



Seufert Law Offices, PA

We'll Get You Through It

From the Captain's Log "Sitting on the Dock of the Bay..."



As winter melts into spring, and the marina awakens from its long hibernation, the weekends of getting the boat ready for summer begin. These can be long days of changing oil, putting batteries back in their place, washing and waxing, and each year the chores seem to get longer - or perhaps I am just getting a bit slower. But then launch day arrives and summer is here. Otis Redding's lyrics always come to mind.

One of our favorite summer trips is the Isle of Shoals, which is a short sail from Portsmouth harbor and away from the tourists of downtown. Granted it can get busy, in the island sense of the word, at the Isle of Shoals, but there is usually an open mooring to grab and once done, the stress of the week is forgotten. You can take the large steamship from Portsmouth, or one of the smaller ferries, but arriving on your own boat has so much more satisfaction, and no schedules to meet. I can sit on the boat, cold beer in hand, and whistle tunes of Otis time and again and it never gets old. A short dingy ride can then bring you from the boat to the docks of the hotel on Star Island, where a short walk up finds you on their porch overlooking the Isles with plenty of rocking chairs. From there it is easy for

the mind to hear...I'm just gonna sit on the dock of the bay, watching the tide roll away....

Maybe that is the beauty of it all, some time with no schedules to meet. ●



July 2018 News



A Good Host's Duties Might Not End with the Party

Summer is a busy celebration season. Graduation parties, cookouts, and pool parties dot the landscapes of many people's social calendars. If alcohol is being served, the hosts of these gatherings should be aware of potential liability issues.

Over the last century, most states have established "dram shop" laws. These laws allow third-party lawsuits to be filed against restaurants, bars, and sports venues, among other licensed alcohol vendors, who sell alcoholic beverages to patrons whom they knew—or should have known—were intoxicated who go on to injure others or cause property damage.

"Social host liability" laws are similar to dram-shop laws which are applicable to public bars, but differ in that even a private host not selling liquor may be held responsible when a guest they serve then injures someone. This would include homeowners or tenants who host a gathering at their private residence.

If you are hosting a special event at your home, enjoy yourself. But if you are serving alcohol, it's not enough to simply focus on having enough food, a clean house, and so forth. Exercise good oversight of your guests, too—for their well-being and your own. And if you become the victim of a drunk person's actions, be aware that they might not be the only party responsible. A good personal injury attorney can help you sort out your options. •



Road Construction Zone Danger Cuts Both Ways

Each year, hundreds of road construction workers across the country are killed in work zones due to traffic incidents. One of the top causes is drivers who pass on the outside of the construction zone and collide with workers, equipment, or other vehicles. Drivers passing through work zones need to pay attention, follow instructions, and observe the speed limits.

However, construction zones can be dangerous for passersby as well.

According to a study conducted by the Federal Highway Administration in 2010, construction zones were the sites of roughly 87,000 vehicular accidents per year, nationally, leading to over 37,000 injuries, not to mention damage to property.

Work zones can contain incorrect, improper, or confusing signage; or insufficient warnings on lane closures, merges, or shifts; sudden speed changes; missing cones or barrels at key points; dangerously uneven pavement or unblocked, unmarked holes in the road; poor lighting; and construction vehicles entering and exiting the roadway in a reckless manner are a few of the hazards that may lead to accidents.

Road repair/construction is an inevitability. Roadways in a state of disrepair will be a source of danger to motorists and need to be fixed. But it needs to be done with the highest standards of safety and care in mind. All of the situations mentioned previously are completely avoidable.

If you are the victim of negligence at a road construction zone, you may file a claim against a worker, the construction company, the city, or other entity involved in the situation. A recent multi-million-dollar verdict for a pedestrian in Hampton NH struck in an area of a construction zone being a prime example.

If you are a victim of an injury in a construction zone contact an attorney to safeguard your rights. •

Filing for Bankruptcy... Some Things to Be Aware Of



For those who come across tough financial times, sometimes through no fault of their own, filing for bankruptcy may be the best tool to buy them time to get their finances back on track. However, there are a number of variables to consider.

For instance, if you only have a few debts, some creditors may agree to be flexible and willing to work with debtors to help them settle their debts. If

you are able to come to a mutual, affordable agreement, bankruptcy may be avoided.

Keep in mind that under Chapter 7, your income must be low enough to meet the bankruptcy “means test”, which is that you make less than the average NH resident. For Chapter 13 proceedings, the amount of your debts may not exceed a certain financial threshold. If your income is too low, Chapter 13 might be off the table as well.

Specific types of debts are not subject to being discharged under bankruptcy proceedings (e.g., child-support payments, certain taxes). It is imperative to know which debts will be canceled by bankruptcy, and which ones will not.

If a relative or friend helped you obtain financing by cosigning a loan agreement, they may be on the hook if you file bankruptcy.

And filing for bankruptcy may seem intrusive, you have to divulge your financial well-being, or lack thereof.

But filing for bankruptcy can be a godsend, and the best option out of debt, but it shouldn't be entered into lightly. Before filing, contact a debt attorney for a comprehensive evaluation of your financial situation. ●

Menace at the Beach (No, Not Sharks)

Eighty percent of beach rescues performed by lifeguards result from swimmers getting caught in rip currents. Rip currents are powerful, channeled currents of water that flow away from the shore, back out to sea. They account for over 100 deaths per year at U.S. beaches.

Rip currents typically form at low spots or breaks in sandbars, or near structures such as jetties and piers. When waves break strongly in some locations close to shore and weakly in others, the risk of dangerous rip currents is elevated. Their strength and speed is influenced by wave height and the frequency of wave formation.

Most rip currents travel at 1–2 feet per second; however, the strongest ones surge at speeds as high as 8 feet per second—faster than an Olympic swimmer can sprint. Rip currents frequently dissipate just beyond the line of breaking waves, but some may extend hundreds of yards off-shore. Most are narrow—less than 80 feet wide—but occasionally can be broader, to well over 100 yards.

If you find yourself ensnared by a rip current, remain as calm as possible. Do not fight against the current. Since most rip currents are narrow, swim parallel to the shoreline until you escape its grip, then head back to shore. If you can't, calmly tread water or float until it weakens. If you know you are still in trouble, face the shore, wave your arms, and yell for help.

Rip currents can occur at any beach with breaking waves, including the Great Lakes. Swim at lifeguard-protected beaches to improve your survival chances should rip-current trouble arise. ●



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Protect Your Family, Protect Your Rights



“Sitting on
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Cathy's Corner

Service to the Community

The other night I had the opportunity to volunteer to serve the community of Franklin. I often think that the benefits of such service are inured more to the person serving than to those served. It's a wonderful thing to be a part of a group working together toward a common goal of strengthening the community in which you live or work. Community service allows those participating to reflect on the difference they are making in society. Because community service outlets vary, those who serve are exposed to many different kinds of people, environments, and situations.

Community service is not necessarily a voluntary act. Much of the community service that people engage in is as a requirement, or at least expected, for an organization to which they belong or even to reduce a sentence in a criminal case. Most high schools and colleges today require their students to engage in a certain number of hours each year in order to graduate. Schools often take students on community service projects so that they can learn how their individual actions affect the well-being of the public. Most colleges expect to see community service on an application to their institution. The number of hours of service for the better colleges is going to need to be more than the minimum the applicant's high school requires. Not only will the individual school require community service, but the sports teams and organizations which are a part of that school will almost always have their own additional requirement.

Churches, scouts and many fraternal organizations expect members to engage in community service. Even businesses encourage or even offer community service opportunities. Our communities are better places for the active role its citizens take in strengthening them. People may gain the most from their community service projects when they volunteer their time to help people with whom they have never interacted. This direct contact allows people to see life from a different perspective. I am happy to have been a part of this service recently. ●

