



Seufert Law Offices, PA

We'll Get You Through It



From the Captain's Log It Takes a Village

The City of Franklin has been on a renaissance over the past few years, or some say, decades.

During the recent groundbreaking ceremony for the Franklin Mill City Whitewater Park I was chatting with Bob Grevior and Ken Norton. In the late 1980's Grevior had purchased, and then donated to the City, the land that would become Trestle View Park, which now is ground zero for the new Whitewater Park. Bob Grevior and I reminisced of the work that he and my law firm did in the late 80's and early 90's, with assistance from the City, to secure the federal grants that then allowed the Trestle View park to be completed. Ken Norton, an avid kayaker, fought the fight in the 1990's to stop an additional dam from being built upstream of Trestle View, which would have altered the river's flow permanently, and probably prevented the Whitewater Park from being built. Norton and I chatted of the work that we did in the early 2000's to secure the easements for the City's Rails to Trails project, which now connects the old railroad beds from Concord through to Franklin and beyond, and now has a footpath along the river that allows convenient viewing of the river, and for what will be the kayaks soon to be racing down it. And then the tireless efforts of people like Marty Parichand, who worked with the City to secure the State and Federal Permits, and grants, to build the 13 acre White Water Park, which is projected to generate \$6.83 million annually in new visitor spending and \$4.68 million in peripheral revenue.

And if that's not all, Peabody Home, a fixture in the City for over 75 years, which sits along the river just downstream of the Park and a gateway into the City, is now Peabody Place, and currently undergoing a \$25 million dollar expansion which will add 60,000 sq. ft. for senior housing for local residents.

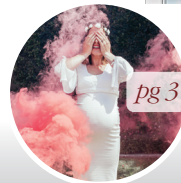
Also just downriver sits the former Stevens Mill, currently under a \$32 million of renovation by the Chinburg Group to convert the old mills into 140 residential units & approximately 35,000 sq. ft. of commercial space.

And the work of others like Todd Workman, who has been buying and renovating many of the old buildings on Central Street, his current project converting the former Odd Fellows building into higher-end condominiums.

While this all seems to be happening at once, it was born of the seeds sown over the past decades. One person alone cannot take credit for this, it "takes a village". •



September 2021 News



DMV and License Suspension

DMV can suspend your driver's license for many reasons, and sometimes for more than one reason - at the same time. If you drive without clearing up all reasons, and you are stopped by a police officer, you will almost certainly be arrested. Depending on the reason for the suspension, if you are convicted the sentence could be anything from a fine to prison time.

One of the ways you can lose your license is if a court convicts you of an offense which has a loss of license as part of the sentence, for instance DWI or Reckless Operation. To restore your license, you need to complete the terms of the sentence imposed by the Court. In addition, such a conviction may result in DMV seeking to suspend your license for what is known as a point system suspension. Violations such as speed, school bus violations, operating without a Valid License, DWI, etc. each carry a certain number of points. If the point total exceeds a certain number in a calendar year, the total depending on your age, DMV may suspend your license for up to a year.

Separately, such a conviction may also result in DMV seeking to certify you as an Habitual Offender (HO). HO status is based on a total number of convictions over the course of five (5) years. The convictions which are relevant to the point system suspension are not necessarily relevant to the habitual offender certification. If you are certified as an Habitual Offender, DMV will look to take your license for one to four years.

DMV may also suspend your license for defaults: court hearings, fine payments, and child support. In addition, if you are involved in a fatal accident, separate from any court suspension, DMV can seek to suspend your license for up to seven (7) years.

If you get a notice that DMV is seeking to suspend your license, read the notice carefully. You will usually have thirty (30) days to clear any default. The notice may be an order to attend a hearing, at which time a determination would be made as to any further loss of license. Finally, the notice may simply state that your license has been suspended, and you are required to turn your license in to DMV. It is important to make sure that you understand exactly what DMV is requiring to avoid any additional loss of license.

Finally, make sure that you notify DMV of any change of address. Failure to do so can result in DMV suspending your license without your knowledge. Such a suspension could mean that if you get pulled over, you aren't going to be released on a summons. •



Lobbing Grenades at a King

On September 20, 1973, the Houston Astrodome hosted an intergender tennis epic — Billy Jean King vs. Bobby Riggs.

Riggs, 55 at the time, was a gambler, shameless self-promoter, and excellent tennis player in his day, earning induction into the International Tennis Hall of Fame in 1967. In 1939, he placed a bet on himself to win that year's Wimbledon singles, doubles, and mixed doubles championships. He did ... and earned 105,000 smackeroos.

In early 1973, Riggs reveled in over-the-top male chauvinism, bashed women's tennis, and challenged high-ranking women's players to matches. Margaret Court — a noted champion — accepted. Riggs demolished her in the "Mother's Day Massacre," 6-2, 6-1.

A gleeful Riggs then goaded Billie Jean King, the world's top-ranked women's player. After the Court debacle, King believed the future of women's tennis was at stake and agreed to Riggs' condescending challenge.

King had been fighting for equal pay for women's tennis players for years. She was booted from the U.S. Lawn Tennis Association for her stand and helped found a new organization, the Women's Tennis Association. Ironically (or not), the U.S. Open paid women players the same as men for the first time in 1973.

King embraced the spectacle, dubbed the "Battle of the Sexes," entering the arena on a gold litter supported by four fit, shirtless men. Riggs arrived on a rickshaw, accompanied by a doting flock of "Bobby's Bosom Buddies." After an exchange of gifts — a baby pig for Riggs; a giant Sugar Daddy lollipop for King — King won handily in straight sets. Contrary to popular belief, both players competed by the same rules.

King's victory and fight for pay equity elevated the women's game. Riggs took his beating graciously. He and King became friends, staying in touch until his passing in 1995. •



Gender-Reveal Parties: Bigger Is Not Always Better

Gender-reveal parties have been a social trend since 2008, when parenting blogger Jenna Karvunidis shared the idea with her readers. The announcement tool at her own party was a simple cake with pink frosting in the middle.

Since then, however, some ideas for gender reveals have gotten a wee bit more elaborate, encouraged by party-supply companies and social media. Some party planners attempt to go viral with their reveals and/or one-up the competition — occasionally with unintended results, some tragic:

- In April 2021 a Manchester couple thought exploding 80 lbs of Tannerite at a Kingston quarry would make a big hit, the police thought differently.
- In August 2020 in Massachusetts, an air cannon that was to shoot blue powder 30 feet into the air was unknowingly pointed in the wrong direction. The father-to-be's groin was on the receiving end. Fortunately, his injuries weren't serious. Unclear directions were blamed for the mishap.
- In September 2020, a wildfire that burned over 22,000 acres in Southern California, destroyed 10 buildings, and caused the death of a firefighter was sparked by a malfunctioning gender-reveal pyrotechnic device.
- In March 2021, off the coast of Cancun, Mexico, a pilot and copilot were killed when the plane they were flying for a gender-reveal stunt plunged into the Caribbean.

Gender-reveal injuries may result from the negligent actions of an individual or company, or from products containing a manufacturing defect, a design flaw, or which lack sufficient instructions or warnings.

Gender-reveal parties can be a great way to celebrate the joys of an impending arrival ... when done safely. If you are injured as a result of someone's negligence, contact our office. We can help you recover compensation for medical expenses, lost income, property damage, and pain and suffering. •

September 2021 Notable Dates

Sept. 4
Newspaper
Carrier Day

Sept. 6
Read a Book Day

Sept. 18
Cheeseburger Day

Sept. 20
Pepperoni Pizza Day

Sept. 22
Hobbit Day

Sept. 28
Ask a Stupid
Question Day

Sept. 31
Calendar
Confusion Day

Pain and Suffering from a Legal Standpoint

"Pain and suffering" is a key component in many personal injury cases. There are two types: physical pain and suffering, and mental pain and suffering. Physical pain and suffering covers not only the ill physical effects that a claimant has suffered to date, but also what they are likely to endure in the future as a result of the defendant's negligence. Mental pain and suffering can be an offshoot of the claimant's physical injuries in an accident. It can include anxiety, anger, depression, humiliation, sleep disorders, fear, and loss of enjoyment of life, among other negative effects, but it can also include PTSD type symptoms, particularly if the event was significant. Mental pain and suffering can be much worse than physical as most physical injuries heal at some point but mental may linger.

Calculating compensation for pain and suffering is an imprecise task; there are generally no set guidelines. In most states, judges simply instruct the jury to utilize good common sense and to draw upon their individual backgrounds and experiences to arrive at a fair and reasonable figure.

In some cases, another component to a pain and suffering calculation is the use of a "multiplier." It involves a victim's total medical bills and lost earnings (past and future) and multiplies that figure anywhere from 1.5 to 5 times or more, depending on the type and severity of the injury. But another multiplier may be the length of time the injuries linger, with permanent injuries, say for a lifetime.

The value of a pain and suffering case can also be influenced by a plaintiff's credibility on the witness stand, likeability, consistency in testimony, and physician support of the plaintiff's claims. If you have been injured as a result of someone else's negligence, contact a personal injury attorney to safeguard your rights. •



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Protect Your Family, Protect Your Rights



It Takes
a Village

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This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

Coming to an Agreement on Parenting Time

The best resolution to a decision on parenting time in a custody case is for the parties to come to an agreement. Informal negotiations between the parents—typically involving their attorneys or mediators—may produce an agreement that can be finalized in writing. Such an agreement is called a “Parenting Plan.”

Parenting Plans are arrived at more smoothly in circumstances in which the parents still have a degree of amicability and/or truly desire what is best for their children. Although Parenting Plans can vary widely, they should all include determinations of:

- Residential Responsibility: where the child will live: shared responsibility is the legal starting point.
- Decision Making: who will be in charge of making decisions affecting a child’s upbringing, such as schooling, medical care, and religious practices, most often this is joint.
- Holiday Schedules: who will the child will spend major holidays, birthdays, vacations, and other special occasions.
- How disputes with and changes to the agreement will be dealt with.

Once a Parenting Plan is drawn up, it must be submitted to a judge for final approval. If it is agreed upon, very often the parents will not even need to attend a hearing. The judge will approve the Plan and mail the orders out to the parents. If there is a hearing, the judge will verify that both parties understand the agreement, voluntarily enter into the agreement and have the best interests of the child(ren) in mind. If satisfied, the judge will grant court approval. The agreement is then legally binding. If either party fails to abide by its terms, he/she will likely face legal consequences. ●

