



WRONG-WAY ACCIDENTS: infrequent but lethal

what's inside

page 2

Breaking contact with the road

How the Heimlich Maneuver got its start

Lawyer's comedy corner

page 3

Recipe of the month

Cancer and social security disability

page 4

Where there's a will...



Steve Giacioletto



According to the National Transportation Safety Board (NTSB), over 350 highway deaths each year are attributable to wrong-way driving incidents, with the vast majority of them due to head-on collisions at high speeds. One percent of conventional auto accidents involve fatalities; the figure skyrockets to 22 percent for wrong-way collisions.

A 2012 report issued by the NTSB stated that over half of wrong-way incidents involved alcohol-impaired drivers, with over 60 percent of them having blood-alcohol readings of .15 or higher—nearly double the legal limit in most states. Fifteen percent of wrong-way collisions are initiated by drivers age 70 or above. Confusion and impaired vision are aggravating factors in these accidents.

Many wrong-way accidents begin with a driver mistakenly entering a highway from an exit ramp; others originate with people who realize they

have missed their exit, so they make a U-turn and head the wrong way back to the exit. Nearly 80 percent of wrong-way accidents occur between 6 p.m. and 6 a.m.

Research has shown that road configurations sometimes play a role in driver confusion. Entrance and exit ramps that are side by side sometimes compound disorientation. Exit ramps on the left-hand side of a highway seem to exacerbate these situations as well.



The NTSB is recommending that states drop the hammer on first-time DUI offenders by requiring ignition-interlock devices on their cars. Some states are enlarging warning signs and placing them closer to eye level, which is yielding positive results.

If you have been the victim of a wrong-way accident, contact an experienced auto accident attorney to protect your rights. ■

breaking contact

WITH THE ROAD

When a vehicle hydroplanes, water lifts the tires off the surface of the pavement, temporarily nullifying the driver's ability to steer and brake. Not surprisingly, this turn of events may result in tragedy, with a driver losing control and veering into other traffic or off the road—especially at highway speeds.

Sometimes, hydroplaning occurs as a result of Mother Nature suddenly unleashing her fury, as in a cloudburst that overwhelms even the best drainage systems, with water accumulating on the roadway. Occasionally, drivers travel too fast for conditions or have tires with poor tread.

Other times, however, alternate factors are involved in incidents of hydroplaning:

- Lack of maintenance may lead to storm drains getting clogged by debris, silt, or snow.
- Substandard construction may include the road surface being comprised of a weak asphalt mix that results in grooves or ruts in the road for water to gather rather than run off to the side of the road. If roadways aren't crowned correctly, water may pool in the middle of the road rather than run off to the sides.
- Poorly placed storm drains or an inadequate amount of storm drains along curbed roadways, or along roadways that are flanked by elevated ground levels, enable water to accumulate.

In addition to hydroplaning, excess water that is flung from one vehicle to another's windshield can hinder vision and lead to dire consequences.

If you've been the victim of a hydroplaning accident in which road/drainage negligence may be a factor, contact an auto accident attorney to protect your rights. ■

HOW THE HEIMLICH MANEUVER

got its start

Health and safety took a big leap forward in 1972 when, now 94-year-old, Henry Heimlich happened across an article about accidental deaths in New York Times Magazine. Since his occupation was thoracic surgeon—a medical doctor who specializes in the heart, lungs, esophagus, and diseases of the chest—his gaze was naturally drawn to number six on the list: choking.

In 1972, over 3,000 people per year in the United States died from choking. Methods to help choking victims were either ineffective or made the situation worse. A popular recourse was to slap the victim's back, which tended to drive the object farther down the airway, plugging things even more tightly.

Dr. Heimlich knew that a large residual amount of air remained in the lungs, even after an exhale. His goal was to put that air to good use by forcefully expelling it, along with the lodged object, out the mouth.

With the help of an endotracheal tube (which has a balloon that can simulate an object lodged in the throat) and an anesthetized dog, Dr. Heimlich went to work. After some experimentation, he honed in on the maneuver that would soon bear his name, the Heimlich Maneuver, which was officially endorsed by the medical community in 1975.

Dr. Heimlich is thrilled that lives are saved every day with his maneuver, and proud that it is simple to perform and accessible to almost anyone. For thousands of choking victims, Dr. Heimlich has literally given them their second wind. ■

LAWYER'S COMEDY CORNER

For some reason this joke struck me as appropriate for upcoming Income Tax Day

Just before a boy enters a barbershop, the barber tells his customer, "This is the dumbest kid in the world. Watch."

The barber puts a dollar in one open palm and two quarters in the other and asks the kid,

"Which do you want?"

The boy takes the quarters and leaves.

"See?" the barber tells his customer laughing.

Later the customer passes the boy, who is standing outside a candy store.

"Why'd you take the quarters and not the dollar?" he asks the boy.

"Because," answered the boy, "the day I take the dollar is the day the game is over." ■

RECIPE OF THE MONTH

April is Jazz Fest Month in New Orleans so it's seems fitting for a Jambalaya Recipe even if many of you already have one.

It's not the easiest of recipes, but that's what you get for cooking a Cajun and Creole dish with French and African influences.

This particular New Orleans recipe dates back to the 18th Century when Spanish settlers tried using local ingredients to replicate a rice dish called paella.

jambalaya

2 tbsp olive oil
8 oz boneless, skinless chicken breasts, cut into 1 ½ inch pieces
Kosher salt and pepper
6 oz fully cooked andouille sausage (about 2 links), sliced ¼ inch thick
1 medium onion, chopped
2 small stalks celery, cut into ¼ inch pieces
1 red pepper; cut into ¼ inch pieces

2 cloves garlic, finely chopped
2 tsp Cajun seasoning
1 ½ cups low-sodium chicken broth
15-oz can petite diced tomatoes with green chiles
1 cup long grain white rice
8 oz large peeled and deveined shrimp, tails discarded
2 scallions, thinly sliced

1. Heat the oil in a large skillet over medium-high heat.
2. Season the chicken with ¼ tsp each salt and pepper and brown for 2 to 3 minutes per side.
3. Scatter the sausage around the chicken and brown for 1 minute per side; transfer to a plate.
4. Reduce heat to medium, add the onion and cook, covered, stirring occasionally, for 4 minutes.
5. Stir in the celery and red pepper and cook until the vegetables are just tender, 4 to 5 minutes.
6. Stir in the garlic and Cajun seasoning and cook for 1 minute.
7. Stir in the broth, tomatoes (and their juices) and rice and bring to a boil.
8. Reduce heat and simmer, covered, for 13 minutes.
9. Fold the chicken and sausage into the rice mixture, nestle the shrimp in the partially cooked rice
10. Cook, covered, until shrimp are opaque throughout and the rice is tender, 4 to 5 minutes more.
11. Sprinkle with the scallions before serving.

Serves 4

493 Cal; 16g Fat; 4g Sat Fat; 133mg Chol; 1,568mg Sod; 35g Pro; 51g Carb; 3g Fiber

Source: Woman's Day, March 2014

April 2014 Important Dates

April 7 – Cardinal Home Opener against Cincinnati Reds April 13 – Palm Sunday
April 15 – Income Taxes Due April 18 – Good Friday April 20 – Easter Sunday
April 23 – Administrative Professionals Day May 11 – Mother's Day May 26 – Memorial Day

cancer AND SOCIAL SECURITY DISABILITY

The Social Security Administration (SSA) defines “disability” as a condition that prevents a person from doing the work they did prior to a disease or injury, precludes them from adjusting to and performing other types of work, and the condition is expected to last for at least a year or result in death.

Under that definition, some people who have cancer may be eligible for Social Security Disability (SSD) benefits. Although all diagnoses of cancer are traumatic, not all cancers are the same, which means that prognoses will differ as well. Some people will go through the normal process of evaluation (with the right to appeal a denial). Others may be granted immediate approval of SSD benefits based on the type of cancer alone (e.g., metastatic brain cancer).

Any request for SSD benefits will include documentation encompassing the pathology and surgery reports, and a doctor's

statement. Make your doctor aware of your SSD benefits application; he/she may be able to expand upon your medical information to crystallize the cancer's impact on your life.

If the original tumor and metastatic disease disappear and have not been evident for three years, you no longer meet the criteria for disability payments. However, if the aftereffects of the cancer and/or its treatment result in permanent impairment that prevents you from working, you'll likely still be eligible for benefits.

Conversely, if your cancer progresses during the course of your SSD evaluation or after a denial, contact the SSA immediately. This could have a huge impact on your situation.

If you have cancer that robs you of your ability to work, contact an experienced SSD attorney to safeguard your rights. ■



GIACOLETTO
LAW FIRM

1601 Vandalia Street
Collinsville, Illinois 62234
618-346-8841
www.giaclaw.com

WRONG-WAY ACCIDENTS:
infrequent but
lethal



SEE PAGE ONE

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.

where there's a will...

A will is a legal instrument by which a person (the testator) makes decisions on how his/her estate will be managed and/or distributed upon their death.

There are various types of wills. Here are brief overviews of some of them:

Attested will. This will requires the signature of witnesses who can “attest” to the fact that the testator wrote the will and was of sound mind when doing so—under penalty of perjury. Two or three disinterested witnesses (witnesses who do not stand to benefit from the will) must be present when the will is executed.

Pour-over will. This will is set up in conjunction with a trust. In effect, the trust is the beneficiary of a pour-over will. Any assets and property of the testator not named in the trust are automatically “poured over” into the trust upon the death of the testator.

Holographic will. This is a will handwritten by the deceased, in totality, and must be signed, dated, and legible. It does not require witnesses or notarization. The executor of the estate must produce a witness who can vouch that the writing is that of the deceased. Fewer than half of states recognize this type of will, as they cause numerous probate problems.

If you die without a will, the state may intervene with a predetermined formula to distribute your property, possibly contrary to your wishes.

Contact an estate attorney today to eliminate this risk. ■



Visit us at www.giaclaw.com