

The Road To Justice Starts Here

April 2018



**PURCHASE GEORGE
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REFERRALS

We appreciate your referrals of family & friends. Show them you care enough to help.

833-7100

ERIC PURCHASE elected president



Our own Eric Purchase was recently elected President of the Erie County

Bar Association (ECBA) by his fellow lawyers. Eric began his duties as President effective January 1, 2018. He is a proud graduate of General McLane High School, Gannon University, and The University of Pittsburgh Law School.

Eric says, "I have three primary goals that I'd like to accomplish during 2018" as the new leader of the ECBA.

"First, I'd like to nurture the relevant relationships of the ECBA, including those with our members, our judges, and the community at large, by expanding programs like our Speakers Bureau and our Business Partners Program, the latter offering businesses that provide products and services of benefit to our members a special connection to them. Next, I want to engage in a sustained effort to personally connect with current and prospective members of the bar.

Finally, I'm looking forward to initiating a return of our Bench Bar Conference."

So, if you're a business owner who wants to discuss the ECBA's Business Partner Program, or if you would like a lawyer to speak to your group or students at your school, call Eric!

Eric is active in our community in many other ways, too. He serves on the board of New Blossoms New Life, is an active Member of the Erie Club and Nuova Aurora Club, volunteers through the Erie County Bar's Pro Bono Program, and co-founded the Erie Veterans Free Legal Clinic in 2016 with his partners at Purchase, George & Murphey, P.C. He is an active member of the Pennsylvania Bar Association, Western PA Trial Lawyers Association, PA Association for Justice and American Association for Justice. He also possesses a strong and enduring commitment to attend, enjoy, and, occasionally, volunteer at various charity fairs and festivals.

This is just the latest example of your lawyers at Purchase, George & Murphey, P.C. assuming leadership roles in our legal community and working to make our region a better place to live and work. ■

TWO KEY CONTRIBUTORS TO nursing home falls

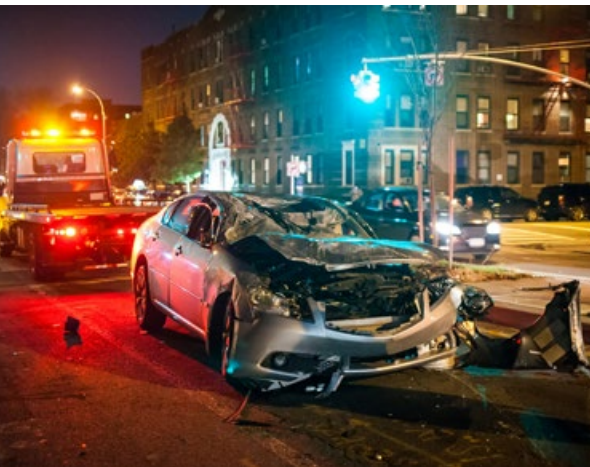
Falls are an ongoing, serious problem in our nation's nursing homes. Residents tend to be older and more frail than senior citizens living in the general community, so it's not surprising that their number of falls per person, per year is higher. However, other factors come into play that needlessly elevate the figures.

Two major factors that increase the risk of falls are overuse of psychotropic drugs and understaffing at nursing homes. Psychotropic drugs affect the mind, emotions, and behavior, and may cause muscle spasms, dizziness, and drowsiness—thus increasing the risk of falls. Although federal law forbids it, there are too many instances of psychotropic drugs being prescribed for the convenience of staff to make patients more compliant (chemical restraints).

Understaffing is a serious issue as well. If staff are stretched too thin, they can't tend to all their duties in a timely fashion, and residents suffer. Some residents may make ill-advised attempts to do things themselves due to lack of response. Nursing staff often work without enough rest, making them more vulnerable to mistakes and oversights. Understaffing also increases the temptation to overprescribe psychotropic drugs. All these factors contribute to a rise in resident falls.

Falls can result in fractures and head injuries, and precipitate a steep decline in overall health and quality of life. Roughly 1,800 residents die as a direct result of falls each year. The fear of falling can also lead to depression, social isolation, and a further decline in overall function.

If your loved one has experienced a fall under questionable circumstances at a nursing home, contact Purchase, George & Murphey, P.C. at (814) 833-7100. We can help! ■



AUTO ACCIDENT VICTIMS — never go it alone

If you are the victim of a careless driver and sustain serious injuries, it's *always* a good idea to hire a car accident lawyer—and almost always a mistake to go it alone. Here's why...

Car accident attorneys have in-depth knowledge about relevant laws and procedural rules affecting your case. They will advise you of applicable insurance coverage, statutes of limitations, filing deadlines, special exceptions, and so forth. They will also handle the paperwork for you, which can be voluminous.

An experienced auto accident lawyer will also gather the necessary evidence to support your claim, such as police reports, medical records and bills, witness statements, and employment and lost-wages information. They will calculate how much monetary compensation you deserve and will deal with the insurance company's lowball offers, delay tactics, and possible twisting of the facts.

A lawyer can also file a lawsuit on your behalf and anticipate possible defenses raised by the at-fault driver. They will also be familiar with how best to press your case.

Auto accident lawyers are your personal advocate. They will make sure your story is heard and that you are properly compensated for your losses. If cost is a concern, most lawyers are paid on a contingency-fee basis, meaning they only get paid if there is a successful resolution of your case.

Read more about why a lawyer makes a difference in car accident cases in our book, "A Roadmap to Justice: The Ultimate Guide to Car Accident Cases in Pennsylvania." If you are injured due to another driver's negligence, **never go it alone**; it's a losing proposition. Contact Purchase, George & Murphey, P.C. to protect your rights so you can focus on getting better. ■

APRIL FOOL'S DAY

THE MURKY ORIGIN OF April Fools' Day

The origin of April Fools' Day, marked by pranks and tomfoolery, is somewhat of a mystery. But when there's a vacuum of facts, theories are never in short supply.

One explanation involves the switch in some European countries from the Julian calendar in 1582 to the Gregorian calendar. The start of the new year was March 25 on the Julian calendar, and there was a week of celebratory events, through April 1. The Gregorian calendar, on the other hand, moved New Year's Day to January 1. People who were slow to catch on to the calendar change (or just didn't get the news) and still could be tricked into celebrating New Year's on April 1 were dubbed April fools and became the butt of jokes and victims of pranks.

Another supposition for April Fools' Day's beginnings is rooted in Chaucer's *The Canterbury Tales*, written in 1392. One tale, "The Nun's Priest's Tale," emphasizes foolishness and is set on "March 32." There is controversy as to whether March 32 was merely a misprint or a playful alternative to April 1.

One meteorological explanation for April Fools' Day is that April 1 falls near the time of the vernal equinox. In the Northern Hemisphere, that means unpredictable weather, which can render people foolishly unprepared for Mother Nature.

Whatever the origin of April Fools' Day, it can be a lighthearted time to dupe a family member or friend, or the general public. Superstitious types shouldn't pull a prank after 12 noon on April 1, though, unless they want to become a magnet for bad luck. ■

DON'T DRINK AND DRIVE... or operate a drone in New Jersey

Drones (a.k.a. unmanned aerial vehicles) are becoming increasingly popular. They are flown recreationally; hobbyists use them for aerial photography; and they're being utilized commercially for shipping/delivery of items, site inspections, weather tracking, agricultural endeavors, and so forth. They've also garnered headlines for military use over the past decade or two.

Due to the prevalence of drone usage, misuse and annoyance issues are on the rise. People have been harassed by drones and had their privacy invaded. There have been near-misses with airplanes, interference with first responders, disruptions of wildlife, and they've been used to smuggle drugs and other contraband into prisons.

In response to these concerns, the Federal Aviation Administration made it mandatory to register drones in December 2015. In addition, federal, state, and local legislators have been creating regulations for drone usage to address harassment, privacy, and security issues. And on May 1, 2018, New Jersey is set to become the first state to ban the operation of drones while under the influence of alcohol or drugs.

The new law in New Jersey defines "under the influence" as a blood-alcohol concentration of 0.08 percent or higher. It also forbids operation of a drone while using a narcotic, hallucinogen, or habit-producing drug. Violators will be subject to up to six months in prison and a maximum fine of \$1,000.

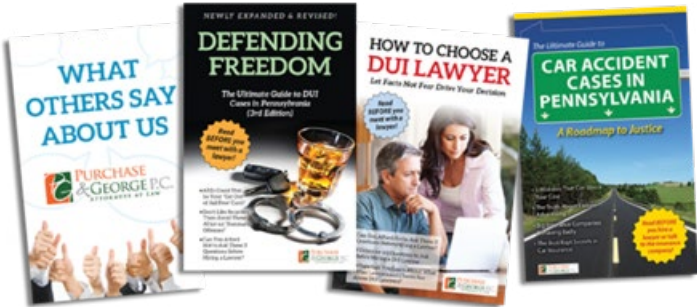


Enforcing the new law in New Jersey could present some challenges. Unlike the state's implied consent laws for driving while intoxicated, nothing in the drunk-droning law compels drone operators to submit to blood-alcohol or breath-alcohol testing.

Drone operators of the world, follow the law and stay sober. That's solid advice for any occasion. ■



Free Books



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.

bicycling season IN FULL SWING

With the arrival of spring, many parts of the country see a surge in bicyclists hitting the roadways. That also means a rise in bicycle collisions with cars and trucks.

Bicyclists have the same rights—and responsibilities—on the road as motorists. If motorists are negligent or reckless and cause injury to a bicyclist, a bicyclist can be compensated for medical bills, lost income, property damage, and pain and suffering. Bicyclists might forfeit or receive reduced compensation if they are partially responsible for the accident (contributory or comparative negligence).

Here are several safety tips that can help you to avoid potential bicycle-car collisions and reduce injuries:

- Wear brightly colored clothing, and make sure your bike has lights and reflectors to improve nighttime visibility.
- Always wear a helmet.
- Follow all the rules of the road. Stop at stop signs and traffic lights; never ride on the wrong side of the street; signal your intentions; yield the right of way; and never ride intoxicated.
- Be mindful that nearly two-thirds of bicyclist injuries and fatalities occur at intersections. “T” intersections are the most hazardous, followed by roundabouts.
- When bicycling past parked cars, be on the lookout for drivers opening their doors to exit their vehicles (“dooring”).



If you are involved in a bicycle-car collision and injuries appear to be nonexistent or minor, seek medical attention anyway, as adrenaline can mask injuries. Some injuries don't become evident for days, and seemingly minor injuries sometimes lead to serious disabilities.

If you or someone in your family is hurt while bicycling, call Purchase, George & Murphey, P.C. at (814) 833-7100. ■