



Seufert Law Offices, PA

We'll Get You Through It



From the Captain's Log Think Fast, Act Fast

There is an older book, *Thinking Fast and Slow*, written in the 1930's, and republished in the last 10 years. It generally discusses how we are wired to sometimes jump to conclusions based upon our past experiences, and sometimes we need to slow down and just think it through. One of the book's passages goes like this:

As we navigate our lives, we normally allow ourselves to be guided by impressions and feelings, and the confidence we have in our intuitive beliefs and preferences is usually justified....but not always.

Sitting off a mooring in peaceful Gosport Harbor, Isle of Shoals, working on some minor electrical upgrades in between frosty beers a couple weeks ago I hear my wife yelling for me to look behind our boat. Behind us is a 50' powerboat perilously close to the breakwater with an anchor deployed. Was a little close to the breakwater I thought, but upon closer look this was not a time to Act Slow. The Captain had apparently missed his mooring and tried to back down, the towline of his nice Boston Whaler dinghy then wrapping around his propeller shaft, pulling the dinghy under the stern of his boat and seizing his main engine. Meanwhile, the tide is going out and the sharp pointy breakwater is coming up, and his deployed anchor was not holding him off the rocks. We got Litigator's engines fired up and off the mooring and yelled over to the captain to get a tow line ready and we would pull him off the rocks into deeper water. He then slowly walked to his stern and pulled out what looked to be a brand new, nice and shiny 1/2" dock line, and start unraveling it. His boat probably weighed 15 tons, 1/2" line has a breaking strength of 2 tons. Either the rocks would get him before he finished unraveling this line, or it was going to explode as soon as we spooled up our 700 hp to pull him free. Either way a non-starter. Thinking Fast we had a 1" towline on board that we bridled off our stern and threw him the open end to cleat to something, real strong – and real fast. Then with a handful of throttles and wall of water up road his stern off the rocks and into deep water.

Now I am all for Thinking Fast and Slow, but sometimes the two do not go together. ●



July 2019 News



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Red, White, and Blue Mocktail

Want a simple way to make a stunning patriotic display for summer picnics? Try a red, white, and blue mocktail! It provides a refreshing drink to sip on a hot day and looks amazing in the process.

INGREDIENTS

- ¼ c. fresh raspberries or strawberries (your choice of red!)
- ¾ tsp. grenadine
- 2 Tbsp. club soda
- crushed ice
- lemon-lime soda
- fresh blueberries

PREPARATION

- This is a drink you build from the ground up.
- Place your red fruit in the bottom of a tall glass, then drizzle with grenadine.
- Add the club soda.
- Fill the glass the rest of the way with crushed ice (your white).
- Very slowly pour in the lemon-lime soda. Doing so too quickly will mix things up a bit too much and mar the aesthetic.
- Top with blueberries.

To do away with the “Mock”, you can add rum at any stage of the preparations. •



No Need to Hurry a Settlement After an Accident

Insurance adjusters are often quick on the draw in pushing for a settlement in a car accident case. It saves the insurance company work, not to mention potentially a lot of money. It might seem tempting to the injured party—no claims process and some quick money. What could be the harm in that?

Plenty.

To get the compensation you deserve, wait for a full investigation of your accident. Having all the facts at your disposal is always beneficial. In addition, some injuries aren't apparent just days after an accident; some might only appear weeks or even months later. If you settle too soon – you lose.

If you jump on a quick settlement opportunity, you're likely to get the really short end of the stick. That's what the insurance companies are banking on.

When the other party's insurance adjuster calls, make it clear that you will not be talking about how the accident happened, your injuries, or a settlement amount, and that you don't want any further calls on these issues. Many adjusters are skilled at eliciting comments that can call into question your injuries or finesse what amounts to an admission of some fault on your part.

You may need to field a phone call from an adjuster concerning car repairs. But, do it at your convenience.

Do not sign any forms from the other party's insurance company. These forms could give an insurance company direct access to your medical, work, or personal records. Some of these records may have nothing to do with the claim, so why allow that personal information in their hands.

Contact an auto accident attorney to guide you through the claims process and protect your rights. •

DPOA, HCPOA – What is the Difference?

Creating a durable financial power of attorney (DPOA) ensures that someone you trust (the “agent”) will be able to make financial or legal decisions or transactions for you—for example, pay bills, deposit/withdraw funds, fill out insurance or benefit forms, order property repairs, and so forth—which is especially critical in the event you become incapacitated. You can set limits on the scope of their authority, or establish specific timeframes (e.g., only while you’re hospitalized).

A DPOA is established via a legal document that is signed, witnessed, and notarized, and typically goes into effect the moment it’s signed. However, you can create a “springing” DPOA, which grants financial decision-making authority only after you’ve been incapacitated as certified by a medical doctor. However, that then requires your agent to reach out to your doctor for that certification, and could delay action on important decisions.

DPOA’s offer significant advantages over other financial arrangements. Privacy is maintained, unlike conservatorship or guardianship proceedings, which are then public records and can be expensive and potentially embarrassing.

The spouse of an incapacitated person without a DPOA has limitations on his/her financial options. For example, where both spouses need to sign documents for the sale of real estate or cars. If one spouse is incapacitated, the other spouse is stuck. A DPOA will overcome this troublesome obstacle.

A Health Care Power of Attorney (HCPOA) is a document that allows you to appoint a person that you trust to make health care decisions for you once a doctor certifies that you are unable to make your own health care decisions. There can be

restrictions set out in a HCPOA, such as when life support can be started, or discontinued, what life sustaining treatment you want given and what you don’t (force feeding and hydration). Without a HCPOA in place, your family may be unable to overrule what medical treatment the hospital may want to give you and usually your family knows what your wishes are.

Contact an estate attorney if you are ready to create this important tool for managing your financial affairs. •

July 2019 Notable Dates

July 3
National Eat
Your Beans Day

July 7
National Father Daughter
Take a Walk Day

July 12
National Simplicity Day

July 15
National Give Something
Away Day

July 20
National Moon Day

July 24
National
Drive-Thru Day

July 27
National Day
of the Cowboy

July 29
National Chicken
Wing Day



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Protect Your Family, Protect Your Rights



Think Fast,
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Cathy's Corner

Traveling to Oz

A few months ago, my family and I had the privilege of going to Iceland to visit. One of the things that made this trip so interesting is that the last vacation we had gone on was rafting in the Grand Canyon last summer, in 100 degree heat. It was truly the yin and the yang of vacations.

The landscape of Iceland is, for most of the year, black and white. The black is the volcanic rock. The white is the snow. The island is relatively new geographically, and actually continues to grow as there are active volcanoes on the island. It's also being pulled apart: the European Continental Shelf pulls east, the American Continental Shelf pulls west. The water on the island is some of the purest in the world. You don't buy bottled water in Iceland, nothing is better than the water out of the tap.

We went snorkeling while we were there. You can actually snorkel and touch the two continental shelves, so that you are in Europe and America at the same time. I thought that I had been in clear water before. I had never been in water like this. You can see three hundred feet down. It's difficult to know how deep the water actually is as you are snorkeling, it doesn't get any less clear as it gets deeper. The colors of the rocks and plants that you see are also amazing. It was like the Wizard of Oz. The landscape was black and white like Kansas. The water was filled with color, like Oz.

Visiting Iceland was not on either my or my husband's bucket list. It was on our children's. I am very happy that it was. It is an amazing place to visit, unlike any place we had been to before. So different that it was almost like being on another planet. •

