



# Seufert Law Offices, PA

*We'll Get You Through It*

## From the Captain's Log All is Well



Yes, owning and maintaining a boat is a lot of work.

Now some captains are not mechanically inclined, Captain Pete is one of those. Newer to boating than some of the other local Captains, Peter is an IT guy and good with most things electronic, but not so much with mechanical, so he has the Marina do most all of his boat work. Captain Ned is fairly good with electronics, and mechanical, but has a philosophy to

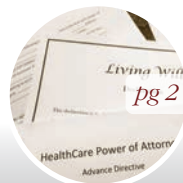


do as little as necessary, if it won't sink the boat during the season, leave it alone until it breaks. Yours truly, Captain Chris, is constantly turning wrenches, when you turn a switch, or push a lever, on Litigator, everything works like it should. The Professor has the best gig, don't own a boat, just make friends with those that do.

But funny thing, put them all together on any Captain's boat and all is well.

And no matter what your philosophy on boat repairs, waking up on your boat on a Sunday morning, making a cup of coffee, walking out onto the cockpit, boat swaying gentle in the breeze, well – Priceless. ●

### July 2022 News



# Potential Pitfalls of Estate Administration

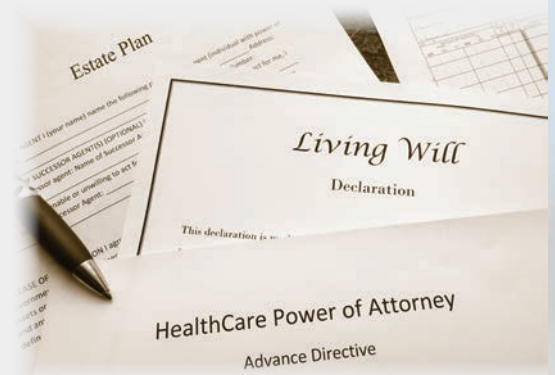
The executor of an estate may think that their duties in that role are straightforward. Most times they are, but there are potential pitfalls that would-be executors should be aware of.

For instance, a will might be invalid. Have an estate attorney review the will to make sure it meets the requirements of state law. If the will was done in a different state, make sure it was executed according to the laws of the state that it was executed in. If you begin administering the estate before taking this step, you may have to undo what was previously done should the will not pass muster. If a will is found to be invalid, the estate will be administered as if the will never existed.

If you are told there is no will, it's a good idea to verify that important detail. If you proceed with an intestate probate administration (one done without a will) and then find out there's a will, you've wasted some time and effort. In addition, if the decedent left a will, make sure it's the most recent version. Sometimes a person passes away before giving anyone the heads-up about an updated will. And a will does need to be probated before the beneficiaries can get their inheritance, the difference between having a will and not having a will is with a will you dictate who is a beneficiary, without a will the court and laws dictate.

There's also a scenario in which an unintended disinheritance can occur, which can cause a slew of problems. One example is the use of a reciprocal will. This is when married couples leave everything to each other first, then to their children. If the couple have children from previous marriages, it's possible that the children of the first spouse to pass away do not inherit anything. You can imagine how that could complicate the estate administration process.

Contact an experienced estate attorney to help you with all matters of wills, trusts, and estate planning and administration. ●



# Toss One Back for the National Anthem



Francis Scott Key, lyricist of our national anthem, was born in 1775, which means the “Star-Spangled Banner” is not tied to the American Revolutionary War — as many mistakenly believe. Rather, he wrote it during the War of 1812 upon witnessing the British bombardment of Fort McHenry from Baltimore Harbor in September 1814.

Key, a successful and influential attorney in Washington, D.C., who ultimately argued over 100 cases before the Supreme Court, was dispatched to Baltimore by President Madison to negotiate the release of American prisoner Dr. William Beanes,

a prominent surgeon held captive by the British.

Key and Col. John Stuart Skinner boarded a British ship, dined with British officers, and secured Beanes's release under one condition: there would be no return to shore until the British had completed their attack on Baltimore. It was from this vantage point that the lyrics to the “Defence of Fort M’Henry,” later the “Star-Spangled Banner,” were born.

The song has four verses, but like many Christmas carols, it probably should have ended after one. Key was a prolific amateur poet who wrote for family and friends but never tried to get published. His family released his poetry after his death; the reviews were tepid.

Music was not Key's forte either. He couldn't carry a tune and was thought to be tone deaf. So he lifted the melody for our eventual national anthem from an English drinking song written in 1775, “To Anacreon in Heaven,” and inserted his patriotic lyrics.

In 1931, the “Star-Spangled Banner” became the official national anthem of the United States. Despite its rough background and degree of difficulty in singing, the song made Francis Scott Key the biggest one-hit wonder of all time. ●





# Common Causes of Wrongful Death

Wrongful deaths—those that are caused by the negligence or misconduct of another party—are more common than a lot of people think. For instance, it’s estimated that medical malpractice alone may be responsible for over 100,000 deaths annually.

While some wrongful deaths occur instantaneously as a result of a fatal injury, other deaths can take a long time to happen—sometimes many months or even years—from serious injuries such as traumatic brain injuries, internal bleeding or spinal injuries.

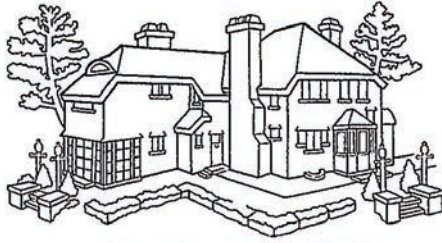
Some of the most common causes of wrongful death include:

- Car accidents
- Medical malpractice, such as serious surgical errors or medication errors. Other examples of medical malpractice can include misdiagnosis, failure to diagnose or a delayed diagnosis.
- Defective products, especially in cases in which medical products are involved.
- Dangerous drugs or drug interactions.
- Workplace injuries, especially at construction or manufacturing sites.
- Slip and fall premises liability injuries.

No matter what the cause or how long the wrongful death took to occur, surviving family members (such as a spouse or children – including adopted children) or, in some cases life partners or even distant family members, have the right to sue for wrongful death and recover compensation for damages they have suffered.

Wrongful death actions can be complex and difficult to file, so you are strongly encouraged to seek experienced counsel if you have questions about a loved one’s death or feel that you may have a potential claim. ●

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*Protect Your Family, Protect Your Rights*



All is Well

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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.

## Conditions of Bail

Sometimes a court requires cash bail from an arrested individual as assurance that that individual will appear at court as required and abide by any other terms and conditions of bail. If that individual fails to appear or violates any such terms or conditions the money posted for bail may be forfeited to the court. In addition, the court may issue a bench warrant.

The bail amount may be set initially by a bail commissioner, but it is always reviewable by a judge. Factors taken into consideration in the decision in whether to set cash bail include the seriousness of the crime, the accused's prior criminal record and any flight risk.

In New Hampshire, the only crime for which the state may ask for no bail is an offense punishable by life in prison. The accused is entitled to have bail set for any other offense.

In addition to an amount of cash, the defendant will be required to follow certain conditions of bail. If an individual violates the conditions of release, such as a no contact order, the court revoke bail and incarcerate the individual pending trial. It is important for anyone released on bail to be aware of and follow any prescribed terms and conditions.

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