss of memory, foggy consciousness, depressive and suicidal inclinations, serious confrontations, and violent outbursts.

In May 2008, the Federal Aviation Administration prohibited pilots and air traffic controllers from using Chantix.

If you or a loved one has experienced a heart attack, arrhythmia, agitation, depression, or suicidal thoughts or behavior after taking Chantix, please obtain medical assistance and contact our office.

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## **Reducing infant BPA exposure may not be soon enough**

Most parents are aware of the potential dangers of bisphenol A, a polycarbonate that has been used to make hard plastics, such as baby bottles, food storage containers, and even water-supply pipes. BPA is an endocrine disruptor and has been linked to neurological and reproductive difficulties, as well as poor thyroid function, breast cancer, obesity, heart disease, diabetes, and high levels of certain liver enzymes. Developing babies and infants are especially at risk. Over the last few years, the chemical has been phased out of many baby products.

*A new study shows that even prenatal exposure to BPA can be harmful.*

A new study shows that even prenatal exposure to BPA can be harmful. Researchers from Penn State University Hershey Medical Center, Cincinnati Children's Hospital Medical Center, and Simon Fraser University have found a link between fetuses exposed to BPA in the womb and childhood wheezing. The researchers found that babies exposed to higher levels of BPA in early pregnancy were most vulnerable.

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more easily with you,  
please send your  
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For your specific situation, please consult the appropriate legal professional.

## *Don't let your Facebook status determine your employment status*

Facebook is fun and Twitter is terrific, but they can be harmful to your career if you don't use them wisely—or at least keep them private. Not only have both of these social platforms cost people their jobs, they've also prevented job seekers from getting hired.

*Here are a few tips to keep your social profiles work friendly:*

### ➤ *Be nice*

Don't talk trash about your former or current employers or colleagues. Discuss job opportunities and pros/cons with your family and friends offline. Snagajob outlines the story of a young woman who posted this dilemma on Twitter: "Cisco just offered me a job! Now I have to weigh the utility of a fatty paycheck against the daily commute to San Jose and hating the work." Cisco saw the message and made the decision for her.

### ➤ *Be honest*

If you are going to tell your boss your great aunt Millie passed away and you need Friday and Monday off, don't post a photo on Facebook of you and the family at the beach or Tweet about how great girls' weekend is. Chances are good that someone in your company will see...and tell.

### ➤ *But not too honest*

Posts during business hours like "I have nothing to do today" seem like a fun way to fill down time, but there is a good chance employers will disagree.

### ➤ *Be private*

Go to a Web site's settings and select a privacy level that only allows friends to see your information. Know that this isn't foolproof and that "friends" can forward and share what you deem private.

*The bottom line is that if you don't want others to know it or see it, don't hit the "post" button.*



## **LEGAL ISSUES AND SOCIAL MEDIA**

Is it legal for employers to look up a prospect online? According to a poll by ExecuNet, 77 percent of hiring managers do it.

While there isn't a law against this, employers should keep in mind that there could be legal ramifications. Social media sites list information not considered relevant to job performance, but that could sway a decision to further consider an applicant—for example, discovering that a woman is pregnant. Hiring managers should consider allowing a third party to review social media and pass on information relevant to job performance and should clearly document how candidates are chosen, researched, eliminated, and hired.

If you feel that you have been unfairly treated due to content on a social media page, contact our office right away.